XI. HOURS OF WORK and OVERTIME/STAND-BY/CALL-BACK COMPENSATION and ADMINISTRATIVE LEAVE

Section 1. SCHEDULED HOURS OF WORK

Generally, the work week for full-time employees is forty (40) hours per week, except for certain certified Fire Department and sworn Law Enforcement employees, in the designated work week included on the City's bi-weekly time sheets. Supervision will specify an employee's hours/days of work to ensure that departmental operational needs and public service requirements are met.

The work week for part-time employees varies depending upon position duties, operational requirements, and department to which assigned.

Work schedules for represented employees are governed by the respective collective bargaining agreements.

Section 2. WORK SHIFT ASSIGNMENTS

Each employee is assigned a work shift in accordance with the particular operational requirements of his department/division. Any changes to those shifts, except where specifically noted otherwise, shall be at the sole discretion of the City. A 24-hour notice or more, whenever practical (i.e., non-emergency situations), may be provided in order to allow the employee time to make necessary personal arrangements.

Section 3. OVERTIME WORK AND PAY FOR NON-EXEMPT EMPLOYEES

A. Position classifications are evaluated by the Human Resources Department to determine eligibility for payment of overtime in accordance with the Fair Labor Standards Act (FLSA). Employees whose positions are classified as non-exempt shall receive overtime pay at a time-and-one-half rate for hours worked in excess of forty (40) hours in the designated work week or in excess of the regularly scheduled pay period for certified Fire or sworn Police Department shift employees. Part-time employees who are scheduled to work less than forty (40) hours per week shall not be paid at the overtime rate until they have worked more than forty (40) hours in the designated work week.

B. An employee whose position is classified as non-exempt shall not commence his principal work assignments before the start of the assigned shift unless authorized by supervision. A non-exempt employee shall cease his principal work assignment at the end of his assigned shift unless authorized by supervision.

C. Overtime work must have **prior** authorization of the employee's Supervisor and/or Department Director. Overtime work will be authorized/approved when necessary to meet essential operating requirements or emergency situations. Authorized overtime work will be

offered to employees or required in accordance with the procedures established in each department, based upon operational needs.

D. Department Directors/Supervisors shall maintain accurate records of overtime; monitor overtime assignments to ensure that operational and service requirements are met; and monitor overtime costs in relation to budgeted funds.

E Hours worked in excess of the forty (40) hour work week or in excess of the regular scheduled pay period by a non-exempt employee will be recorded on the time keeping system with the appropriate pay code rate for payment at a time-and-one-half rate.

F. For purposes of computing overtime of less than one hour, increments of .25, .50, and .75 will be used by rounding off time worked to the nearest quarter hour increment.

G. Paid leave for vacation, sick/personal leave, bereavement, short-term military leave, jury duty, holidays and any other compensated, non-worked time is **not** counted in determining the forty (40) hour work week or regular scheduled pay period for the purpose of computing overtime for all employees except Fire bargaining unit. Only actual hours worked count in determining the forty (40) hour work week or regular scheduled pay period for computing overtime.

H. Hours charged to sick leave and vacation leave accruals by the employee, will be reduced by the employee's supervisor if the employee worked additional hours within the same pay period.

I. Provisions governing overtime work and overtime pay for represented employees are outlined in the Collective Bargaining Agreements.

Section 4. ON-CALL, CALL BACK PAY

A. Employees may be placed on on-call status to ensure prompt response to operational needs which may occur "after hours." Employees designated to serve in this status by supervision are not required to remain at their place of residence, but are required to be available (by telephone or other agreed upon method of communication) to respond as needed.

B. A designated number of employees in the Public Works/Utilities Department are placed "on-call" each work week. Compensation for "on-call" status is as follows:

- $15.00 for each scheduled work day;
- 30.00 for each scheduled weekend day;
- 45.00 for each holiday.

C. If an employee is called back to work after the completion of his work shift (after leaving the work site), compensation will be a minimum of two hours' pay for the first call out in a 24-hour period. Any subsequent call outs in the same 24-hour period shall be paid for actual worked time only.

D. Employees scheduled for on-call or call back but who are unable to work that day due to approved leave (sick, vacation, personal day, floating holiday, etc.) are not eligible for on-call or call back pay.

E. On-call and call back time will be recorded on the City's time keeping system using the appropriate pay code rate.

Section 5. ADMINISTRATIVE LEAVE FOR EXEMPT EMPLOYEES

The Human Resources Department determines which positions are exempt from overtime compensation, in accordance with the Fair Labor Standards Act (FLSA).

Exempt employees, (executive, managerial, or professional positions), as defined by the FLSA, are compensated on the basis that extended workdays and/or work weeks may be required to accomplish the expected assignments of the positions. Employees filling such positions are expected to work the hours necessary to complete their assignments. Additional hours worked in excess of the regularly scheduled work week are not compensable under the Fair Labor Standards Act. The City, however, may provide exempt employees (including probationary status exempt employees) forty-eight (48) hours, or six (6) work days for shift personnel, per fiscal year of administrative leave for the purpose of an occasional day off (generally, whole work days only). Days taken as administrative leave will be recorded on time keeping system with the appropriate code. Requests for administrative leave must be approved by supervision in advance. Administrative leave is not carried over from fiscal year to fiscal year. Exempt employees are not eligible for cash payment of any administrative leave upon separation or transfer to a non-exempt position.

