

Overtime/Compensatory Time Election Form

(For completion by employees in non-exempt status)

The Fair Labor Standards Act requires written agreement in order for a public employer to pay an employee compensatory time in lieu of over-time pay. This agreement allows you to choose whether you receive comp-time or pay for overtime hours worked. When choosing compensatory time, employees can accumulate a **maximum of 120 hours**. The Department of Livestock requires time accumulated over 120 hours to be paid as overtime.

I understand that the Department of Livestock Management:

- Reserves the right to approve the accrual of compensatory time or overtime and,
- May at any time, pay cash for all or any portion of a covered employee's accrued compensatory time.

Please fill in the following information:

Employee's Name: _____

Position Title: _____

Date: _____

Location: _____

I understand that the position I am currently in has been determined by the Department of Livestock to be *non-exempt* according to the Federal Fair Labor Standards Act (FLSA). I understand that means that I am eligible to receive overtime pay at one and one-half (1½) times my current rate of pay, or to choose to receive paid time off at one and one-half (1½) times my current rate for each hour of employment for which overtime compensation is required. I understand I am responsible for supplying the correct Time Reporting Code for the option I choose when submitting my time.

I voluntarily select one of the following for overtime worked (check one):

- Overtime Pay (Pay at 1½ my hourly rate)
Time Reporting Code = **OVT**
- Compensatory Time (Time off at 1½ hours for every overtime hour worked)
Time Reporting Code = **CTE**

Please forward to your Supervisor for their signature. Supervisors please email form to HR.

Employee Signature:

Date

Approved by: (Supervisory Signature)

Date

Administered in accordance with the Federal Fair Labor Standards Act and State of Montana Policy

https://montana.servicenowservices.com/sp?id=kb_article&sys_id=08816d681b751810135cebdbc4bcb49&table=kb_knowledge