

OVERTIME FOR NON-EXEMPT EMPLOYEES

Diocesan employees sometimes must work more than their normally scheduled hours. When this is necessary, non-exempt employees must have the prior approval of their supervisor to work the additional hours.

Only those employees who are classified as non-exempt from the overtime provisions of state and federal wage and hour laws are entitled to overtime pay. If there is a question as to the classification of an employee as either exempt or non-exempt from the overtime requirement, the employee or Supervisor should contact the Department of Human Resources for clarification.

The California State Labor Commission has very strict laws governing payment, regulation and compensation of overtime. An employee may not waive the right to overtime paid compensation. The following section is essentially a simple restatement of what the law requires:

Authorized overtime is compensated at the regular rate of pay for hours worked in overtime that are less than 8 hours in a day and less than 40 hours in a workweek. A non-exempt employee will be paid 1.5 times the regular rate of pay for any overtime over 8 hours in a day and 40 hours in a work week, unless greater compensation is required by law.

The Diocese of Oakland does not provide compensatory time off in lieu of overtime pay. However, an employee may ask his/her supervisor for compensatory time in lieu of overtime pay. If granted, the employee is compensated at the same rate as he or she would have earned in overtime pay.

Exempt Employees

Exempt Employees are not entitled to overtime pay or compensatory time off. In the event that an employee works a considerable amount beyond a normal workweek (for example, a parish employee who works significant overtime at Christmas) the pastor can grant time off for excess time worked.