

ALABAMA STATE PERSONNEL BOARD  
ALABAMA STATE PERSONNEL DEPARTMENT  
ADMINISTRATIVE CODE

CHAPTER 670-X-11  
HOURS OF WORK

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670-X-11-.01      Uniform Regulations.

The Director shall administer regulations for maintaining uniform and equitable hours of work required of all employees in the state service, as adopted by the Board, and approved by the Governor.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §36-26-9.

**History:** Filed September 29, 1981. **Amended:** Filed May 20, 2015; effective June 24, 2015.

670-X-11-.02      Employee Compliance.

All employees in the state service shall be in attendance at their work in accordance with the rules regarding hours of work, holidays and annual, sick, military and special leaves of absence with or without pay, as provided in these rules.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §36-26-9.

**History:** Filed September 29, 1981.

670-X-11-.03      Pay Status.

Employees shall be in pay status when actually working, when on authorized leave, and on holidays, and other nonwork days coming between days when they are otherwise in "pay status."

**Author:**

**Statutory Authority:** Code of Ala. 1975, §36-26-9.

**History:** Filed September 29, 1981. **Amended:** Filed May 20, 2015; effective June 24, 2015.

**670-X-11-.04      Regular Work Week.**

A 40-hour week shall be used for the purpose of calculating the pay of employees paid on a semi-monthly basis. A work day is the set schedule for which work is to be performed.

**Author:** Jackie B. Graham, State Personnel Director

**Statutory Authority:** Code of Ala. 1975, §§36-6-1(c), (d), 36-26-9.

**History:** Filed September 29, 1981. Emergency Rule: Filed October 19, 1982. **Amended:** Filed February 23, 1983. **Amended:** May 22, 2006; effective June 26, 2006. **Amended:** Filed May 20, 2015; effective June 24, 2015.

**670-X-11-.05      Nonwork Days Not Counted Toward Leave Computations.**

In computing annual, sick, educational, military, and other leaves for employees continuing in the state service, with or without pay, holidays, or other nonwork days shall not be counted. Leave taken for less than a full day shall be computed in no less than fifteen minute increments.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §36-26-9.

**History:** Filed September 29, 1981. **Amended:** Filed May 20, 2015; effective June 24, 2015.

**670-X-11-.06      Attendance Reports Required.**

All departments shall maintain accurate and current time and leave records in the official time and attendance/payroll/personnel system.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §36-26-9.

**History:** Filed September 29, 1981. **Amended:** Filed May 20, 2015; effective June 24, 2015.

**670-X-11-.07      Compensatory Time.**

(1) Notwithstanding any departmental policy to the contrary, it shall be the policy of the State of Alabama to use compensatory time, rather than paid overtime to compensate employees subject to

the provisions of the Fair Labor Standards Act for performing overtime work. Departmental overtime policies contrary to the overall state policy must be approved by the State Personnel Board. Approval by the State Personnel Board may be made in those cases where compelling reasons are cited by the appointing authority. Overtime, overtime compensation, and compensatory time are defined by the terms as used in the Fair Labor Standards Act.

(2) Payment for Accumulated Compensatory Time Upon Separation from State Service. Upon separation from state service a nonexempt employee, as defined by the Fair Labor Standards Act, is entitled to be paid for accumulated compensatory time. Employees other than persons designated as law enforcement officers by the Code of Alabama and persons designated as seasonal workers by the State Personnel Department are entitled to be paid for accumulated compensatory time earned but in no event for an amount greater than 240 hours. Those persons defined as law enforcement officers or seasonal employees are entitled to payment for earned accumulated compensatory time upon separation from state service but in no event an amount greater than 480 hours. Under no circumstance shall FLSA exempt employees be entitled to compensatory time or paid overtime without the approval of the Board. Any employee found to violate this rule may be liable for the repayment of the time improperly credited or paid.

(3) Accumulated compensatory time obligations are not transferable from department to department. Any accumulated compensatory time obligation must be liquidated by the department in which the obligation was incurred, prior to the transfer.

(4) Exempt employees, as defined by the Fair Labor Standards Act, are not entitled to compensatory time, unless specified by law or approved by the Board.

(5) Use of Compensatory Time. Accumulated compensatory time shall be used before annual leave is used. Supervisors may require employees to use compensatory time. However, compensatory time may not be granted in order for an employee to engage in any other employment during his scheduled working hours.

**Author:**

**Statutory Authority:** Code of Ala. 1975, §36-26-9.

**History:** Filed March 19, 1986. Emergency Rule: Filed March 19, 1986. **Amended:** Filed May 20, 2015; effective June 24, 2015.

**670-X-11-.08      Subsistence.**

Those law enforcement officers that earn subsistence shall receive a subsistence allowance for each working day of a pay period while engaged in the performance of the duties as law enforcement officers. The law enforcement officer must work for a period of

four or more hours within a consecutive 24-hour period of time to receive payment.

**Author:** Jackie B. Graham, State Personnel Director

**Statutory Authority:** Code of Ala. 1975, §36-21-2.

**History: New Rule:** Filed May 20, 2015; effective June 24, 2015.

**Amended:** Published October 31, 2019; effective December 15, 2019.