**Section 420.820 Overtime**

a) Overtime: For those positions approved by and designated on lists maintained by the Director of Personnel, authorized work in excess of an approved work schedule shall be overtime. The work may be compensated for in cash or compensatory time as determined by the department, provided the designation is in accordance with the Fair Labor Standard Act(29 USC 201 et seq.). Overtime work shall be distributed as equitably as possible among qualified employees competent to perform the services required when overtime is required, and employees shall be given as much advance notice as possible. Except as required by law, time spent in travel shall not be considered as overtime.

b) Compensatory Time: An employee's overtime accumulation shall be liquidated by the utilization of compensatory time off, when practical. Where the approved work schedule is less than a 40 hour work week, overtime shall be compensated at a straight time rate. Work in excess of a 40 hour work week shall be compensated at time and one-half.

c) Compensatory Time Schedule: Any compensatory time accumulated shall be scheduled upon the consideration of the employee's preference and operational needs of the department, but within the fiscal year that it is earned. However, compensatory time earned in the last quarter of the fiscal year must be used by the end of the first quarter of the next fiscal year.

d) Overtime Compensation in Cash: Compensatory time not used within the fiscal year, except for time carried over in accordance with subsection (c), may be liquidated in cash. Whenever it is not practical to liquidate an employee's overtime with compensatory time off, the employee shall be reimbursed in cash. The payment shall be at a straight time rate for work in excess of the approved work schedule but less than a 40 hour work week. Work in excess of a 40 hour work week shall be paid at time and one-half.

e) Overtime Payable Upon Death: Upon the death of an employee, the person or persons specified in Section 14a of the State Finance Act shall be entitled to receive from the appropriation for personal services available for payment of the employee's compensation the sum for accrued overtime that would have been paid or allowed to the employee had the employee survived.

(Source: Amended at 32 Ill. Reg. 15017, effective September 8, 2008)