

**Financial Management Circular:** #2013-3

**Effective Date:** May 17, 2013

**General Subject:** Job Classifications Normally Eligible for Premium Overtime Compensation

**Authority:** IC 4-15-2.2  
31 IAC 5-7  
Fair Labor Standards Act  
Title 29 Code of Federal Regulations

**Application:** This circular applies to employees in the PAT, COMOT, LTC, SAMPAT, SAMLTC and POLE job categories.

Employees in the following job categories or classifications are eligible for premium overtime compensation:

- Professional-Administrative-Technological (PAT), skill levels 5 & 6
- Clerical-Office Machine Operators-Technician (COMOT), skill levels 1 through 6
- Labor-Trades-Crafts (LTC), skill levels 1 through 5
- Supervisory and Managerial – COMOT, skill levels 3 through 8
- Supervisory and Managerial – LTC, skill levels 4 through 7
- Protective Occupations, law enforcement (POLE), skill levels 2 through 4
- Nurse classifications – Charge Nurse 3, Charge Nurse Supervisor 5, Dialysis Nurse 3, Nurse 4, Nurse Supervisor 5, and Nurse Supervisor 6

Employees in the following PAT 4 level classifications are to be treated as eligible for premium overtime compensation:

Accountant 2RA4	Correctional Release Assistant 2DJ4
Behavioral Clinician 2AA4	Correctional Training Officer 2HF4
Biologist 1LC4	Criminal Intelligence Analyst 1VF4
Boiler Pressure Vessel Inspector 2WI4	Disability Claims Adjudicator 2WP4
Business Administrator 2TC4	Engineer Technologist 1DP4
Cadre Team Leader 2HM4	Engineering Assistant 1DB4
Cadet Instructor 2HN4	Environmental Scientist 1LS4
Cadet Counselor 2HO4	Environmental Engineer 1DO4
Cadet Recruiter 2HP4	Field Auditor 2RC4
Child Labor Inspector 1GL4	Field Examiner 2RE4
Code Official 1GA4	Financial Examiner 2RD4
Commodity Examiner 2TO4	Forensic Scientist 1IF4
Construction Engineer 1DZ4	Highway Engineer 1DC4
Correctional Caseworker 2DB4	
Correctional Coordinator 2DC4	

Human Resources Associate 2NA4  
Hydraulic Engineer 1DD4  
Industrial Hygienist 1NA4  
Information Specialist 2LA4  
Internal Affairs Officer 2EB4  
IOSHA Inspector 1GH4  
Interpreter Deaf 2CB4  
Landscape Architect 1FB4  
Librarian 2KA4  
Medical Technologist 1QH4  
Microbiologist 1LB4  
Museum Specialist 2KC4  
Program Specialist 2RS4

Purchasing Administrator 2TA4  
Records Analyst 2KD4  
Recreation Leader 2FD4  
Rehabilitation Therapist 2FA4  
Social Services Specialist 2AH4  
Substance Abuse Counselor 2AN4  
Surveyor 1DS4  
Tax Analyst 2RW4  
Telecommunications Specialist 2YG4  
Telecommunications Tech 2YF4  
Training Officer 2HD4  
Veterans' Representative 2NP4  
Youth Services Instructor 2DH4

Employees in the following PAT 3 level classifications are to be treated as eligible for premium overtime compensation:

Audit Examiner 2RB3  
Building/Fire Code Specialist 1GB3  
Cadet Shift Supervisor 2HM3  
Cadet Lead Counselor 2HO3  
Cadet Lead Instructor 2HN3  
Chemist 1IB3  
Chief Mine Inspector 1GG3  
Civil Rights Specialist 2CD3  
Community Employment Specialist 2NC3  
Construction Technologist 1DP3  
Consumer Specialist 2RO3  
Correctional Classification Specialist 2DD3  
Dairy Farm Specialist 1NN3  
Dialysis Nurse 3 1QC3  
Disability Claims Adjudicator 2WP3  
EEOC Compliance Coordinator 2NR3  
Emergency Prep Coordinator 2WE3  
Engineering Assistant 1DB3  
Environmental Scientist 1LS3  
Family Case Coordinator 2AQ3  
Family Case Manager Trainee 2AP3  
Field Examiner 2RE3  
Field Auditor 2RC3  
Financial Examiner 2RD3  
Fluoridation Consultant 1LK3  
Food Scientist 1NE3  
Forensic Scientist 1IF3  
General Sanitarian 1NF3  
Grant Coordinator 2TF3  
Human Services Consultant 2AK3  
Industrial Hygienist 1NA3

Internal Affairs Officer 2EB3  
IOSHA Inspector 1GH3  
Junior Insurance Examiner 2RN3  
Labor Market Analyst 1CA3  
LAN Support Technician 1BS3  
Law Enforcement Training Specialist 2HA3  
Legal Analyst 1VA3  
Management Analyst 2TV3  
Medical Surveyor 1TB3  
Micro-Biologist 1LB3  
Mobile X-Ray Surveyor 1TG3  
Network Engineer Associate 1BK3  
Network Technician 1BT3  
Oil/Gas Inspector 1KA3  
Parole Officer 2DA3  
Pharmacist 1LA3  
Program Specialist 2RS3  
Protection & Advocacy Coordinator 2CC3  
Public Health Investigator 1TA3  
Purchasing Administrator 2TA3  
Records Analyst 2KD3  
Security/Telecommunications Systems Director 2YG3  
Senior Code Review Official 1GA3  
State Eligibility Consultant 2AG3  
Statistician 1CB3  
Telecommunications Tech 3 2YF3  
Water Planner 1DF3  
Welfare Consultant 2AF3  
Youth Services Instructor 2DH3

Employees in the following PAT 2 level classifications are to be treated as eligible for premium overtime compensation:

Family Case Manager 2AP2  
Human Services Consultant 2AK2

Employees in the following POLE classifications are to be treated as eligible for premium overtime compensation:

Arson Investigator 5SA0

Special Attendant 5MA2  
Special Attendant Supervisor 5MB0

Correctional Officer Trainee  
Correctional Officer  
Correctional Sergeant

Airfield Security Officer 5CD0  
Airfield Security Sergeant 5CE0  
Airfield Security Chief 5CF0

The effect of the foregoing is to authorize employees in these classifications to receive premium overtime compensation as if they were subject to the Fair Labor Standards Act.

