



## Illinois Department of Corrections

### Administrative Directive

Number: <b>02.65.131</b>	Title: <b>Overtime, Compensatory Time, Equivalent Earned Time, Temporary Assignment, Standby, Call Back and Paid Lunch</b>	Effective: <b>11/1/2021</b>
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<b>Authorized by:</b>	<i>[Original Authorized Copy on File]</i> <b>Rob Jeffreys</b> Director
<b>Supersedes:</b>	02.65.131 effective 1/1/2021

<b>Authority:</b> 730 ILCS 5/3-2-2 80 IAC 303.320	<b>Related ACA Standards:</b> 5-ACI-1B-16, 5-ACI-1C-01, 06, 07, and 18
<b>Referenced Policies:</b> 03.01.115	<b>Referenced Forms:</b> DOC 0129 – Report of Overtime, Compensatory Time or Other Adjustments to Pay DOC 0133 – Roll Call or Sign-in Sheet DOC 0140 – Employee's Time Sheet

#### **I. POLICY**

The Department shall establish and maintain uniform timekeeping requirements for reporting and compensating eligible employees for overtime, compensatory time, equivalent earned time, standby, call back, paid lunch and temporary assignment.

#### **II. PROCEDURE**

##### **A. Purpose**

The purpose of this directive is to establish a written procedure providing uniform timekeeping requirements for reporting overtime, compensatory time, equivalent earned time, standby, call back, paid lunch and temporary assignment for Department employees eligible for such time.

##### **B. Applicability**

This directive is applicable to all correctional facilities, offices, programs and parole services within the Department.

##### **C. Facility Reviews**

A facility review of this directive shall be conducted at least annually.

##### **D. Designees**

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed.

##### **E. Overtime**

1. Overtime shall be distributed as equally as possible among the employees who normally perform the work in the position classification in which the overtime is needed.
2. Overtime shall be distributed on a rotating basis among such employees in accordance with seniority, with the most senior employee having the least number of overtime hours being given first opportunity. Refer to Administrative Directive 03.01.115 for information on overtime

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equalization for RC-6 employees.

3. RC-6, 14, 23, 28, 29, 62 and 63 employees shall normally receive overtime at the rate of one and one half for hours in excess of regularly scheduled hours. However, these employees, except for RC-29 employees, shall receive double time for any hours worked in excess of 16 hours during a 24-hour period.
4. CU-500 and Trades shall receive overtime at the rate of one and one half for hours in excess of regularly scheduled hours.
5. RC-90 shall receive overtime at the rate of one and one half hours in excess of regularly scheduled hours.
6. VR-704 shall receive straight time for all hours worked in excess of regularly scheduled hours. Payment shall be in cash or compensatory time. Employees may accumulate up to 60 hours of compensatory time per fiscal quarter. Any unused compensatory time shall be liquidated within the fiscal quarter it was earned. Time not taken at the end of the fiscal year shall be liquidated.
7. RC-45 shall receive overtime at the rate of one and one half hours in excess of 8 hours a day. Two times the employee's regular rate of pay shall be paid for all hours worked on Sunday or in instances where his or her regular work schedule includes Sunday, on the second regularly scheduled day off in his or her regular re-occurring work schedule. Also, two times the regular rate of pay shall be paid, in addition to holiday pay, for all hours worked on official State holidays, or days designated as holidays by the employer.
8. For Merit Comp titles, or Bargaining Unit excluded titles, refer to the Overtime Rate Memo posted on the CMS Work Bench under Compensation and Classification.
9. Overtime not paid shall accrue as compensatory time.
  - a. RC-6

Employees who schedule compensatory time off shall be granted by the Employer within the fiscal year earned at a time convenient to the employee consistent with the operating needs of the Employer, and if not so granted or taken, it shall be liquidated in cash before the end of the fiscal year in which earned. Notwithstanding the above, employees who schedule compensatory time off by June 30th of the fiscal year shall be allowed to use such time through August 15th of the subsequent fiscal year.
  - b. CU-500

