University of California, Davis

Compensatory Time Notification

(Personnel Policies for Staff Members, UCD Procedure 32.C Note 3)

Instructions: When an employee is hired, transferred, reclassified, or promoted into a non-exempt position that is not represented by a collective bargaining agent, the department must obtain the employee's signature on the form below.

The Fair Labor Standards Act provides that an employer may provide a non-represented employee with compensatory time off in lieu of cash compensation for premium overtime, if the employee has been appropriately notified and has knowingly and voluntarily agreed to it as a condition of employment. There are three steps to this notification and agreement:

1. A notification is printed on the Application for Employment.

2. During the hiring process, the interviewer(s) should cover this subject. An example of an acceptable question would be, "Do you agree that if you work overtime, the department can decide whether to compensate you with pay or compensatory time off?"

3. At the time of hire, the department gives the applicant this notification form and obtains the applicant's signature. The signed form is kept in the department personnel file.

AGREEMENT

This position is a non-exempt position, and compensatory time received may be preserved, used, or cashed out consistent with the provisions of the Fair Labor Standards Act, Section 7(o) and University Personnel Policies for Staff Members, Policy 32 (Overtime).

I knowingly and voluntarily agree as a condition of employment, that the University may elect to provide compensatory time off in lieu of cash for premium overtime compensation, at the discretion of the department head.

_____	_____	_____
Employee Name	Employee Signature	Date