GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Functional Area: Support Services/Personnel	**Reference Number:** IVO08-0002	**Revises Previous Effective Date:** NEW
Subject: Time Keeping Requirements (FLSA)		
Authority: Wetherington/Ryan	**Effective Date:** 9/01/01	Page **1** of **19**

I. POLICY:

A. Employees must keep and maintain department-approved time sheets by properly recording, for each applicable day, all hours and minutes worked, Paid Leave used, Compensatory Time taken, Holidays observed, and any other types of leave as scheduled and approved by supervisors.

B. Employees must obtain proper authorization or approval for work outside scheduled hours and minutes, for excused absences with or without leave, and for any schedule adjustments which affect total accumulated hours and minutes within certain work periods.

C. Each employee must present his/her supervisor with a complete, accurate, and timely time sheet covering each and every department-approved work period.

II. APPLICABILITY:

A. This policy applies to all employees, classified or unclassified, full-time or part-time, of the Georgia Department of Corrections.

B. Individuals not covered by the FLSA include elected officials and their personal staffs, policy-making appointees, legal advisors, legislative employees, bona fide volunteers, independent contractors, prisoners, and certain trainees. Therefore, all Department employees are classified as **exempt** or **non-exempt**.

III. RELATED DIRECTIVES:

A. Fair Labor Standards Act (29 C.F.R.)

B. Office of Planning and Budget/State Merit System Policy Memorandum No. 1

C. State Personnel Board Rules
18.100 Holiday
18.500 Military Leave
18.600 Court Leave
18.900 Administrative Leave

D. Standard Operating Procedure (SOP)
IVO01-0001; Delegation of Authority
IVO07-0016; Call Back Pay
IVO08-0001; Working Hours, Overtime, and Compensatory Time (FLSA)
IVO10-0003; Military Leave
IVO10-0007; Court Leave
IVO10-0008; Administrative Leave

IV. DEFINITIONS:

A. Appointing Authority: The sole Appointing Authority for the Department is the Commissioner in accordance with state law and the Rules of the State Personnel Board. State Personnel Board Rules permit the Department Appointing Authority to delegate certain responsibilities to others within the agency. For the purpose of this SOP, the term Appointing Authority refers to both the Commissioner and those to whom the Commissioner has delegated certain Appointing Authority responsibilities as outlined in SOP IVO01-0001.

B. Compensatory Time: Compensatory time is allotted to compensate a non-exempt (exempt only under extraordinary circumstances) employee for time worked or total time accrued beyond established maximum hours. There are three distinctly different types of compensatory time:

1. **FLSA** compensatory time is earned when a non-exempt employee works hours and minutes in excess of the maximum hours in the designated work period. All hours and minutes must be physically worked in the work period (e.g., a law enforcement/security officer whose designated work period maximum is 165 hours, must physically work more than 165 hours to earn FLSA compensatory time.) This work time is earned at the rate of one and one-half times the hours and minutes over the maximum hours allowed.

2. **Georgia** compensatory time is earned when an employee's credited hours and minutes total more than the maximum number of hours in a work period, but were not physically worked (i.e., a holiday or annual/sick/personal leave taken.) Georgia compensatory time is earned at the rate of one-for-one for an employee's time credits which exceed the work period maximum.

3. **Holiday deferral** (Holiday compensatory time) is earned when an eligible employee works for any hours and minutes on the day designated by the Governor as

a state holiday. Holiday deferral is earned at the rate of one-for-one for all time worked up to **8 hours maximum.**

C. Division Director: Division Directors are those Division Directors exercising managerial authority (and other responsibilities as delegated or designated by the Commissioner) over the four divisions of this agency. For the purpose of this SOP, the term also applies to the Assistant Commissioner as manager of the Commissioner's direct support staff.

D. Exempt Employees: Certain employees are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act by meeting both the salary basis test and duties test for either the Executive, Administrative, or Professional exemption. The Central Personnel Administration (CPA) Job Evaluation Unit makes the initial FLSA determination.

E. Full Shift Overtime: Full Shift Overtime is a temporary Department incentive program developed to staff the most critical posts of designated facilities.

