



Policy: **Overtime Pay**
Adopted: M2007-0143
Effective: 10/1/2007
Revised: ~~2/3/2015~~ 9/19/17

Purpose	To comply with the <u>specify components of overtime for</u> Federal Fair Labor Standards Act of 1938 as amended <u>for non-exempt employees.</u>
Policy	<p>The basic workweek is defined as 168 consecutive hours running from 12:01-00 a.m. Sunday through 12:00 midnight <u>11:59 p.m.</u> the following Saturday.</p> <p>Non-exempt employees, <u>except public safety employees as provided by law,</u> who work in excess of the regular forty hours in a workweek, will be compensated at one and one-half times their regular rate of pay. For the purposes of determining hours worked, any time for which a staff member is paid (including holiday, vacation, comp time, and sick pay) is considered time worked. The employee's supervisor, department manager or the City Administrator, must approve overtime work in advance.</p> <p>Non exempt employees should not be at the work site more than ten minutes prior to the scheduled work shift and should vacate the premises within ten minutes of ending their scheduled work shift. The ten minutes before a shift is appropriate arrival time and the ten minutes after a shift is appropriate departure time and does not constitute work time or overtime pay.</p>
<u>Computing Hours Worked</u>	<p><u>"Hours worked" includes all hours the employee actually performs duties that are for the benefit of the city, including:</u></p> <p><u>Rest periods or "breaks" of 20 minutes or less.</u></p> <p><u>Meetings and training programs.</u></p> <p><u>Travel between work sites during the work day.</u></p> <p><u>Time spent performing duties after hours or on weekends due to emergencies (call backs).</u></p> <p><u>Any time performing duties outside of the normal shift, even if it is not "authorized".</u></p> <p><u>Paid holidays, vacation leave, sick leave and unpaid leave hours are not counted as time worked for the purpose of computing overtime hours.</u></p> <p><u>All employees in all departments are required to work overtime as requested by their supervisors as a condition of the continued employment. Unpaid leave, unpaid Family Medical Leave and unpaid Parenting Leave are not counted toward hours worked.</u></p>
<u>Compensation</u>	<p><u>Compensation for overtime will take the form of either one and one-half times an employee's regular rate of pay or compensatory time. Compensatory time is paid time off earned at the rate of one and one-half hours off for each hour of overtime worked.</u></p> <p><u>Overtime earned will be paid at the rate of one and one-half times an employee's regular rate of pay on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment and the City approves the employee earning</u></p>

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compensatory time.

The maximum compensatory time ~~accumulation that can be earned~~ for any employee is 80 hours per calendar year. Once an employee has ~~accumulated~~ earned 80 hours of compensatory time in a calendar year, no further compensatory time may ~~accrue-be~~ earned in that calendar year. All further overtime will be paid.

Employees that wish to use compensatory time must notify his or her supervisor he or she wishes to use compensatory time. Approval of such a request will be based on whether it will (1) be used in a reasonable time and (2) ~~it will~~ unduly disrupt operations based on departmental scheduling, staffing needs and budgetary constraints. Requests must be on the "Leave Form" shown in [the Inside Track, or Employee Portal on the website.](#)

All compensatory time will be ~~marked~~ recorded as such on official timesheets, both when it is earned and when it is used. The Finance Department will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves city employment at the hourly pay rate the employee is earning at that time.

All compensatory time accumulated as of the final date of the final payroll period in each calendar year, will be paid at the employee's straight time rate as of that date on the first payday in the subsequent calendar year.

Exempt Positions

Exempt employees, defined as "executive," "professional" or "administrative" by the Fair Labor Standards Act, do not receive cash payment or compensatory time for overtime work. The following positions are considered "executive," "professional" or "administrative" by the Fair Labor Standards Act:

~~Human Resources Director~~
~~Information Technology Director~~
~~Library Director~~
~~Network Technician~~
~~Police Captain~~
~~Police Chief~~
~~Public Services Director~~
~~Public Works Operation Engineer~~
~~Reference Librarian~~
~~Waste Water Superintendent~~
~~Water Superintendent~~
~~Youth Services Manager~~

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Violation

~~All employees in all departments are required to work overtime as requested by their supervisors as a condition of the continued employment. Refusal to work overtime~~
comply with this policy may result in disciplinary action, up to and including termination.

~~"Comp" Time~~

~~See Section 6.20 for the City's policy regarding compensatory time.~~