The following provisions apply uniquely to specified law enforcement and fire protection personnel:

The provisions of 31 IAC 5-7-8 are being elected for Gaming Enforcement Agent 5FH0, Gaming Enforcement Investigator 5FF0, Gaming Enforcement Supervisor 5FB0, Gaming Control Officer 5FJ0, Gaming Control Supervisor 5FK0, Special Agent 5NA0, Field Agent 5NC0, and Special Agent Coordinator 5NB0. The same overtime policies and leave accrual practices apply to these classifications as apply to overtime eligible law enforcement officers employed as State Police, Conservation Officers and Excise Police. Gaming Enforcement Agent 5FH0, Gaming Enforcement Investigator 5FF0, Gaming Enforcement Supervisor 5FB0, Gaming Control Officer 5FJ0, Gaming Control Supervisor 5FK0, Special Agent 5NA0, Field Agent 5NC0, and Special Agent Coordinator 5NB0 will have a normal work period of 170 hours per 28-day cycle. Additional straight time pay will accrue for compensable time in excess of the 170<sup>th</sup> hour and premium compensation (time and a half) will accrue for hours worked in excess of 171, in a twenty-eight day period. Gaming Enforcement Agent 5FH0, Gaming Enforcement Investigator 5FF0, Gaming Enforcement Supervisor 5FB0, Special Agent 5NA0, Field Agent 5NC0, Special Agent Coordinator 5NB0, Conservation Officers and Excise Police will accrue leave at a rate of 8.5 hours, as is done for similarly situated employees under 31 IAC 5-8-2(i), 31 IAC 5-8-3(e) and 31 IAC 5-8-4(g).

The provisions of 31 IAC 5-7-8 are not being elected for Gaming Financial/ Background Investigator 5FA0 and Gaming Administrator 5FG0. Scheduling, overtime policies and

leave accrual practices for Gaming Financial/Background Investigator 5FA0 and Gaming Administrator 5FG0 are the same as those applicable to overtime eligible employees that are not law enforcement officers. Additional straight time pay will accrue for compensable time in excess of 37.5 hours per week and premium compensation (time and a half) will accrue for hours worked in excess of 40 hours per week. Gaming Financial/Background Investigator 5FA0 and Gaming Administrator 5FG0 will accrue leave at a rate of 7.5 hours, as is done for similarly situated employees under 31 IAC 5-8-2(a) & (c), 31 IAC 5-8-3(b) and 31 IAC 5-8-4(b) & (c).

The regular work schedule for the Airfield Firefighter job family is 106 hours in the biweekly pay period. Employees classified as Airfield Firefighter 5CA0, Airfield Firefighter Trainer 5CB0, Airfield Firefighter Shift Leader 5CC0, and Airfield Firefighter Chief 5CG0 shall be eligible for overtime compensation in accordance with the provisions of 29 USC 207(K) and 29 CFR Part 553 subpart C. Pursuant to 29 CFR 553.230, a work period of 14 days is adopted for the maximum hour standard contained therein. Overtime shall accrue for each hour worked or engaged to wait in excess of 106 hours in each 14 day work period. Airfield Firefighters may accrue a balance of no more than 480 hours of compensatory time off. The State Personnel Department standardized policy and procedure on Overtime Assignments is inapplicable to Airfield Firefighter classifications.

In recognition of the fact that Airfield Firefighters have a unique schedule the references to the numbers of hours in the rules governing accrued vacation, sick and personal leave shall be converted for Airfield Firefighters:

<u>Hours Stated in 31 IAC 5-8</u>	<u>Hours converted for Airfield Firefighters</u>
3.75	5.25
7.50	10.50
22.50	31.75
37.50	53.00
60.0	84.75
97.50	137.75
225.0	318.00

If an employee transfers out of the Airfield Firefighter job family, the employee's leave balances will be adjusted proportionately to reflect the change in the number of hours of the standard schedule.

Airfield Firefighters may be entitled to up to 112.5 hours of military leave with pay annually, as that equals the amount of paid military leave available to all state employees under IC 10-16-7-5, and 31 IAC 5-8-6(d), notwithstanding any other interpretation of "days" in the statute, rules, or State Personnel policy and procedures.

Consistent with the State Personnel Department's standardized policy on holidays, compensation for holidays equals 1/10<sup>th</sup> of the employee's base biweekly salary, up to a maximum of 7.5 hours (if compensatory time is chosen).

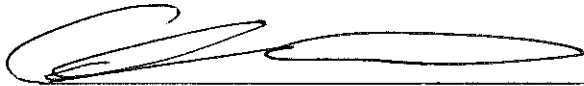
To the extent there exist any conflicts between this Financial Management Circular and 29 USC 207, issues will be viewed as matters of federal preemption such that conflicts will be resolved consistent with the relevant provisions of the Fair Labor Standards Act and Title 29 of the Code of Federal Regulations.

This FMC rescinds FMC #2012-1.



---

Anita K. Samuel  
Director, State Personnel Department



---

Christopher D. Atkins  
Director, Office of Management and Budget