F. Non-Exempt Employees: Non-exempt employees are those who do not meet any of the tests or definitions of an exempt employee, and must be compensated, either by compensatory time or money, for time **physically worked** in excess of the allowed number of hours in a specified work period. **There are two categories of non-exempt employees: (non-security) requiring no P.O.S.T. certification and (security/law enforcement) generally those requiring P.O.S.T. certification**.

G. Observed Holiday: A state holiday, as designated by the Governor, in which an eligible employee does not report to work and/or performs no assigned responsibilities or duties during the twenty-four hour time frame for that calendar day.

H. Official Work Site: The facility, office, or unit location selected as the official work site of an employee. Some employees report daily and/or regularly to their assigned work site to perform work. Other employees report in frequently to their assigned work site; and instead, perform responsibilities and duties at various work sites. All employees must have an official work site.

I. Overtime: Overtime is the time used to account for and compensate a non-exempt employee for any time worked beyond the maximum permitted hours for a designated work period under the FLSA. Overtime is compensated at the

rate of one and one-half hours for every one hour worked beyond the maximum. Time worked beyond the maximum for the work period may not be rounded up or down, and must be accounted by the minute. Exempt employees are **not** eligible for consideration for overtime compensation except in extraordinary circumstances.

J. Work period/cycle/rotation: Various terms used to indicate the regularly-scheduled work times assigned by the Appointing Authority over a designated time span from seven consecutive twenty-four hour periods (seven calendar days) to twenty-eight calendar days.

V. ATTACHMENTS:

Attachment 1 through 8 - Department-approved Time Sheets

VI. PROCEDURE:

A. Time Keeping Mandates and Requirements:

1. Work is considered to have begun when the first official act of the workday occurs. Security and non-security work day examples are:

   a. for most security staff, the first official act of work is the pre-shift briefing; and

   b. for non-security staff, the first official act of work is any mental or physical exertion within the scope of duties.

   NOTE: The items required to gain admittance to a facility or work area such as sign in/sign out or key exchange will not be considered an official act of work.

2. If a non-exempt employee is allowed to come in early and wait for work to start in a designated break room, the start time on the time sheet must reflect the actual time that work begins. The employee **must not** be allowed to wait at his/her workstation.

3. The last act of official job duties indicates the end of work. Any exceptions to this due to facility layout or design must be discussed individually with the Department Personnel Director. A non-exempt employee **must not** be allowed to remain at his/her workstation after the workday ends.

4. Every minute worked **must be recorded and counted as work time**. This procedure applies even to duty officers, special squad assignments, other special assignments, etc. It is a direct violation of the FLSA to instruct employees to record "only your normal work hours."

5. Earned overtime is **only** hours and minutes **worked** over and above the established maximum hours for the assigned work period.

   NOTE: The Department may stipulate that overtime will be awarded for hours and minutes worked over daily maximum hours under certain special arrangements or conditions. Prior approval from the Appointing Authority and the Department Personnel Director is required.

6. For all non-exempt employees, **no** overtime awards are recorded on the time sheets **until the assigned work period ends** (e.g., end of 7 days, end of 27 days, end of 28 days, etc.). Earned overtime hours and minutes must be clearly marked in the designated area on the time sheet.

7. Compensatory time accumulated through work, leave used (Annual, Sick, and Personal), and Holidays must be properly calculated and entered into the Phoenix system for record keeping purposes. Actual hours and minutes (converted to decimals) must be recorded in the Phoenix system. **DO NOT round or average any compensatory time earned.**

8. If the Appointing Authority intends to request cash payment for earned overtime, proper division-level approval must be obtained prior to submitting to CPA. (See also SOP IVO08-0001 - Working Hours, Overtime, and Compensatory Time (FLSA) - Procedure M.)

