



Cochise County Judicial System

Policy Title: Overtime and Compensatory Time

Policy Number: 4004

Effective: March 1, 2021

Last Reviewed/Updated: February 22, 2021

An employee is expected to work no more than the required 40 hours in a seven-day work period except as otherwise provided due to an employee's position. Leave time such as personal, sick, bereavement, holiday, administrative, compensatory or emergency is not regarded as "time worked" within the work period. Only actual time worked in excess of 40 hours in a seven-day work period will be recorded as overtime at the one and one-half rate. Probation Officers, Surveillance Officers and Juvenile Detention Officers will earn overtime or compensatory leave based on actual worked time worked in excess of 80 hours in a fourteen-day work period and will be recorded as overtime at the one and one-half rate.

- A. Employees shall work over 40 hours in a seven-day work period only when pre-approved by the Department Director or designee.
- B. An employee approved to work overtime shall be compensated for overtime hours worked by either one of the following methods, at the discretion of the Department Director:
 1. By compensatory time at a rate of one and one half (1½) hours off for each hour of overtime worked and not paid.
 - a. Compensatory time shall not accumulate more than forty (40) hours.
 - b. An employee eligible for overtime who has forty (40) hours of accrued compensatory time is to be paid for authorized overtime worked.
 - c. Accrued compensatory time shall be used in the same manner as personal leave and shall be used before using personal leave. The preferred method for compensating overtime shall be to give employees time off during the pay period in which it was earned or before the closing of the next full pay period immediately following the week when the overtime was worked. Employees shall make every effort to reduce their compensatory time balance as quickly as possible.
 - d. All accrued compensatory time will be paid when an employee changes positions, has a balance at the end of a fiscal year, or separates from employment.

2. By payment at one and one-half (1½) times the employee's current hourly rate.
- C. Overtime shall be allocated as evenly as possible among all employees qualified to do the work. While preference may be given to those employees who wish to volunteer for the work, all employees are required to work overtime when requested to do so.
- D. An employee who works any hours in addition to their scheduled hours without prior approval may be subject to disciplinary action up to and including dismissal.
- E. Department Directors are responsible for managing overtime and compensatory time payments within their department's adopted budget.

1. Exempt Employees

- A. Employees classified as exempt under the Fair Labor Standards Act are not eligible to receive pay or compensatory time for overtime worked. This list may be revised from time to time separate and apart from these rules.
- B. An exempt employee may be awarded up to three (3) working days management leave, within a calendar year, at the discretion of the Presiding Judge or Department Director.