

**Department of Behavioral Health  
TRANSMITTAL LETTER**

<b>SUBJECT</b> Administration and Use of Overtime		
<b>POLICY NUMBER</b> DBH Policy 717.1	<b>DATE</b> DEC 17 2013	<b>TL#</b>

**Purpose.** To outline the procedures and criteria for the use of overtime by Department of Behavioral Health (DBH) employees in accordance with provisions of the District Personnel Manual (DPM), Chapter 11B, Compensation, and other guidelines.

This revision adopts the policy from the former Department of Mental Health, now merged into the new Department of Behavioral Health, in accordance with the DBH Establishment Act of 2013.

**Applicability.** Applies to all exempt and non-exempt Behavioral Health Authority (BHA) employees, Saint Elizabeths Hospital (SEH), and the Mental Health Services Division (MHSD).

**Policy Clearance.** Reviewed by affected responsible staff and cleared through appropriate Behavioral Health Authority offices.

**Implementation Plans.** Specific staff whose roles are relevant to the implementation of this policy should be trained, as needed. Program managers are responsible for following through to ensure compliance.

**Policy Dissemination and Filing Instructions.** Managers/supervisors of DBH must ensure that staff is informed of this policy. Each staff person who maintains policy manuals must promptly file this policy in the DBH Policy and Procedures Manual.

**ACTION**

**REMOVE AND DESTROY**

DMH Policy 717.1

**INSERT**

DBH Policy 717.1

  
Stephen T. Baron  
Director, DBH

12/17/13

**DEPARTMENT OF  
BEHAVIORAL HEALTH****Policy No.**  
717.1**Date**

DEC 17 2013

**Page 1****Supersedes**

DMH Policy 717.1, same subject, dated October 3, 2003

**Subject: Administration and Use of Overtime**

1. **Purpose.** To outline the procedures and criteria for the use of overtime by Department of Behavioral Health (DBH) employees in accordance with provisions of the District Personnel Manual (DPM), Chapter 11B, Compensation, and other guidelines specified in Section 3 below.
2. **Applicability.** Applies to all exempt and non-exempt Behavioral Health Authority (BHA) and Saint Elizabeth Hospital (SEH) employees.
3. **Authority.** Rules, regulations and guidelines as set forth in: (1) DPM Instruction 11B-4, Fair Labor Standards Act (FLSA); (2) DPM Chapter 11B, Part II, Subpart 7, Premium Pay; and (3) DPM Chapter 12, Subpart 4, Annual and Sick Leave and Compensatory Time.
4. **Policy.**
  - 4a. The administration and use of overtime within DBH shall be governed by this policy and the rules and guidelines in Section 3 above. Overtime shall be used when service needs demand that employees work outside their scheduled hours of work. Overtime work shall not be performed when there is not a bonafide, justified need.
  - 4b. Generally, employees at the DS-11 level or above shall receive compensatory time off for overtime worked, unless otherwise required by a collective bargaining agreement or FLSA. Positions identified by the DBH Division of Human Resources (DHR) as "shortage categories" are exempt from this rule.
  - 4c. In accordance with DPM Chapter 11B, Part II, Subpart 7.2 I, Limitation on Overtime Pay, "No officer or employee of the District government occupying a position at grade DS-15, or above, should request any compensation for performance of overtime work, unless expressly directed by a superior to perform such overtime work."
  - 4d. When this policy conflicts with the terms and conditions of a collective bargaining agreement, the terms of the collective bargaining agreement shall be the prevailing guidelines.
5. **Authority to Approve Overtime.**
  - 5a. The authority to approve paid overtime and/or compensatory time rests with the DBH Director who has delegated approval authority to:
    - DBH Senior Deputy Director, and
    - Chief Executive Officers (CEOs) and DBH Deputy Directors (i.e., Office of Accountability, and Office of Administrative Operations).
  - 5b. CEOs and DBH Deputy Directors may delegate approval authority to the next lower organizational level (division or equivalent level) with re-delegations as appropriate (e.g., chief nurse

or comparable supervisor). If the use of overtime is violated, a CEO or DBH Deputy Director may withdraw the approval authority from division head(s).

5c. If SEH, MHSD, or a DBH Office violates the use of overtime, the DBH Director may withdraw the delegation of approval authority from the CEO or DBH Deputy Director.

5d. Only the DBH Director, Senior Deputy Director, or respective CEO or DBH Deputy Director may approve overtime in excess of twenty (20) hours per person per pay-period.

**5e. If a major DBH component's (SEH, MHSD, BHA overtime spending exceeds its approved budget, additional overtime must be approved in advance, in writing, by the DBH Director (see Section 7c below).**

6. **Definitions.** For the purpose of this policy, the following definitions are applicable:

6a. Overtime Work. Any work that has been officially ordered or approved to be performed prior to or after the established shift hours or during the prescribed lunch period by an employee covered by the overtime provisions of the Fair Labor Standards Act (FLSA) for the benefit of the Department. To be recognized as overtime work, it must be approved by the appropriate official in advance, in writing, except in the case of an emergency (see Section 9d below).