B. Time Sheets:

1. All employees' time sheets submitted to immediate supervisors, at the end of their work periods, for approval **must be complete, accurate, and timely**.

   a. A time sheet is complete, accurate, and timely when it contains: facility name; proper work period start and end dates; accurate daily work times started and times ended; proper daily recording of meal breaks when taken; accurate

daily work times started, meal breaks, and times ended for work days scheduled in training or special off-site assignments; total hours/minutes worked by the day; total work hours/minutes for the period accurately recorded; leave/holiday time separated from work time and accurately recorded; total accumulated time for the period accurately recorded; accurate GA Compensatory time recorded; accurate FLSA Compensatory Time recorded; accurate Holiday Compensatory Time recorded for eligible holidays worked; signed and dated by the employee; and signed/approved and dated by the immediate supervisor.

b. A closed time sheet (i.e., work period ended) must be submitted to the immediate supervisor within four hours from the work start time on the first day of work in the next work period that immediately follows the work period which just ended.

c. When an employee is assigned to a work period that has more than two regularly scheduled off days immediately following the work period that just ended, the employee must properly complete the time sheet before being released at end of the work shift on the last day of the work period. Allowances for time to complete the time sheet within the last hour of the shift should be considered, if possible, at the discretion of the Appointing Authority, if an employee is about to have more than two scheduled off days.

2. On the time sheet, <u>only</u> work start time, meal break start time and meal break end time (if any), work end time are to be recorded on the appropriate line for the work day. All other information regarding leave, holiday, or other absence is recorded in the "Comments" section in the appropriate line on the time sheet.

3. On days in which leave is taken, compensatory time is taken, and/or holidays are observed, **<u>no</u>** work start times and work end times are to be recorded on these non-work days.

4. When Officers are changing from one work schedule to another (changing rotation or "Key") during a work period, the time sheets **<u>must</u>** immediately be collected by the supervisor and taken to the local

personnel office to calculate for possible overtime. In calculating overtime, use the following:

a. review work period to determine total number of hours worked. Refer to the Chart listed in SOP IVO08-0001, Procedure VI.A.2.a. Locate the number of days in the partial work period to determine the maximum number of hours allowable for compensatory time/overtime computations;

b. any work period or partial work period (i.e., changing work period during mid schedule) having less than seven days will have the maximum number of hours established under the following schedule: (1 work day = 8 hours 36 minutes; 2 work days = 16 hours 51 minutes; 3 work days = 25 hours 17 minutes; 4 work days = 33 hours 42 minutes; 5 work days = 43 hours). Coordinate directly with CPA FLSA Compliance Coordinator to calculate compensatory time due for any employee who has worked a partial work period of <u>less</u> than seven days;

c. a personnel representative should calculate and total the partial work period time sheet and return to supervisor so he/she may secure employee and supervisor signatures before final submission to the local personnel office; and

d. since the employee has a closed time sheet for the partial work period, he/she must start a new time sheet for the newly assigned key or rotation. Note: Some key or rotation changes will necessitate a second partial work period. Therefore, use the same procedures for closing the second partial work period.

5. All time sheets must be kept for three full years and maintained in the facility that services the employee's unit of assignment. If an employee transfers, time sheets are <u>not</u> transferred with the employee.

C. Enforcement of Time Keeping Requirements:

1. Each employee must be accountable for keeping and maintaining a complete, accurate, and timely time sheet.

2. Failure to follow time keeping requirements is violation of the conditions of employment and of the Terms and Conditions in the employee Performance Management Plan.

3. If a supervisor supervises an individual who continually fails to follow supervisor orders and SOP regarding work schedule and time keeping, the supervisor must follow Performance Management steps and measures for correcting inappropriate work behaviors, which may include, but not limited to:

   a. discussing inappropriate behavior with the employee and maintaining documented accounts of the incidents in the employee's management file;

   b. completing and presenting interim evaluations or performance reviews (using the Management Review Form) to the employee to discuss the persisting time keeping problems and supervisor's expectations; and

   c. recommending corrective management strategies, up to and including adverse actions, to the Appointing Authority if time keeping problems continue to persist.

D. Adjusted Work Schedule:

1. An employee may be excused, at the discretion of the Appointing Authority or his/her designee, for a work day or portion of a work day as strategy for managing and controlling this employee's hours and minutes worked in relation to the established maximum hours for the designated work period.

