

Key Features of FLSA, State, and Holiday Comp Time

The table below summarizes key feature of FLSA, state, and holiday comp time.

	FLSA comp time	State comp time	Holiday comp time
Also known as	FLSA overtime, federal overtime, overtime compensatory time	Straight compensatory time, straight time	Straight compensatory time, straight time
Governed by	Federal law (Fair Labor Standards Act)	State law (for state employees)	State law (for state employees)
Who gets it	Nonexempt employees only	Nonexempt employees only	Both exempt and nonexempt employees*
When earned	Whenever you work more than 40 hours in a workweek. Paid leave and holidays do NOT count.	Whenever the TOTAL of your hours of work AND paid leave is greater than 40.	Whenever you work on a holiday at your supervisor's request.
Work at home	Counts	Does not count	Counts
Nature of compensation	1.5 hours for each hour of FLSA overtime worked. In some cases, you may receive overtime pay at 1.5 times your regular pay rate instead.	1 hour for each hour of state overtime. In special circumstances, you may be paid at your regular rate of pay instead.	1 hour for each hour of holiday worked. In special circumstances, you may be paid at your regular rate of pay instead.
Limits on accrual	You will be paid for any overtime hours you earn after 240 hours (480 hours if you work in a public safety, emergency response, or seasonal job).	No limit	No limit

	FLSA comp time	State comp time	Holiday comp time
Using it	Your supervisor may require you to take it or to use it before using vacation. You must use all your FLSA before going on leave without pay or using the sick leave pool, unless the unpaid leave is for military duty, disciplinary suspension, workers' compensation, or Family and Medical Leave Act (FMLA) leave.	May be used whenever you wish, unless doing so would disrupt departmental operations. However, it must be used before going on leave without pay or using the sick leave pool, unless the unpaid leave is for military duty, disciplinary suspension, workers' compensation, or Family and Medical Leave.	May be used whenever you wish, unless doing so would disrupt departmental operations. However, it must be used before going on leave without pay or using the sick leave pool, unless the unpaid leave is for military duty, disciplinary suspension, workers' compensation, or Family and Medical Leave.
Expiration	Doesn't expire	Must be taken within 12 months or will be forfeited	Must be taken within 12 months or will be forfeited

*Holiday compensatory time should be recorded in LeaveTraQ and on some System member leave forms (if no separate holiday comp time option is available) as state comp time.