



UNIVERSITY OF GUAM
UNIBETSEDÁT GUÅHAN
Board of Regents

Resolution No. 21-19

**RELATIVE TO ESTABLISHING A POLICY FOR COMPENSATORY TIME-OFF FOR
UNIVERSITY OF GUAM ADMINISTRATORS AND CLASSIFIED EXEMPT EMPLOYEES**

WHEREAS, the University of Guam (UOG) is the primary U.S. Land Grant institution accredited by the Western Association of Schools and Colleges Senior College and University Commission serving the post-secondary needs of the people of Guam and the Western Pacific region;

WHEREAS, pursuant to 17 GCA §16112, the Board of Regents (BOR) Articles of Incorporation, and the BOR Bylaws, the BOR is authorized to adopt rules and regulations governing the selection, compensation, promotion, performance evaluation, disciplinary action and other terms and conditions of employment affecting academic personnel, defined as faculty and administrators;

WHEREAS, pursuant to UOG Personnel Rules and Regulations, and 17 GCA §16113, matters relating to employment of classified personnel shall be governed by and in accordance with Title 4, Guam Code Annotated, and other applicable laws;

WHEREAS, in times of emergencies, special events, or employee shortages, certain classes of employees are required to put in many hours, and sometimes days, that they are not compensated for;

WHEREAS, other Guam institutions, such as the Judiciary, provide recognition and relief for excessive overtime hours required out of certain classes of employees who are not normally due overtime pay;

WHEREAS, the enclosed proposed Compensatory Time-Off (CTO) policy provides recognition and relief for approved hours earned; and

WHEREAS, the Administration and the BOR Committee on Academic, Personnel, and Tenure, having reviewed and discussed the proposed CTO policy, recommend the enclosed CTO policy to the BOR for approval.


NOW, THEREFORE, BE IT RESOLVED, that the BOR approves the enclosed CTO policy for UOG Administrators and Classified Exempt employees.

Adopted this 16th day of September, 2021.



Liza J. Provideo, Chairperson

ATTESTED:



Thomas W. Krise, Ph.D., Executive Secretary

Policy Name	University of Guam Compensatory Time-Off (CTO) Policy				
Article No.		Article Title	Policies of UOG Board of Regents		
Approval Authority	Board of Regents	Created/ Adopted/Effective		Most Recent Review	
Responsible Executive		Revision Tracking			
Responsible Office	Human Resources Office	Policy/Procedure contact / website where document is maintained	uoghro@triton.uog.edu		
Initiation / Review / Consultation / Approval History	Drafted by James Hollyer, et. al. – 11/15/2019 Reviewed by General Counsel – 4/6/2021, 6/4/21 Reviewed by Admin Counsel – Approved by President –				

Section 1. Purpose

To establish a policy for Compensatory Time-Off (CTO) earned in lieu of paid overtime for University of Guam (UOG) Board of Regents (BOR)-Approved Administrators and Classified Exempt Employees (herein after, "Covered Employees").

Section 2. Definitions

- a. **Administrator.** The term "Administrator" as used herein shall mean a University employee as defined by the Board of Regents through resolution and inclusion in the Administrator Salary Scale.
- b. **Classified Exempt Employee.** The term "Exempt Employee" as used herein shall mean a University employee who is exempt from and not covered by the overtime provisions of the U.S. Fair Labor Standards Act as codified in 29 U.S.C., Chapter 8. The Government of Guam's list of Exempt Employees is promulgated by the Guam Department of Administration and the University of Guam will follow the most recent version of that list.
- c. **Exempt Work.** The term "Exempt Work" as used herein shall mean hours worked by a University of Guam administrator that does not exceed a workweek of forty (40) hours.
- d. **Fair Labor Standards Act (FLSA).** The term "Fair Labor Standards Act" or acronym "FLSA" shall mean the Federal Fair Labor Standards Act as codified in 29, U.S.C., Chapter 8.
- e. **Hours Worked.** The term "Hours Worked" as used herein shall mean any hours that the University of Guam Administration requires or permits a Covered Employee to work.
- f. **Non-Exempt Employee.** The term "Non-Exempt Employee" shall mean any University of Guam employee who is covered by the overtime provisions of the FLSA.
- g. **Non-Exempt Work.** The term "Non-Exempt Work" as used herein shall mean hours worked by a Covered Employee in excess of forty (40) hours per work week.
- h. **Workweek.** The term "Workweek" as used herein shall mean a fixed and recurring period of seven (7) consecutive 24-hour days, which begins at 12:01 a.m. Sunday and ends at 12:00 midnight Saturday.

Section 3. Compensatory Time-Off

Covered Employees shall be entitled to receive one (1) CTO hour for each one (1) hour of non-exempt work performed in excess of forty (40) hours per work week, up to a maximum of eighty (80) hours per fiscal year as follows:

- a. **Eligibility.** Only non-exempt hours worked by a Covered Employee who has prior approval to work such non-exempt hours, and whose non-exempt hours are recorded in a timesheet format approved by the University of Guam's Payroll Office, are eligible for CTO.
- b. **Unrecorded Non-Exempt Hours Worked.** Any unrecorded non-exempt hours shall not be eligible for CTO.

Section 4. Procedure to Take Compensatory Time-Off

a. Employee Responsibilities

A Covered Employee may request, no later than one (1) fiscal year after accumulating CTO (on a rolling date from the first date of acquired hour to the next date acquired) to take any accrued CTO by submitting a leave form approved by the University's Payroll Office to the employee's supervisory administrator which states: (1) The dates and times the employee will use accrued CTO; (2) The hours of CTO and any other leave, if used, to cover the period the Covered Employee will be absent from work; and (3) the total amount of accrued CTO the Covered Employee has.

b. Supervisory Administrator Responsibilities

- 1) The Supervisory Administrator shall approve an employee's request for CTO if the Covered Employee has accrued CTO.
- 2) The Supervisory Administrator may deny an employee's request to take accrued CTO based on operational needs or unit staffing requirements and must provide the employee with an alternate date to use the CTO if such denial is made.
- 3) The Supervisory Administrator shall not approve any employee requests for CTO that would result in negative CTO balances.

c. Compensatory Time-Off Limits

- 1) A Covered Employee may use up to twenty (20) hours of CTO in a workweek and may not exceed two (2) consecutive work weeks. CTO may, however, be coupled with regular forms of leave to extend over those two (2) consecutive weeks. Additional personal leave can be added onto that two (2) week period.
- 2) The maximum amount of CTO that a Covered Employee can take in a ninety (90) calendar day period is forty (40) hours.

Section 5. Prohibitions

- a. CTO shall not be converted to a cash payment or used toward a Covered Employee's retirement or other forms of leave or be transferable to another Government of Guam agency or instrumentality.
- b. CTO shall not be used with any existing University leave sharing program.
- c. CTO shall not be earned while a Covered Employee is on work or personal travel status.
- d. CTO shall not be earned while a Covered Employee is in a non-work status such as being on leave.

- e. CTO shall not be earned for non-exempt hours worked without the knowledge, permission, or approval of the Covered Employee's immediate supervisor or higher authority.
- f. CTO shall not be earned for non-exempt hours performed by a Covered Employee at an unauthorized workstation or place.