2. The Adjusted Work Schedule (AWS) can be used to keep the <u>non-exempt</u> employee from earning overtime by <u>working</u> fewer or equal hours (as applicable) in a work period as established by the assigned work period maximum hours.

3. The Adjusted Work Schedule **must not** be used to avoid awarding overtime when an employee's work period ends and he/she has **worked** more hours and minutes than the established work period maximum hours.

4. Adjusted Work Schedule is permitted only within the current, approved work period. Carrying forward hours and/or minutes from one work period to the next **is <u>not permitted</u> and is a violation of FLSA regulations.**

5. Supervisors are responsible for monitoring the total work hours and minutes of all employees they

supervise, especially near the end of the employees' work periods.

6. If an employee has a surplus of time worked over the established work period maximum, due to approved work outside the regularly-scheduled work day, the supervisor may schedule adjust first when approving leave requests.

7. If an employee has a surplus of time worked over the established work period maximum, due to approved work outside the normal work day, the supervisor must also be alert to possibilities of gaining approval for this employee to leave work early, report to work late, or be excused from work for the day (as the situation allows) in order to adjust out the work time surpluses.

E. Compensatory Time:

1. FLSA Compensatory Time is calculated at one and one half times the hours and minutes **worked in excess of the established maximum** for the assigned work period.

2. GA Compensatory Time is calculated at one times the total accumulated time which exceeds the established maximum for the assigned work period [i.e., work + Paid Leave (Annual, Sick, and Personal) + eligible Holiday observed = more accumulated time than the designated work period maximum]. No other type of approved leave is permitted in GA Compensatory Time calculations.

NOTES:

a). The FLSA does not mandate that employees who work on scheduled holidays receive double compensation.

b). OPB and Georgia Merit System regulations **prohibit** agencies from awarding GA Compensatory Time for any comptime taken in lieu of leave.

c). The Department **prohibits** the conversion of excess Military Leave to GA Compensatory Time. If an employee takes or uses too much approved Military Leave to meet scheduled hours and minutes for the work period, then excess Military Leave **must** be restored to the employee's Military Leave Time balance.

3. Holiday Compensatory Time (i.e., Holiday Deferral) is calculated at one times the amount of hours and minutes **worked** by eligible employees on the day designated by the Governor as a state holiday **up to a maximum of eight hours for each state holiday.** (See also Procedure G of this SOP.)

4. **Compensatory Time (all types) taken or used in lieu of Annual, Sick, or Personal Leave must not** be used to derive total work period time accumulations (e.g., employee takes 8 hours of Annual Leave and 8 hours of FLSA Comptime; the 8 hours of Annual Leave will be used in the total time calculations at the bottom of the time sheet; and the 8 hours of FLSA Comptime **will not** be used for **any** total time calculations).

   NOTE: Compensatory Time taken or used keeps the employee in pay status with no further time credits (i.e., no comptime earned on top of comptime taken).

F. Court Leave and Administrative Leave:

1. When an employee is granted a leave of absence to serve as juror (i.e., no personal vested interest in the proceedings) in federal, state, or local court, the employee must record only "Jury Duty" in the "Comments" section of his/her time sheet on those work days in which the supervisor has verified proper summons and jury days served.

2. "Jury Duty" is an excused absence with pay by management. It is **not** permitted to use "Jury Duty" absences in any total time accumulations for awarding compensatory time.

   NOTE: "Jury Duty" (i.e., Court Leave) keeps the employee in pay status with no further time credits or deductions.

3. Court Leave for serving as the department's witness or witness to a public crime or appropriate legal argument (i.e., no personal vested interest in the proceedings) is an excused absence by management. It is **not** permitted to use "Witness Duty" absences in any total time accumulations for awarding compensatory time.

   NOTE: "Witness Duty" (i.e., Court Leave) keeps the employee in pay status with no further time credits or deductions.

4. If the Commissioner or other Appointing Authority determines the need to grant Administrative Leave, it is **not** permitted to use Administrative Leave absences in any total time accumulations for awarding compensatory time.

   NOTE: Administrative Leave keeps the employee in pay status with no further time credits or deductions.

