

Financial Management Circular: #2018-2

Effective Date: October 3, 2018

General Subject: Job Classifications Normally Eligible
for Premium Overtime Compensation

Authority: IC 4-15-2.2
31IAC 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,
SAMCOMOT and POLE job categories

Employees in the following job categories or classifications are ELIGIBLE for premium overtime compensation, except as otherwise expressly provided herein:

- 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 - SAMCOMOT, skill levels 3 through 8
- Supervisory and Managerial - SAMLTC, skill levels 4 through 7
- Protective Occupations, law enforcement (POLE), skill levels 2 through 4
- Nurse classifications - Charge Nurse 3 (1QB3), Charge Nurse Supervisor 5 (6QB5), Dialysis Nurse (1QC3), Nurse 4 (1QC4), Nurse Supervisor 5 (6QC5) and Nurse Supervisor 6 (6QC6)

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

Accountant 4 2RA4	Administrative Analyst 4 1AA4
Behavioral Clinician 4 2AA4	Biologist 4 1LC4
Boiler & Pressure Vessel Insp 2WI4	Business Administrator 4 2TC4
Cadre Team Leader 2HM4	Cadet Instructor 2HN4
Cadet Counselor 2HO4	Cadet Recruiter 2HP4
Child Labor Inspector 1GL4	Claims Deputy 4 2RR4
Code Official 4 1GA4	Communication Specialist 4 2YH4
Construction Engineer 4 1DZ4	Correctional Caseworker 2DB4
Correctional Coordinator 2DC4	Correctional Release Assistant 4 2DJ4
Correctional Training Officer 4 2HF4	Engineer Technologist 1DP4
Engineering Assistant 4 1DB4	Environmental Scientist 4 1LS4

Environmental Engineer 4 1DO4
Field Examiner 4 2RE4
Forensic Scientist 4 1IF4
Human Resources Associate 2NA4
Industrial Hygienist 4 1NA4
Internal Affairs Officer 4 2EB4
Interpreter Deaf 2CB4
Librarian 4 2KA4
Microbiologist 4 1LB4
Program Specialist 4 2RS4
Records Analyst 4 2KD4
Re-entry Specialist 4 2DE4
Social Services Specialist 4 2AH4
Surveyor 4 1DS4
Telecommunications Specialist 4 2YG4
Training Officer 4 2HD4

Field Auditor 4 2RD4
Financial Examiner 4 2RD4
Highway Engineer 4 1DC4
Hydraulic Engineer 4 1DD4
Information Specialist 4 2LA4
IOSHA Inspector 4 1GH4
Landscape Architect 1FB4
Medical Technologist 1QH4
Museum Specialist 4 2KC4
Purchasing Administrator 4 2TA4
Recreation Leader 4 2FD4
Rehabilitation Therapist 4 2FA4
Substance Abuse Counselor 4 2AN4
Tax Analyst 4 2RW4
Telecommunications Tech 4 2YF4
Youth Services Instructor 4 2DH4

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

Audit Examiner 3 2RB3
Cadet Shift Supervisor 2HM3
Cadet Lead Instructor 2HN3
Chief Mine Inspector 1GG3
Claims Deputy 3 2RR3
Communications Specialist 3 2YH3
Consumer Specialist 2RO3
Correctional Release Specialist 2DJ3
Dairy Farm Specialist 1NN3
Disabled Veterans Outreach Prg 2NQ3
EEOC Compliance Coordinator 2NR3
Engineering Assistant 3 1DB3
Family Case Manager Trainee 2AP3
Field Auditor 3 2RC3
Food Scientist 3 1NE3
General Sanitarian 1NF3
Human Services Consultant 2AK3
Internal Affairs Officer 3 2EB3
Junior Insurance Examiner 2RN3
LAN Support Technician 1BS3
Legal Analyst 3 1VA3
Medical Surveyor 1TB3
Mobile X-Ray Surveyor 1TG3
Network Technician 1BT3
Parole Officer 2DA3
Program Specialist 3 2RS3