Employees who schedule compensatory off by June 1st of the fiscal year shall be allowed to use such time through August 1st of the following fiscal year. Employees who earn compensatory time after June 1st shall be allowed to use such compensatory time through August 15th of the subsequent fiscal year.
  - c. RC-10, RC-62 and RC-63

Employees who accrue compensatory time not scheduled or taken by the end of the fiscal year shall be liquidated and paid in cash at the rate it was earned. Notwithstanding the above, employees who schedule compensatory time off by June 30th of the fiscal year shall be allowed to use such time through August 15th of the subsequent fiscal year.

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- d. RC-14, RC-28 and RC-29

Employees who schedule compensatory time off shall be granted by the Employer within the fiscal year earned at a time convenient to the employee consistent with the operating needs of the Employer, and if not so granted or taken, it shall be liquidated in cash before the end of the fiscal year in which earned. Notwithstanding the above, employees who schedule compensatory time off by June 30th of the fiscal year shall be allowed to use such time through August 15th of the subsequent fiscal year.

- e. All other employees shall schedule and use compensatory time by the end of the fiscal year. Any compensatory time not used by June 30<sup>th</sup> shall be liquidated and paid; compensatory time may **not** be carried over to the next fiscal year.

**F. Equivalent Earned Time**

1. Employees who are non-union, exempt under the Fair Labor Standards Act and in positions not eligible for overtime compensation, may receive equivalent earned time for hours worked in excess of their regularly scheduled work week.
2. Requests for equivalent earned time shall be granted by the employee's supervisor at his or her discretion, taking into consideration the operational needs of the facility or office.
3. Equivalent earned time:
  - a. Shall be accrued at straight time only to a maximum of 240 hours.
  - b. Shall be accrued in no less than one-quarter hour increments. Time spent in travel outside of the normal work schedule shall not be counted toward accrual of equivalent earned time.
  - c. May be used in one-quarter hour increments after a minimum use of one consecutive half-hour.
  - d. May be carried over from year to year, but may not exceed 240 hours at any given time. Unused equivalent earned time shall not be liquidated in cash.
  - e. May be transferred if the employee transfers to a position with another State agency.
  - f. Shall not be transferred if the employee transfers to a bargaining unit position.

**G. Temporary Assignment**

Eligible employees required to relieve another employee or to work in a higher position classification for any time other than rest or meal periods shall receive temporary assignment pay. Non-contract employees shall not be eligible for temporary assignment; however, they may be eligible for interim assignment subject to the approval of the Director.

1. RC-6, 14, 23, 28, 29, 62, 63 and CU-500 employees shall receive:
  - a. One half day temporary assignment pay for working one half of the day or less.
  - b. A full day of temporary assignment pay for working more than one half of the day.
  - c. Temporary assignment pay for the employee's paid days off provided:

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- (1) The employee has received the assignment for 30 or more continuous days; and
  - (2) The employee works 75% of the time in the higher position classification.
2. Teamsters shall receive temporary assignment pay in accordance with Paragraph II.G.1 above, except they shall receive regular pay while on vacation, sick, etc.
  3. VR-704 shall receive temporary assignment pay for the full time of such assignment.

**H. Standby**

1. Eligible employees on standby who are required to be and are available for possible recall for work either on a day the employee was not scheduled to work or for a period of time after completing the employee's work day shall receive standby compensation at the straight time rate.
2. RC-6, 14, 28, 29, 62, 63, Teamsters and CU-500 employees shall receive standby compensation of 4 hours for each day, or fraction thereof, that they are required to be on standby, regardless of actual hours worked.
3. RC-6, 14, 28, 62 and 63 employees shall receive standby compensation of 6 hours for New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day (Thursday only) and Christmas Day, if they are required to be on standby.
4. RC-23 employees shall receive:
  - a. One hour standby compensation for each eight hour shift, or fraction thereof, that the employee is required to be on standby; or
  - b. Four hours standby compensation if the employee is on standby for a full 24-hour period.