G. TRAINING:

1. If time spent in mandatory training causes an employee's total hours and minutes worked to exceed the assigned work period maximum hours, the employee's time keeping will adhere to the following procedures:

   a. Attendance in training does not automatically entitle the employee to any additional compensation unless the training hours, plus the hours and minutes worked exceed the FLSA maximum for that schedule;

   b. Compensatory time or overtime compensation for hours and minutes worked (including training time) is only awarded when total work time is over the maximum;

   c. Holidays not worked and paid leave days do not count as hours worked for purposes of earning FLSA compensatory time while in training;

   d. Any officially sanctioned training must be recorded as work time;

   e. Employees must record actual hours and minutes in the training class or training exercise, including accurate listings of meal breaks, each day;

   f. Travel time from the employee's official work site to the training class or exercise and travel from the training class or exercise back to the official work site must be included in the appropriate day(s) on the employee's time sheet. Normal commute time must be used to determine employee's start of workday if departure is from a location other than the official work site. (See also - Travel Time, Procedure F of this SOP.)

g. Activated tactical squad members in regularly scheduled training maneuvers are not due any additional compensation unless total hours worked during work period exceed maximum hours for schedule. If tactical squad members are activated for training maneuvers on their off-days, time in these maneuvers must be made a part of and reflected on their current work period record;

h. Unsanctioned or unapproved, employee-elected training for the individual's personal development is not work time and must not be counted as hours and minutes worked; and

i. Training requiring overnight lodging and/or study time is not work time and must not be listed or counted on the employee's time sheet.

H. TRAVEL:

1. Travel from home or an out-of-town lodging arrangement to the work site and back home or the lodging arrangement (normal commute time) **does not count as work time.** This is the case whether an employee works at a fixed location or at different job sites.

   NOTE: For more information on travel involving lodging, refer to Procedure H.8. of this SOP.

2. If an employee is required to report to a specified location to pick up materials, equipment, inmates, other employees, or to receive instructions before traveling to the work site, the work time starts at the time the employee gets to that specified location. *As an example, an instructor departing her home near Alto, Georgia must proceed to Lee Arrendale State Prison's training site to pick up targets and other training aids before conducting pistol qualification firing to begin at 08:00 at Metro State Prison. Her duty time starts when she arrives at the Lee Arrendale State Prison training site.*

3. An official work site location must be assigned to each employee for purposes of establishing normal commute time.

4. Standard travel time recorded in any employee's time sheet must be reviewed by the supervisor and approved in accordance or in conjunction with the

distance from the employee's residence to the employee's assigned official work site (normal commute time) unless prior consideration and approval was obtained for extenuating circumstances. *As an example, an employee is assigned to training, and the employee's residence is closer than the official work site to the academy. Thus, the employee takes a GDC vehicle home the night before the training to depart from his/her place of residence. Normal commute must be calculated in the start of the work day when this employee departs for training in the morning (e.g., if the employee has a 30-minute normal commute to the official work site, then his/her work day will begin 30 minutes into the trip on the morning he/she departs from home to training.)*

5. Normal commute time must be omitted from the travel time for employees who have job assignments and/or field assignments at various locations requiring regular and/or daily travel and **no** mandatory requirements to first report to their assigned official work site locations.

6. Out-of-Town Travel: An employee who is assigned to work in another city for one day (does not spend the night) counts all travel time (except time taken for meal breaks) as work time. For purposes of this provision, Metropolitan Atlanta is considered one city.

7. The Department excludes from work time travel between the employee's home and location where a change in mode of transportation is made (i.e. home to and/or from airport, home to and/or from location where state vehicle is parked). An example of change in mode of transportation is:

   Two employees are meeting the third employee, who is driver of a GDC vehicle, at a church parking lot and traveling to training in Forsyth. The workday begins, for the driver, when he/she reaches or expends the same amount of time as required in his/her normal commute from home to work at the official work site. The workday begins, for the two passengers, when they change modes of transportation or, get into the GDC vehicle at the church parking lot.