6b. Non-Exempt Employees. Employees who are covered by the minimum wage and overtime provisions of the FLSA (generally DS-1 through DS-10).

6c. Exempt Employees. Employees who are not covered by the minimum wage and overtime provisions of the FLSA (generally DS-11 and above) or who are properly classified as executive, administrative, or professional employees.

NOTE: The Division of Human Resources is responsible for determining the exempt and non-exempt status of a position and recording this information on the Optional Form 8 of the Position Description in accordance with DPM Instruction 11B-4, Fair Labor Standards Act.

6d. Eligible Employees. DBH employees are eligible to be paid overtime if:

(1) they are DS-10 or below as specified in Section 6b above (Nurses at RN-05/06 levels are exempt from this limitation);

(2) they have no recent history of unusual/excessive uses of leave in conjunction with overtime worked; and

(3) they have worked, on an average, less than forty (40) hours of overtime per pay period over the preceding four (4) pay periods unless exceeding this limit is specifically approved by the DBH Director, Senior Deputy Director, or respective CEO or DBH Deputy Director. Nurses at the RN-05/06 levels are exempt from this limitation.

6e. Compensatory Time Off. An authorized absence from official duty in lieu of payment for authorized overtime.

7. **Spending Control Plans.**

7a. The financial officer for each major DBH component (SEH, MHSD, and BHA) is responsible for developing a Spending Control Plan for each fiscal year that includes as a component an Overtime

Control Plan for the use of overtime in that fiscal year. The Overtime Control Plan should not envision regular, structured scheduling of overtime, but must be:

- (1) commensurate with the dollar amount budgeted for overtime in the responsibility center's object class 15;
- (2) sufficient to cover anticipated "special assignments," legal responsibilities or other external requirements; and
- (3) consistent with established departmental criteria for overtime.

7b. The Overtime Control Plan must be forwarded through the Chief of Administrative Operations to the DBH Director for approval before the beginning of the fiscal year.

7c. Each financial officer is also responsible for monitoring the use of overtime, preparing a monthly overtime utilization report, and requesting re-programming of funds if additional overtime funds are required for the fiscal year.

If additional funds are required, a request to increase the overtime budget should be submitted in a decision memorandum to the DBH Director through the respective CEO and the Chief of Administrative Operations. The request must include the reason(s) additional funds are needed and the amount required for the remainder of the fiscal year, and identify the object class from which the money can be re-programmed within the organization's budget. An overtime request for additional funds will not be considered by the DBH Director without the concurrence of the respective CEO.

Questions related to the preparation of the Spending Control Plan or re-programming of funds should be directed to the Chief of Administrative Operations.

8. **Criteria for Requesting Overtime Work.** Requests for overtime work should be submitted under the following circumstances:

8a. It is necessary to meet minimum program needs for a safe/healthful environment (i.e., shift coverage consistent with the staffing plan; special clinical exigencies such as "suicide precautions" or "one-to-one special" situations; or critical shortages of specific clinical disciplines).

8b. Environmental deficiencies must be corrected that threaten the health or safety of consumers and/or staff as determined collaboratively by clinical and administrative program managers.

8c. It is necessary to respond to an emergency situation that directly threatens the safety of persons.

8d. It is necessary to perform unanticipated legal or other external requirements which are approved by the DBH Director.

8e. It is necessary to carry out an unplanned special assignment mandated by the DBH Director after determination that the assignment is programmatically justifiable when balanced against all other requirements for resources.

8f. Redeployment of regularly scheduled staff cannot meet the need. Redeployment may include both movement of staff (e.g., shift schedule changes or assignments to other duty stations) and changes in program alignments (e.g., consolidation of wards, changes in hours of operation). All changes affecting personnel must comply with applicable District personnel guidelines and union contract agreements.

8g. The work is to be performed in the organization (SEH, MHSD, or DBH) where the employee is assigned. Cross-organization overtime must be approved by the respective CEO for SEH or MHSD or the Senior Deputy Director for DBH offices.

**9. Procedure for Requesting Overtime Work.** The criteria in Section 8 above shall determine when overtime work should be requested. All overtime must be officially ordered and approved before work is performed, except in cases of emergency. The following procedures are to be used for requesting overtime.

9a. The First-line Supervisor shall:

(1) Complete DBH Form 21, Request for Authorization of Overtime Work (see Exhibit 1), indicating the employee(s) who will be working overtime.

- The justification should be brief but contain sufficient information for the approving official to decide whether or not the overtime is needed.
- DBH Form 21 may be used to request overtime for several employees, provided they have the same timekeeper. Employees with different timekeepers must have separate forms prepared.

(2) Forward DBH Form 21 to the approving official for signature prior to the performance of overtime work.

9b. The Approving Official shall:

(1) Sign DBH Form 21 if the overtime to be worked is justified, and retain a copy.

(2) Return the original DBH Form 21 to the requesting supervisor.

9c. If overtime is to be worked in a program area other than that to which the employee is assigned, the requesting supervisor of the program area needing the overtime work shall obtain the necessary approvals within his/her organization, and forward the DBH Form 21 to the "owning" supervisor to be recorded for timekeeping/payment purposes.

