



# West Virginia Division of Highways Policy: **Scheduled Overtime; Overtime Worked/Emergency**

*Issued by the Commissioner of Highways*

**Policy No: DOH 5.14**

**Issue Date: 09/15/2008**

**Revised: 10/21/2022**

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## **1.0 PURPOSE**

The purpose of this policy to provide guidance on the scheduling and distribution of scheduled overtime and emergency and snow removal; ice control (SRIC) overtime in Maintenance Organizations and the Bridge Maintenance Organization within the Division of Highways (DOH). This Policy applies to situations in which overtime is scheduled in advance of such work actually taking place and situations where overtime is not scheduled in advance. For the purpose of this Policy, overtime refers to any hours of work performed on a given day, which will cause an employee to accumulate hours in excess of the standard 40 hour work week, regardless of the rate at which it is compensated. This Policy in no way precludes the DOH from requiring any employee to work overtime as needed, or in situations which affect the public interest.

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## **2.0 SCOPE**

This policy applies to DOH employees who may be scheduled or otherwise required to work overtime. This policy is in addition to DOT 3.10; it does not supersede DOT 3.10 rather it provides additional details about overtime the requirements and processes of DOH.

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## **3.0 DEFINITIONS**

- 3.1 Agency: means any authority, bureau, commission, or Division or similar cabinet subpart of the Department of Transportation.**
- 3.2 DOH: means the Division of Highways.**
- 3.3 DOT: means the Department of Transportation.**
- 3.4 Employee: means a person who lawfully occupies a position in a DOT agency and who is paid a wage or salary and who has not severed the employee-employer relationship.**
- 3.5 WVDOH: means the West Virginia Division of Highways.**
- 3.6 WVDOT: means the West Virginia Department of Transportation.**
- 3.7 REMIS: means the Remote Entry Management Information System that was developed as an in-house system to gather detailed information in the areas of payroll, equipment, inventory, accounts payable and accounting. The data is accessible for various reports to assist in decision making. Several REMIS functions have migrated to other programs as REMIS is phased out.**

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## **4.0 POLICY**

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### 4.1 SCHEDULED OVERTIME POLICY

It is the Policy of the WVDOT that scheduled overtime is offered to employees in DOH Maintenance Organizations and the Bridge Maintenance Organization in a systematic fashion that affords equal opportunity to properly classified employees to perform the necessary duties. Overtime offered and whether it is worked is required to be recorded and posted for all organizational employees to view.

### 4.2 PROCEDURE

- A. Overtime is to be offered within a work unit, and within the appropriate classification, to employees who are qualified to perform the necessary duties on a rotating basis, beginning with the most senior employee, and ending with the least senior. Once established, this rotation list should not be changed unless the employees in the work unit change. The offering of overtime with each new occurrence shall pick up on the list where the last one left off. New employees will be added to the end of the list. Temporary employees will be offered overtime only if no permanent employee is available. As the list is worked, the supervisor shall record whether the employee worked the offered overtime or declined the offer to work. Once an employee has either worked or declined, they are not to be offered scheduled overtime again until their name reappears in the rotation.
- B. An [Overtime Offered/Worked Chart](#) (Addendum A) is to be posted in each work unit location for every calendar month. The chart is to be posted whether or not scheduled overtime was worked in the unit. There may be instances where a particular project or some other circumstance dictates that the list will not be consulted in the assignment of overtime hours. These instances of the assignment of overtime without consulting the list will be considered and treated as emergency overtime. In these cases, the employee who receives the emergency overtime will be passed over when their next turn comes in the rotation.

### 4.3 OVERTIME WORKED/EMERGENCY

It is the Policy of the West Virginia Division of Highways that all emergency overtime worked is to be recorded and posted separately for all organizational employees to view. The carryover hours of all overtime worked, scheduled and emergency overtime, will be recorded on the Overtime Worked/Emergency Chart (Addendum B), up to the first day of the given month.

- A. All employees are subject to being called to work in an emergency situation as determined by the Commissioner in his or her sole discretion. When an employee is called to work in an emergency situation the employee has 30 minutes to respond to the phone call. If an employee refuses to work during an emergency without good cause or does not return the supervisors call within 30 minutes, the employee may be subject to discipline.

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- B. As emergency and SRIC overtime hours are worked, the supervisor shall record that the employee worked the overtime on the Overtime Worked/Emergency Chart. Because these situations can be numerous and varied, the organization's supervisor may use his or her discretion in making such assignments based on the employee's expertise, the circumstance of the emergency situation and the location of the emergency.
- C. An [Overtime Worked/Emergency Chart](#) must be posted in each work unit location for every calendar month. The chart is to be posted whether or not overtime was worked in the unit. Periodic reviews by appropriate members of management (supervisor, county administrator, maintenance assistant, etc.) should be performed to insure equalization of hours and policy adherence.

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### 5.0 RELEVANT MATERIALS/DOCUMENTS (or REFERENCES)

- 5.1 [Overtime Offered/Worked Chart](#)
- 5.2 [Overtime Worked/Emergency Chart](#)

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### 6.0 APPENDICES

- 6.1 [Appendix A - Overtime Offered/Worked Chart](#)
- 6.2 [Appendix B - Overtime Worked/Emergency Chart](#)

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### 7.0 CHANGE LOG

October 21,2022 –

- Formatted
- Added definitions
- Clarified that all employees may be required to work in emergency
- Refusing to work without good cause may be grounds for discipline

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### Appendix A

#### SCHEDULED OVERTIME OFFERED/WORKED

Organization Name/Number \_\_\_\_\_

Month \_\_\_\_\_

CLASSIFICATION \_\_\_\_\_ *List employees by classification and years of service within class*



Employee Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
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OFFERED, NOT WORKED = X      OFFERED, WORKED = ACTUAL OVERTIME HOURS

### Appendix B

#### OVERTIME WORKED/EMERGENCY

Organization Name/Number \_\_\_\_\_

Month \_\_\_\_\_



Carry over hours YTD	Employee Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
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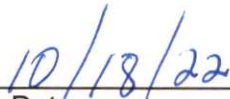
Effective Date of Policy: 10/21/2022

Approved by:



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Jimmy D. Wriston, P.E.  
Secretary of  
Transportation  
Commissioner of  
Highways



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Date

\*The Secretary of the West Virginia Department of Transportation or the Commissioner of Highways may, pursuant to the authority vested with the Secretary and Commissioner in W. Va. Code §5F-2-2, §17-2A-1 *et seq.*, and §17-2-1 *et seq.*, waive the requirements of this policy if the circumstances, in the Secretary or Commissioner's sole discretion, warrant such action.