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Kristin L. Clouser, Secretary

MEMORANDUM

TO: Agency and Department Heads
CC: Business Managers, Payroll Delegates, the Department of Human Resources
FROM: Kristin L. Clouser, Secretary of Administration
DATE: June 30, 2022
SUBJECT: Overtime Compensation for Designated Managers and Supervisors in Pay Grades 25 and above

With the transition to the endemic phase of the COVID-19 pandemic, the Executive Branch is exercising its discretion to continue a statewide approach regarding overtime for designated managers; and supervisors in Pay Grades 25 and above who are not entitled to be paid overtime under the Federal Fair Labor Standards Act. These designated managers and supervisors may, with appropriate authorization, code and receive compensatory time (“COMP”) for any work beyond their regular schedules in exceptional circumstances. The authorization to code this compensatory time is solely within the discretion of the relevant Appointing Authority.

The only exception to the above is for overtime, authorized at the discretion of the relevant Appointing Authority, worked in relation to a pandemic program funded by Federal funds. Impacted employees must code overtime associated with a pandemic program funded with Federal dollars for cash (“CASH”).

Please remember that discretionary compensatory time may be carried over until the end of the Fiscal Year following the one in which it was earned, but not thereafter. Unused compensatory time will not be bought out or paid off in cash, except when an employee could not use the compensatory time through no fault of their own and then only under exceptional circumstances.

The rules and responsibilities involving the coding of timesheets, payroll and the tracking of authorized overtime for these employees is detailed below:



DESIGNATED MANAGERS & IMPACTED SUPERVISORS:

Designated managers and impacted supervisors continue to be prohibited from entering CASH on their time sheets for authorized overtime and must select COMP, unless the overtime was worked in relation to a pandemic program funded by Federal funds.

TIMESHEET APPROVERS:

It is the responsibility of Approvers to be vigilant in your timesheet review, and to ensure that no designated managers and/or impacted supervisors code CASH for authorized overtime that does fall into the exception for pandemic programs. Should you find authorized overtime which has been incorrectly coded as CASH, you must require the employee to change the CASH code to COMP. If for some reason, the employee is unable to make this change, you must ensure the change is made.

PAYROLL DELEGATES:

When reviewing timesheet coding, notify the appropriate timesheet Approver when you find incorrect CASH coding for authorized overtime.

VTNR:

VTNR system has several queries available to monitor timesheet activity. As part of the bi-weekly payroll process Time and Labor staff will notify the applicable Agency/Department of outliers so they can correct apparent errors.

APPOINTING AUTHORITIES/DEPARTMENT HEADS:

Ultimately, it is your responsibility to ensure the requirements are implemented within your organization. We know that payroll regulations and bargaining rules are complex and that this adds one more requirement. However, it is important to ensure that compensation for work beyond the regular schedule for these employees is only authorized in exceptional circumstances and to enforce compliance by your designated managers, impacted supervisors, and timesheet approvers. Lack of monitoring and compliance on the front end will only create additional work for everyone involved.

Additionally, in order to provide Appointing Authorities more tools to manage the workload of these impacted employees and to further maximize operational efficiency, all designated managers will, effective with the payroll period beginning July 3, 2022, be placed in a 0/80 WorkGroup. This will allow these employees to, with appropriate authorization, “flex” their worktime between workdays and/or workweeks as necessary. For example: Year-end close procedures require your financial manager to work 50 hours in the first week of a pay period but the spike in effort passes quickly. The 0/80 WorkGroup allows that manager to only work 30 hours in the second week without the need to use leave or earning any compensatory time.



Waivers of these requirements may be granted, in very extenuating circumstances, by myself or the Deputy Secretary.

If you have any questions regarding this process, please contact John Berard (828-3454), Heidi Dimick (505-8412) or Shelley Morton (498-7350) of the Department of Human Resources Labor Relations Division.

Thank you for your continued attention and cooperation.

Cc: Douglas Farnham, Deputy Secretary, Agency of Administration
M. Beth Fastiggi, Commissioner, Department of Human Resources
John J. Berard, Director of Labor Relations, Department of Human Resources

