

<p><b>Owner:</b> Manager, HR Operations  <b>Local Contact:</b> HR Manager/Business Partner</p>	<p><b>BASIC OVERTIME U.S.</b></p>	<p>Policy Center </p>
<p><b>Approver:</b> Senior Vice President, Human Resources &amp; Corporate Communications</p>		<p><b>Date Issued/Revised:</b> 02/01/2020</p>

If you have questions call [HR Connections](#) at 1-855-480-6634.

**I. Purpose**

The purpose of this policy is to define the method to be generally used for calculating overtime for U.S. employees in jobs classified by the U.S. Department of Labor under the Fair Labor Standards Act (FLSA) as non-exempt.

**II. Eligibility**

This policy applies to regular full-time and regular part-time non-exempt (as defined by FLSA) employees, excluding employees at retail marketing outlets, and employees who are covered by a collective bargaining agreement.

**III. General Provisions**

- A. Covered non-exempt employees must receive at time and one-half for hours worked over 40 per workweek (“the 40-hour rule” for the fixed and regularly recurring period of 168 hours — seven consecutive 24-hour periods, starting Monday at 12:00:01 through Sunday at 12:00:00).
- B. Employees who work a fluctuating work week, including 10- and 12-hour-a-day shifts will be compensated at time and one-half for all hours worked over 40 hours in a week (the “40-hour rule”).
- C. Employees authorized to work a 19/30 schedule should code overtime associated with that program on a daily basis as described in the 19/30 policy.
- D. Regardless of work schedule, work performed on non-scheduled workdays, including weekends, will follow the 40-hour rule.
- E. Holiday time, sick time, military duty, jury duty, and vacation time occurring on a normally scheduled worked day will count as hours worked for purposes of the 40-hour rule.
- F. Time taken under the Serious Illness in Family, Death in Family, and 19/30 policies does not count as hours worked for purposes of the 40-hour rule.
- G. Several states (Alaska, California, Colorado, Nevada, and Oregon) have additional requirements pertaining to daily overtime. Please contact Payroll in Bartlesville if you have specific questions about overtime in these states.

**IV. Makeup Time**

- A. Employees may be allowed the option of making up missed time in the same day or subsequent days as long as it occurs in the same calendar week. This is solely for the purpose of allowing employees flexibility around appointments or other out of office type issues. These requests must have prior supervisory approval and the time must be made up in the same work week. Supervisors should consider the reason and amount of time needed in making their decision to allow an employee to make-up their time.
- B. Make up time does not count as overtime under this policy. Therefore, unless required by state law, employees who work more than 8 hours in a day due to make up time will not be paid at time and one-half for all hours actually worked over 8 hours in a day (the “8-

hour rule”). However, employees who work more than 40 hours in a week will be compensated at time and one-half for all hours worked over 40 hours in a week.

## **V. Travel Time by Non-Exempt Employees**

Whether time spent traveling by a non-exempt employee is compensable work time depends on the type of travel and its purpose. Non-exempt employees must always be compensated when working; this section only deals with how to count travel time.

### **A. Travel from home to work**

In general, the time an employee spends going to and from home is not considered work time, whether the employee reports to a fixed location or different job sites.

### **B. Travel as part of the job**

Time spent traveling as part of an employee’s daily work activity is compensable work time, including travel from one job site to another or travel from a designated meeting place to a job site.

### **C. Travel to and from home in a company vehicle**

Use of a company vehicle for commuting is not part of the employee’s principle activity and is not compensable work time if the vehicle is used within the normal commuting area.

