

119           ~~[(m) "Work period" means:]~~

120           ~~[(i) for all nonexempt employees, except law enforcement and hospital employees, a~~

121 ~~consecutive seven day 24 hour work period of 40 hours;]~~

122           ~~[(ii) for all exempt employees, a 14 day, 80 hour payroll cycle; and]~~

123           ~~[(iii) for nonexempt law enforcement and hospital employees, the period established by~~

124 ~~each department by rule for those employees according to the requirements of the Fair Labor~~

125 ~~Standards Act of 1978, 29 U.S.C. Sec. 201 et seq.]~~

126           (m) "Work period" means:

127           (i) for a nonexempt employee, except a nonexempt law enforcement or hospital

128 employee, a consecutive seven day, 24 hour work period of 40 hours;

129           (ii) for an exempt employee, a 14 day, 80 hour payroll cycle;

130           (iii) for a nonexempt hospital employee, the period the division establishes by rule

131 according to the requirements of the FLSA; or

132           (iv) for a nonexempt law enforcement employee ~~§~~→ as defined in the FLSA ←~~§~~ :

133           (A) who is employed by the Department of Natural Resources, the period the division

134 establishes by rule according to the requirements of the FLSA; or

135           (B) who is employed by a department other than the Department of Natural Resources,

136 the period the division establishes by rule in accordance with Subsection (2).

137           (2) Except for the Department of Natural Resources, the division shall require each

138 department employing a nonexempt law enforcement employee to designate one of the

139 following work periods applicable to that employee:

140           (a) 80 hours in a 14 consecutive day payroll cycle; or

141           (b) 160 hours in a 28 consecutive day payroll cycle.

142           ~~[(2)]~~ (3) Each department shall compensate each state employee who works overtime

143 by complying with the requirements of this section.

144           ~~[(3)]~~ (4) (a) Each department shall negotiate and obtain a signed FLSA agreement from

145 each nonexempt employee.

146           (b) In the FLSA agreement, the nonexempt employee shall elect either to be

147 compensated for overtime by:

148           (i) taking time off work at the rate of one and one-half hour off for each overtime hour

149 worked; or