8. In-travel Status Involving Lodging: An employee who is assigned to out-of town duty that involves lodging (i.e., either operator of a vehicle or

passenger) may count all travel time as work time (except time taken for meal breaks). The Department excludes from work time travel between the employee's home and location where a change in mode of transportation is made. Likewise, travel time **must not** be awarded for reasonable travel time from lodging to the assigned work site and from the assigned work site back to lodging.

NOTE: In this area, in-travel status involving lodging, the Department chooses to exceed the FLSA required minimums for computing work time involving overnight travel.

9. The Department reserves the right, on certain occasions, to adhere to FLSA minimums. On occasions when the employee will not be compensated for travel, the employee must be notified of the change in advance of the travel.

Appointing Authority reference for those occasions when FLSA minimums in overnight travel are enforced:

Normally, overnight travel that occurs outside of regular working hours as a passenger on an airplane, train, boat, bus or car and where the employee is free to relax is not work time. However, if an employee is required to drive, then the travel time must be counted as work time.

An employee who drives a state vehicle is working while driving on business, but not while driving the state vehicle to and from home. Normally, travel time as a passenger, even if in a state vehicle, does not count as work time unless the vehicle is driven during normal work hours.

When employees travel overnight on business, time spent in traveling (except meal periods) during their normal work hours, on non-working days, counts as work time (i.e.; travel during the hours of 8 a.m.-4:30 p.m. on a Saturday, Sunday or scheduled State holiday.

I. HOLIDAYS:

1. If an eligible employee's total accumulated hours and minutes go over the FLSA maximum, the time spent on paid Leave (Annual, Sick, or Personal) and observed holidays (i.e., employee does not report to work on designated holiday) entitles the eligible employee to compensatory time credits added to his/her GA Compensatory Time balance at the rate of **one for one, NOT one and one-half**.

2. The Department of Corrections defines a holiday (as designated and listed in the Governor's Executive Order) as an **eight hour work day.**

a. Eligible employees, whose regularly-scheduled work hours are greater than the eight-hour holiday credit, must adhere to one of the following time keeping measures:

1). Take leave for the difference between the eight hours and the scheduled work hours;

2). Report on the holiday and work sufficient time to make up the difference between scheduled hours and eight hours; or

3). Work the required time on other workdays in the same work period, at the discretion of the Appointing Authority, to make up the difference.

b. Eligible employees who work on paid holidays must be given equivalent time off, for time worked, not to exceed **eight hours.** In accordance with State Personnel Board Rule 18.1002.2.c., this employee shall be provided equivalent time off for working a holiday within 120 days after the holiday.

NOTE: **Employees are not to be given time off for a holiday prior to the holiday.**

c. State Personnel Board Rule 18.1002.4 states employees who work any schedule of eight-hour days in which the scheduled off-days equal or exceed 116 days a year shall not be granted additional compensation or time off for the holidays. The work period, which must conform to this State Personnel Board Rule, is the security work schedule of 6 days on, 3 days off, 8-hour days, and 27-day cycle. The Department Personnel Director will enforce conformity of other new work schedules, if necessary.

Reminder: Appointing Authorities who propose work schedules other than the standard work schedules listed in Procedure V.A.2.b. are required to submit the proposed schedule to the Department Personnel Director for FLSA compliance review prior to implementing such schedules. Part of this review will be the determination of holiday credit eligibility.

3. An employee shall not be granted a holiday in advance of the Governor's declaration and/or the Governor's designation of the date for observance.

4. State Personnel Board Rule 18.1003.2 states that an employee shall be paid for a holiday only if the employee is in pay status the full scheduled work shift the calendar day before or after the holiday; provided however, that:

   a. such payment shall not be made if the employee is separating from state service and the holiday is in a different calendar year;

   b. the compensation of an employee who is separating in order to receive benefits under a state retirement system shall not be reduced due to the application of this paragraph, and

   c. such payment shall not be made to an individual entering or reentering state service the calendar day following the holiday.

5. When an employee works any hours and minutes on a designated state holiday, the employee must receive one-for-one compensatory time awards in the Holiday Deferral Time program (also known as Holiday Comptime).

   NOTE: Holiday time worked **must** be entered into the Holiday Deferral program, unless taken within four workdays after being earned. Georgia Compensatory Time (i.e., work + Paid Leave + observed Holidays) is calculated after the work period closes.

