



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

GRETCHEN WHITMER  
GOVERNOR

HEIDI E. WASHINGTON  
DIRECTOR

**DIRECTOR'S OFFICE MEMORANDUM 2021 - 22**

**EFFECTIVE:** January 1, 2021

**DATE:** December 16, 2020

**TO:** Executive Policy Team  
Administrative Management Team  
Wardens

**FROM:** Heidi E. Washington, Director

**SUBJECT:** Overtime Distribution Process for Non-Security Employees

**SUPERSEDED DOM 2020-25R (effective 07/30/2020)**

Civil Service Regulation 5.02, Section 3.A.2.d.2

*If sufficient notice is available and the state's best interests allow, and considering work assignments and organizational units in the agency, the employer must offer overtime opportunities as equally as practicable among employees who normally perform the assigned duties.*

Overtime Distribution Process

1. Voluntary Overtime Distribution Process: employees may, if eligible, sign up for overtime assignments on any shift. A Voluntary Overtime List will be maintained that will consist of employees who have voluntarily signed up for overtime. Employees must notify their supervisor in writing they are volunteering.
  - a. All voluntary hours worked will be recorded on the Overtime Equalization List (OEL).
  - b. At the time of scheduling the overtime assignment, the hours the employee has on the OEL will be used to determine the order for the overtime selections for that shift. The employees will be ranked by who has the least amount of overtime hours worked in the quarter. When there is a tie in hours recorded, the overtime will be offered to the most-senior employee.
  - c. An employee may be bypassed and will not be charged a refusal if they (1) do not have the special qualification needed to perform the overtime work, (2) do not possess the knowledge, skills, and abilities to perform the overtime work without training, or (3) do not meet any legally required or implied gender requirement.
  - d. Work in Excess of 16 Consecutive Hours: an employee will not be charged a refusal or hours on

the OEL if:

- i. The employee refuses to work more than 16 hours of voluntary overtime or;
    - ii. The employer refuses to allow an employee to work more than 16 consecutive hours.
  - e. An employee may decline overtime upon being offered, but they will be charged a refusal.
  - f. If an employee refuses overtime more than three times within a quarter, they will not be eligible to add their name to any Voluntary Overtime List for the rest of the quarter—however, the employee can still volunteer to work for another employee in lieu of a mandate.
2. Mandatory Overtime Scheduling: if enough qualified employees on the Voluntary Overtime List do not accept and work the offered overtime, the employer will assign mandatory overtime to the employee(s) with the lowest number of recorded overtime hours. When there is a tie in hours recorded, the overtime will be assigned to the least senior employee.
- g. All mandatory hours worked will be recorded on the Overtime Equalization List (OEL).
  - h. The employee with the highest number of recorded hours on the OEL will be offered the first opportunity to be relieved.
  - i. Mandatory overtime may be pre-scheduled and may require employees to report for work prior to their regularly scheduled shift.
  - j. Management may ask for volunteers from employees present on shift before scheduling mandatory overtime. Employees working overlapping shifts are eligible to volunteer to relieve a mandate but must complete their primary shift and then report to the assignment for which they volunteered.
3. Employees who receive a lateral job change or bump into the worksite, or who move to a different shift—and probationary employees who become eligible to work overtime—will be inserted on the OEL with hours equal to the employee with the least amount of OEL hours.
4. The OEL hours recorded for each employee will be zeroed out the 1st of January, April, July, and October.
5. An employee on disciplinary suspension is ineligible to volunteer for overtime.
6. The determination of when probationary employees may be authorized to work voluntary and mandatory overtime will be at the discretion of management.
7. Work in progress must be completed by the employee performing the work at the time the determination is made that the overtime work is necessary.
8. An employee may request an exemption from mandatory overtime once during each 3-month quarter of the year (Jan.-March, April-June, July-Sep., and Oct.-Dec.). Approval is subject to operational and

staffing needs at the time of the request. The request for the exemption must be made at the time the employee is notified of the mandatory overtime assignment. If approved, the next person in line for mandatory overtime cannot exercise an exemption. An exemption not used during a quarter cannot be carried over to the following quarter.

9. Subject to operational needs or in case of an emergency, overtime may be assigned without regard to the above process.