AGREEMENT TO ACCEPT COMPENSATORY TIME OFF IN LIEU OF OVERTIME PAY

In accordance with the provisions of the Fair Labor Standards Act (FLSA) and the Michigan State University Faculty and Academic Staff Compensatory Time Policy and Procedure and the Support Staff Compensatory Time Policy and Procedure, non-exempt employees and employees entitled to receive compensatory time per a Collective Bargaining Agreement (CBA) or policy are allowed, with the approval of their supervisor, to accrue compensatory time off of work instead of receiving payment for overtime hours worked.

As a non-exempt employee, by signing the following, I agree to the following terms:

I freely and voluntarily agree to accept compensatory time off in lieu of overtime pay for overtime hours worked under the FLSA. I understand that I will accrue compensatory time at the rate of one and one-half hours for each overtime hour worked during a workweek. I understand that this compensatory time used will not be counted as time worked for purposes of computing overtime or additional compensatory time.

I further understand that compensatory time may be accrued up to a maximum of 240 hours (units may establish a lower cap) and must be used or paid in accordance with University policy and the law. I also understand that compensatory time may be preserved, used and cashed out consistent with the provisions of University policy and the law.

I understand that it is the responsibility of both myself and my department to monitor and maintain records of my earned and used compensatory time.

EMPLOYEE

PRINTED NAME ______________________ SIGNATURE ______________________

DEPARTMENT __________________________ DATE __________________________

DATE OF ANTICIPATED OVERTIME (to be earned as compensatory time): ______________

UNIT/DEPARTMENT APPROVAL

PRINTED NAME ______________________ SIGNATURE ______________________

UNIT/DEPARTMENT __________________________ DATE __________________________

☐ The cap on compensatory time in this unit/department is lower than 240 hours. It is: _____ hours.

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1 For non-exempt employees subject to a CBA, the CBA’s terms may differ. The FLSA provides minimum standards that may be exceeded, but cannot be waived or reduced. Thus, where the CBA terms exceed those of the FLSA or University policy, the CBA terms should be followed.

2 There may be higher caps only for fire and law enforcement personnel; check the applicable CBA for these terms.