**I. Call Back**

1. RC-6, 14, 23, 28, 29, 62, 63, Teamsters and CU-500 employees shall be eligible for call back compensation.
2. Eligible employees who are called back to physically report to work before or after the regular shift or on scheduled days off shall be compensated for a minimum of two hours per occurrence or for prevailing rate and trade employees, three hours per occurrence.

**J. Paid Lunch**

RC-6, 14, 23, 28, 29, 62, 63, Teamsters and CU-500 employees who are not relieved and are required to work through their lunch period shall receive paid lunch periods. VR-704 employees who can demonstrate the circumstances that prevented him or her from receiving a lunch period shall receive compensatory time or paid time for the missed lunch period.

**K. Requirements**

1. The Report of Overtime, Compensatory Time or Other Adjustments to Pay, DOC 0129, as applicable, shall be completed by the employee to request any paid overtime, compensatory time, equivalent earned time, temporary assignment, standby, call back or paid lunch worked or credited. However, employees at work sites using the Roll Call or Sign-In-Sheet, DOC 0133, to document paid lunch need not complete a DOC 0129 to report paid lunch.

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2. A separate DOC 0129 shall be required daily for each type of time requested, with the following exceptions:
  - a. Extended scheduled periods of temporary assignment of two or more consecutive days for the same incumbent position may be accrued and the total may be reported at the close of the pay period.
  - b. Extended scheduled periods of paid overtime may be accrued and the total may be reported once per week or at the end of each pay period.
  
3. The following entries shall be typed or handwritten in ink on the DOC 0129 by the employee:
  - a. Employee's name.
  - b. Employee's payroll position title.
  - c. Employee's shift and work location.
  - d. The type of report being submitted: paid overtime, compensatory time, equivalent earned time, temporary assignment, standby, call back or paid lunch.
  - e. For temporary assignment, enter the payroll position title of the employee being replaced (incumbent). For example, enter the payroll title "Office Assistant" not the working title "Chief Timekeeper."
  - f. The hours and date worked for the type of time reported or beginning and ending dates if consecutive days are being reported. (Example: July 1, 2016 to July 8, 2016.) Only actual hours of overtime worked are to be reported. Regular shift hours are not to be included in the reporting of overtime.
  - g. The number of hours to be credited for overtime, compensatory time, equivalent earned time, standby, call back or paid lunch, if applicable.
  - h. The number of temporary assignment days credited, if applicable.
  
4. The employee shall sign and date the DOC 0129 and submit it to his or her Supervisor.
  
5. The Supervisor may make important remarks concerning the report in the box labeled "COMMENTS." For instance, he or she may justify the need for the time reported.
  
6. The Supervisor shall approve or disapprove and sign and date the request. The Supervisor shall retain the yellow copy and distribute the pink copy to the employee. The white copy shall be forwarded to the Chief Timekeeper on a daily basis.
  
7. Upon receipt of the DOC 0129 the Chief Timekeeper shall:
  - a. Record any approved time on the Employee's Time Sheet, DOC 0140, as applicable.

**NOTE:** If a selection for equivalent earned time is not available, time shall be recorded on the DOC 0140 as Compensatory Time Earned (FC). Additionally, if a selection is not available for an employee's equivalent earned time balance, it shall be documented in the COMP HOURS section on the bottom of side one of the DOC 0140.
  - b. Determine the rate and method of payment for overtime, standby, roll call and paid lunch and the number of days of temporary assignment.

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- c. At the close of each pay period:
    - (1) Submit the above information to payroll for entry; or
    - (2) Record and accumulate all hours in excess of the normal scheduled hours as compensatory time on the DOC 140.
  
  - d. File all DOC 0129 reports in the timekeeping file.
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