Building/Fire Specialist 3 1GB3
Cadet Lead Counselor 2HO3
Chemist 3 1IB3
Civil Rights Specialist 3 2CD3
Community Employment Specialist 3 2NC3
Construction Technologist 1DP3
Correctional Classification Specialist 2DD3
Criminal Analyst 3 1VF3
Dairy Plant Specialist 1NO3
Disability Claims Adjudicator 2WP3
Emergency Prep Coordinator 2WE3
Environmental Scientist 3 1LS3
Field Examiner 3 2RE3
Fluoridation Consultant 1LK3
Forensic Scientist 3 1IF3
Grant Coordinator 2TF3
Industrial Hygienist 1NA3
IOSHA Inspector 3 1GH3
Labor Analyst 1CA3
Law Enforcement Training Spec 2HA3
Local Veterans Employment Rep 2NP3
Microbiologist 3 1LB3
Network Engineer Associate 1BK3
Oil/Gas Inspector 1KA3
Pharmacist 1LA3
Protection & Advocacy Coord 2CC3

Public Health Investigator 1TA3
Records Analyst 3 2KD3
Security/Telecom Systems Dir 2YG3
State Eligibility Consultant 2AG3
Telecommunications Tech 3 2YF3
Welfare Consultant 2AF3

Purchasing Administrator 3 2TA3
Revenue Tax Auditor 2RV3
Senior Code Official 1GA3
Statistician 1CB3
Water Planner 1DF3
Youth Services Instructor 3 2DH3

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

Family Case Manager 2 2AP2
Human Services Consultant 2AK2

Premium Overtime Information specific to Law Enforcement Classifications

Employees in the following POLE classifications are to be treated as ELIGIBLE for premium overtime compensation.

Arson Investigator 5SA0
Asst. Chief Arson Investigator 5SB0

Special Attendant Supervisor 5MB0
Special Attendant 5MAT
Special Attendant Trainee 5MAT

Correctional Officer 5LA2
Correctional Sergeant 5LB0

Airfield Security Officer 5CD0	Airfield Deputy 1 5CH0
Airfield Security Sergeant 5CE0	Airfield Deputy 2 5CI0
Airfield Security Chief 5CF0	Airfield Deputy 3 5CJ0

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 Asst. Enforcement Supervisor 5FL0, 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 Asst. Enforcement Supervisor 5FL0, 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 170th 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, Gaming Asst. Enforcement Supervisor 5FL0, Gaming Control Officer 5FJ0, Gaming Control Supervisor 5FK0 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 Hours of Work & Overtime is inapplicable to Airfield Firefighter classifications.

In recognition of the fact that Airfield Firefighters have a unique schedule, the references to the number 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
60.00	84.75
97.50	137.75
225.00	318.00

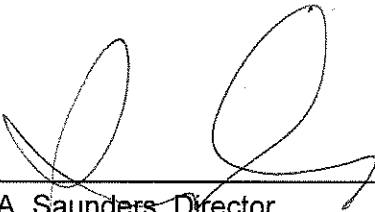
If an employee transfers out of the Airfield Firefighter job family, the employee's leave balances will be adjusted proportionately to reflect the change in the number of hours of the standard schedule.

Airfield Firefighters may be entitled to up to 112.5 hours of military leave with pay annually,

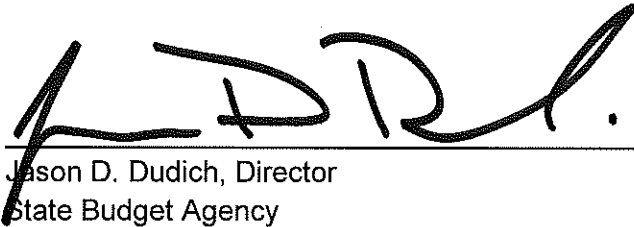
as that equals the amount of paid military leave available to all state employees under IC 10-16-7-5, and 31 IAC 5-8-6(d), notwithstanding any other interpretation of "days" in the statute, rules, or State Personnel policy and procedures.

The effect of authorizing employees in the specified job categories or classifications to receive premium overtime compensation is to treat them as if they were subject to the Fair Labor Standards Act. 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 #2017-1



Britni A. Saunders, Director
State Personnel Department



Jason D. Dudich, Director
State Budget Agency