For payroll reporting purposes, exempt employees will reflect no more than forty (40) hours' worked or compensated time (e.g., vacation, sick leave, administrative leave, etc.) in each designated work week, or for exempt certified Fire/sworn Police Department shift employees, the number of hours in the scheduled work week. Exempt employees represented by a bargaining unit are subject to collective bargaining agreement stipulations.

Section 6. COMPENSATION DURING EMERGENCY SITUATIONS

In the event that the City closes administrative and other offices/facilities due to inclement weather (e.g., hurricanes); civil disaster; or other emergency situations; compensation for non-

exempt employees required to work shall be in the same manner as any other time worked. Both non-exempt and exempt employees who are told not to report to work during such situations shall receive straight time pay for the number of hours needed to bring the employee to a normal work week (40 hours, 84 hours, etc). In no event shall the leave granted for emergency situations cause the employee to receive pay in excess of the normally scheduled work week. Exempt employees, other than Department Directors, who are required to work may be granted additional administrative leave or straight-time pay at the discretion of the City Manager. During such emergency, if the City establishes temporary offices/facilities or directs employees to report to work at a site other than the usual work site, the employees will be required to report to work.

Section 7. BREAKS AND LUNCH

A. The City allows employees to take brief breaks from their daily work schedule. It is the responsibility of supervision to inform employees of break periods and to ensure that employees are provided time for the designated breaks. Such breaks are to be arranged in a manner that does not interfere with City business.

B. Employees who must occasionally work through their lunch break must have prior authorization from the supervisor to either work overtime or adjust their schedule within the work week. Non-exempt employees must take their lunch break away from their office/work area and are not to perform work during their lunch period.

C. Employees are not permitted to work through lunch period or break periods in order to accumulate time to leave early at the end of the day unless prior approval is granted by the supervisor on a non-recurring basis.

D. An employee will be provided a reasonable break time in a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public to express breast milk for her nursing child for one year after the child's birth, each time the employee has a need to express the milk. Non-exempt employees shall be required to clock out and back in when utilizing this break.

Section 8. EMPLOYEE ABSENCE FROM WORK AND TARDINESS

A. No employee shall be absent from his regularly scheduled duties without prior authorization from his Supervisor or Department Director. Failure to obtain prior authorization to be absent from the work area, or to notify supervision of employee absence, may result in disciplinary action up to and including dismissal.

B. An employee requesting time off for vacation, personal leave, administrative leave, leave of absence, or similar planned absence, must

obtain **prior** approval from his supervisor to ensure that departmental operations will not be impacted and that a sufficient leave balance exists to cover the absence.

It is the responsibility of the employee's supervisor to verify requests for use of sick leave. The supervisor's responsibility in this process includes verifying that the employee has sufficient sick leave hours to cover the absence. If the supervisor determines that the employee has an insufficient sick leave balance, vacation should not be routinely authorized to supplement short-term sick leave of one or two days. As a result, if an employee does not have sufficient sick leave to cover an absence, the employee may be placed in a "no-pay" status. If this no-pay status results from misuse or abuse of sick leave, it is the Supervisor's responsibility to take appropriate disciplinary action.

C. When an employee must be absent due to illness or circumstances beyond his control, it is his responsibility to notify the Supervisor prior to the start of his shift, if possible, but not later than one hour after the start of his shift. In the event of an extended, verified illness, the employee's Supervisor may modify the requirement for daily employee reporting. Extended absence (over one work week) due to the employee's illness or that of a family member must be reported to the Human Resources Department by the employee's Supervisor to determine if Family and Medical Leave applies.

D. If an employee is going to be late for work, he must notify the Supervisor prior to the start of his shift, or in accordance with the supervisor's direction.

Section 9. DAYLIGHT SAVINGS TIME

Employees working Saturday evening through Sunday morning during the spring daylight savings time change will receive an additional one hour of salary to compensate for the lost hour. Employees working during the fall daylight savings time change will receive pay for the actual number of hours worked.

Section 10. SHIFT DIFFERENTIAL

Employees required to work shifts in a 24 hour operation (police officers, corporals, emergency dispatchers) are eligible for shift differential compensation for hours worked after 3:00 p.m. Per hour differential is as follows:

Sworn 12-hour per day officers:	.66
Sworn 8 or 10-hour per day officers:	.69

Dispatchers clocking in after 3 p.m. but Before 5 p.m.	.58
Dispatchers clocking in after 5 p.m.	.69

The differential applies to all hours worked in the designated shift; i.e., if an employee goes home sick three hours after reporting to work, only 3 hours is subject to differential pay. The City's time keeping system will automatically calculate shift differential for the pay period.

Section 11. APPROVAL OF TIME CARDS

A. Employees are required to punch in/log into the City's time keeping system when reporting to work.

B. Corrections to an employee's time will be made by the supervisor when they are notified of the change.

C. All worked and compensated time (e.g., vacations, holidays, overtime, sick, personal, administrative, workers' compensation leave, etc.) must be entered on the time keeping system and recorded under the appropriate pay code.

D. An employee's time shall be approved by the employee and the supervisor and signed off by the Department Director or designee.

E. Supervisors are responsible for monitoring employee time worked/ recorded, and verifying the authenticity and accuracy of employees' time. Employees should address all questions regarding pay and time to supervision.

F. Since exempt employees are considered salaried, sick and annual leave should not be charged in increments less than one regular shift. For example, if an exempt employee takes off two hours early for a doctor's appointment, they should not charge 2 hours against their sick leave balance. It is expected that exempt employees will work a minimum of 40 hours each week.