6. If an eligible employee works partial hours and minutes on a designated state holiday (e.g., 5 hours), then **only** the amount of time **worked** (e.g., 5 hours) is awarded in the **Holiday Deferral program.** The remaining time in the eight-hour designated holiday is creditable time towards total time accumulations (e.g., 3 hours of observed holiday written in the "Comments" section of the time sheet counts toward total hours).

7. The employee's time worked on a designated state holiday **must** be added to total hours/minutes worked in the work period, but this same holiday work for the holiday-eligible employee **must not** be double-added, for the work period, in the employee's Georgia Compensatory Time balance, since the time is credited in the Holiday Deferral program.

J. Military Leave:

1. FLSA does not require employers to pay employees for Military Leave.

2. State of Georgia Law awards eligible employees ordered to military duty, up to 18 calendar days of Military Leave in any one federal fiscal year (October 1 to September 30).

3. If the Governor declares emergency situations, eligible employees may be credited up to 30 calendar days in this same federal fiscal year. If this situation occurs in a federal fiscal year, the total amount of Military Leave credited to an eligible employee is cumulative, meaning **maximum allowable days is 30, never greater.**

4. No employee will be given Military Leave time credits greater than 18 calendar days without proper coordination and approval from the Department Personnel Director.

5. When an eligible employee's military orders have been authenticated and approved by the appropriate supervisor/manager, the employee must take or use the exact amount of hours and minutes **to meet scheduled hours and minutes.**

   Example: Employee A is assigned to a 6 on / 3 off, 27-day work period and is scheduled for 148 hours 30 minutes. Employee is approved for 16 hours of Military Leave. When Employee A's work period ends, Employee A has ***worked*** *140 hours. Employee A must take 8 hours and 30 minutes of Military Leave to meet scheduled hours and minutes (148 hours 30 minutes). Employee A was charged 16 hours of Military Leave. Therefore, Employee A must be credited back 7 hours and 30 minutes of Military Leave in only the Military Leave balance.*

6. Conversion of Military Leave to Georgia Compensatory Time is **not permitted.**

K. Use of FLSA, Georgia Compensatory Time, and Holiday Deferral Time:

1. All earned compensatory time must be recorded in hours and decimals in the appropriate Leave program in the employee's leave keeping records (Phoenix leave programs).

2. **Appointing Authorities may direct employees, who have accumulated FLSA compensatory time, to schedule**

and take time off from work by using FLSA compensatory time in order to reduce their FLSA compensatory time balances in order to help the Department's fiscal management.

3. Employees can be ordered to use Georgia Compensatory Time and accrued Holiday Deferral Time in lieu of Annual, Sick, or Personal Leave.

4. An employee must use the Department of Corrections Leave Request Form to request use of compensatory time.

5. Both FLSA and Georgia Compensatory Time may be used, with proper supervisory approval, in lieu of other forms of authorized leave such as Annual, Sick, and Personal Leave.

6. An Appointing Authority or designee **should approve** a request for FLSA Compensatory Time submitted by a non-exempt employee unless the employee's absence from work will "unduly disrupt" work unit activities.

7. Mere inconvenience is not sufficient justification to deny a request for the use of accrued FLSA Compensatory Time. Such a request may be denied only if the employee's absence would unreasonably burden the operational capacity of a work unit or significantly impact the delivery of agency services to the public.

8. When a non-exempt employee leaves the jurisdiction of the Appointing Authority by transfer, demotion, or promotion, the Appointing Authority must diminish the employee's compensatory time balances prior to the effective date of the action. (See also SOP IVO08-0001, section VI., Procedure O.3.)

9. If the accumulated compensatory time cannot be eliminated, as a last resort payment must be made prior to the effective date of the transfer. Appointing Authorities will not be allowed to transfer compensatory time when the employee transfers from one jurisdiction to another. (Also SOP IVO08-0001, section VI., Procedure O.)

VII. RECORD RETENTION:

Attachments 1 through 8 OFFICIAL TIME SHEETS

Retain for a period of three full years in the local personnel office.