

Treasure Valley Community College

Code: **GAA**
Adopted: 02/20/01
Readopted: 10/14/09; 2/15/11; 7/14/15
Orig. Code(s): AR 400-1B

Employee Group

1. Administration - Exempt

Administrative employees include the President, Vice Presidents and Associate Vice Presidents, Executive Deans and Deans. Administrators provide administrative supervision and leadership within their specified areas of responsibility.

Administrators are paid on a salary basis and are exempt from overtime and minimum wage law requirements. General working hours are typically from 8 a.m. to 5 p.m., Monday through Friday. However, the College does not keep records of actual hours worked and the employee is not required to keep written records of actual hours worked.

2. Professional Staff - Exempt and Non-exempt

The professional staff employee provides primary leadership, supervision and/or first level interdepartmental coordination and review within their specified area of responsibility. These employees may fall within either exempt or non-exempt employee status.

a. Exempt Professional Staff:

- (1) Paid on a salary basis and exempt from overtime and minimum wage law requirements. General working hours are from 8 a.m. to 5 p.m., Monday through Friday. However, the College does not keep records of actual hours worked and the employee is not required to keep written records of actual hours worked.

b. Nonexempt Professional Staff:

- (1) Must submit a timesheet to record actual hours worked;
- (2) Overtime and compensatory time are defined by and administered in accordance with Oregon and Federal wage and hours laws:
 - (a) The non-exempt professional employee's workweek is established by the supervisor. However, the hours may be flexed within that workweek that overtime is likely in order to minimize overtime;
 - (b) Overtime is calculated for each workweek without regard to hours worked in any other workweek and without regard to the pay period;
 - (c) When budgeted funds are available, non-exempt professional employees are entitled to be paid one and one-half times their regular rate of hourly pay for any hours worked over 40 in one workweek. When budgeted funds are not available, overtime will be allowed in compensatory time off at a rate of time and one-half or in flextime. (For details see the overtime paragraphs under Classified below.)

3. Faculty - TVEA and AFSCME Bargaining Unit

Faculty are paid on a salary basis and are exempt from overtime and minimum wage laws.

4. Classified Staff

The College recognizes classified employees as “non-exempt,” or “hourly employees:”

- a. Must submit a timesheet to record actual hours worked;
- b. The workweek is established by the supervisor;
- c. **Overtime when budgeted funds are available.** All hours worked in excess of 40 hours in one workweek will be paid at the rate of one and one-half times the employee’s hourly rate of pay. Overtime hours must be assigned and approved in advance by the immediate supervisor. If a supervisor has assigned overtime hours within a workweek which includes paid leave (holiday, vacation, sick), the paid leave hours will **not** be counted as hours worked for the purpose of determining overtime;
- d. **Overtime when budgeted funds are not available.** All hours worked in excess of 40 hours in one workweek will accrue as “comp time” paid at the rate and one-half times the employee’s hourly rate of pay. Overtime hours must be assigned and approved in advance by the immediate supervisor. If a supervisor has assigned overtime hours within a workweek which includes paid leave (holiday, vacation, sick), the paid leave hours will **not** be counted as hours worked for the purpose of determining overtime;
- e. **Flex Time.** An employee may use a flexible workweek so that total time worked in one workweek does not exceed 40 hours. The use of a flexible workweek requires prior approval from the immediate supervisor. If an employee has worked extra hours on one day of the workweek, TVCC may give an equal amount of time off in the same workweek and no overtime will be due. For example, if workload dictates that an employee must work 12 hours on Tuesday, that employee may take four hours off from any of the remaining workdays (Wednesday, Thursday or Friday). This policy recognizes that in some instances a flexible workweek may not be feasible and that overtime may occur by the end of the workweek. In these instances, compensatory time will be allowed if requested by the employee.

END OF POLICY

Legal Reference(s):

[ORS 243.650\(6\), \(23\)](#)
[ORS 332.505](#)
[ORS 332.554\(3\)](#)
[ORS 342.120](#)
[ORS 342.125](#)
[ORS 342.420](#)

[ORS 342.610](#)
[ORS 342.815](#)
[ORS 342.835](#)
[ORS 342.840](#)
[ORS 342.845](#)

[OAR 584-020-0005](#)

Job York v. Portland Sch. Dist., No. FDA 83-7 (August 1983).