### **D. One-day trips**

1. There is a distinction in how travel time is compensated based on whether the travel time is a **one-day trip** (same day departure and return) or the travel requires an **overnight** (away from the assigned work place for one or more nights) stay.
2. A non-exempt employee is compensated for any travel time outside of his/her normally scheduled work hours, excluding the time to drive from his/her home to the appropriate place of departure. For example:

Assume an employee’s work schedule is 8:00 a.m. to 5:00 p.m. (with an hour for lunch), and the employee has a flight that departs at 7:30 a.m. and returns at 8:30 p.m. the same day. Compensable time begins when the employee’s flight departs and ends when the employee’s return flight arrives at 8:30 p.m. Excluding the 1 hour for lunch, the employee would be due 4 hours of overtime provided the employee works 40 regular hours that week (“40-hour rule”)
3. However, for those locations where no airport is located, travel from an employee’s work city to a regional airport would be considered work time where the distance between the employee’s home and the airport is greater than the distance between the employee’s home and the employee’s normal worksite location

### **E. Overnight travel**

When employees are required to take a trip that keeps them away from home overnight, all time spent traveling during the hours corresponding to the employees’ normal working hours will be counted as time worked. Overnight travel can fall into two areas: travel on an employee’s scheduled day off, and travel on a scheduled workday.

1. Travel on a scheduled day off: The trip originates or the return occurs on the employee’s scheduled day off and the travel time overlaps the employee’s core working hours of 8:00 a.m. to 5:00 p.m. Travel time will be reimbursed for hours traveled during those core working hours only. For example, a Bartlesville non-exempt employee is scheduled to be off on Sunday, but must travel by commercial airline to be in Houston for a Monday morning meeting. The employee leaves home at 1:00 p.m., drives to Tulsa to catch the flight, and arrives at his hotel at 8:00 p.m. Only those travel hours that occur during the 8:00 a.m. to 5:00 p.m. window will be compensated (4 hours in this example) provided the employee works 40 regular hours that week

("40-hour rule"). He returns home on Tuesday, leaving Houston at 6:00 p.m., arriving back in Bartlesville at 9:15 p.m. He receives no additional compensation for this return flight.

2. Travel on a scheduled work day: An overnight trip that occurs during the employee's standard workday will not typically result in compensation beyond the employee's base pay. For example: a Ponca City, non-exempt salaried employee travels to Houston on the Monday morning shuttle, attends meetings all day Monday, attends a voluntary dinner Monday night, works their standard work schedule on Tuesday, and returns home Tuesday evening. No additional compensation is due for the travel time.
3. Travel to and from training  
Travel time to and from training programs must be paid the same as other travel time unless all the following criteria are met:
  - Attendance is purely voluntary
  - Training is conducted outside regular working hours
  - No goods or services are produced
  - Training is not directly related to the employee's regular work

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Policy Contact: Human Resources  
HR Operations

**The Company establishes plans, policies and programs appropriate to the business needs and requirements of its various operations and organizations. The plans, policies or programs shown here are provided as guidelines to employees. Company plans, policies and programs are continually under review, and are subject to revision at any time without notice, at the sole discretion of the Company subject to applicable law and/or the terms of any applicable collective bargaining agreement or contract. The plans, policies and programs may differ by location, business, or employee group. Accordingly, individual employees are advised to confirm whether the information accessed here applies to them. Employees may contact HR Connections at 855-480-6634 or 918-977-7905 or their local HR representative if they have any questions. Nothing contained on this site is intended to create, nor is it to be construed to constitute, a contract between Phillips 66 or its subsidiaries and any employee or employees of Phillips 66 or its subsidiaries. Absent a specific written contract to the contrary, employment with Phillips 66, its subsidiaries and affiliates may be terminated with or without cause at any time by the employee or the Company. Nothing contained in these plans, policies or programs shall create a required procedure, practice or policy that must or should be followed in the investigation, evaluation, or disposition of any personnel matter. The information provided is not intended to supersede applicable local, state or federal law or the terms or provisions of any current collective bargaining agreement. In the event of conflict, the law or collective bargaining agreement shall prevail.**

**The contents of this document are not intended to be the summary plan description ("SPD") for the benefit plans mentioned that may be mentioned in this policy. The SPDs can be obtained at <http://hr.phillips66.com/> or by contacting HR Connections at 855-480-6634 or 918-977-7905.**