9d. Requests for overtime to meet an unanticipated emergency may be approved verbally by the respective CEO/DBH Deputy Director or designee. Verbal approval must be confirmed promptly by submitting a properly completed DBH Form 21 which indicates in the "Report of Emergency Overtime Work" space the date and name of the person who provided verbal approval.

**10. Monitoring Overtime.**

10a. The First-line Supervisor shall:

(1) Keep accurate records concerning the overtime hours worked by his/her employees;

(2) Use leave approval authority fairly but effectively so that unnecessary overtime is avoided;

(3) Act promptly to correct patterns of frequent unscheduled absences that may contribute to unnecessary overtime work;

(4) Ensure that overtime work is authorized in advance, in writing, by the approving official, or that verbal authorization is obtained in an emergency; and

(5) Ensure that all efforts have been taken to re-deploy regularly scheduled staff within the program prior to requesting overtime work.

10b. The Approving Officials shall:

(1) Ensure that first-line supervisors meet their responsibilities for controlling overtime;

(2) Take corrective action toward supervisors who fail to meet their responsibilities for controlling overtime;

(3) Ensure that only such overtime that meets departmental criteria for overtime work is approved (see Section 8 above); and

(4) Ensure that obligations for overtime do not exceed available funds in overtime budget.

10c. The Financial Officer for SEH, MHSD, and DBH shall:

(1) Prepare a monthly overtime utilization report that compares the budget to actual expenditures and forecasts year-end totals, and submit through the respective CEO to the Chief of Administrative Operations.

(2) Request reprogramming of funds when forecasts indicate additional funds will be required to cover unanticipated overtime expenditures for the remainder of the fiscal year (see Section 7c above).

11. **Payment for Overtime Work.** Paid overtime shall be at rates established by DPM Instruction 11B, Subpart 7, Premium Pay, or by negotiated collective bargaining agreements. Paid overtime is authorized when the criteria for approval are met.

12. **Compensatory Time.** Compensatory time is an authorized absence from official duty in lieu of payment for authorized overtime. Wage Grade Schedule employees are required to be compensated in overtime pay for all overtime work. A District Service Schedule employee may request compensatory time in lieu of overtime pay for any irregular or occasional overtime work.

12a. Compensatory time off may be granted in lieu of paid overtime on the basis of one and one half hours off for each hour of overtime worked by employees at DS-10 and below. For grades DS-11 and above, compensatory time off is granted on the basis of one hour off for each hour worked.

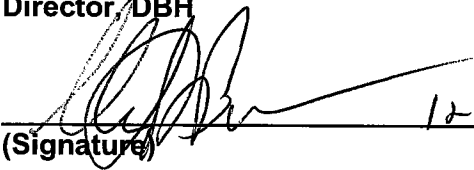
12b. Approval of compensatory time for exempt employees, DS-11 and above, may be granted by authorized supervisors if the criteria for overtime work are met. The only exception to this general DS-11 rule will be applicable to employees in the RN series and other employees in positions classified as a "shortage category," in which case the payment of cash overtime must be approved by DBH Director, Senior Deputy Director, or respective CEO or DBH Deputy Director before overtime is worked.

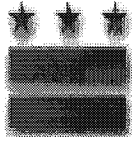
12c. Compensatory time shall be used within one (1) year from the time overtime is worked. However, the employee should be encouraged to take his/her compensatory leave within the three (3) months after it is earned or as soon thereafter as possible.

12d. When compensatory time off is requested, supervisors will advise employees if it appears that work loads will make taking the compensatory time unfeasible. While granting compensatory time off is discretionary, supervisors are responsible for making every effort to provide requesting employees the opportunity to take compensatory time off within designated time limits.

**Approved by:**

**Steve Baron  
Director, DBH**

  
\_\_\_\_\_  
(Signature) 12/17/13  
(Date)



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF BEHAVIORAL HEALTH

REQUEST FOR AUTHORIZATION OF OVERTIME WORK

SEH MHSD AUTHORITY

OFFICE/UNIT NAME:

Table with 8 columns: NAME, SOCIAL SECURITY NO., TITLE, GRADE, DATES, TIME FROM TO, NO. OF HOURS, P OR C\*

\*Indicate Paid (P) or Compensatory Time (C)

JUSTIFICATION: For overtime work that cannot be accomplished during the regular working hours.

JUSTIFICATION: For overtime in excess of 20 hours per person this pay period. (Overtime request can only be approved by DBH Director, Senior Deputy Director, or respective CEO or BHA Deputy Director)

REPORT OF EMERGENCY OVERTIME WORK (if applicable): Overtime was not authorized, in writing, in advance because it was impracticable or impossible to receive prior authorization due to the following emergency. However, verbal approval was obtained from (name) on (date).

I certify that the above name employee(s) worked overtime.

REQUESTED BY: Signature Print/Typed Name TITLE: DATE:

APPROVED BY: Signature Print/Typed Name TITLE: DATE: