

POLICY 306: HOURS OF WORK

ADOPTED: AUGUST 3, 1988 (REVISED: JUNE 20, 2017)

Policy:

It is the policy of the County to establish the time and duration of working hours as required by workload, productivity, customer service needs, the efficient management of human resources and any applicable law. This policy does not guarantee or place a limitation on the number of hours to be worked in any one day, or the number of days per week, or any other work period.

306:1 NORMAL WORKDAY AND WORKWEEK

- a) The normal work week for all employees, other than Public Safety employees working scheduled extended shifts, shall be forty hours. Exempt employees are compensated on the basis that extended workdays and/or workweeks may be required to accomplish the expected assignments of the position. Employees filling such positions are expected to work whatever hours are necessary to complete expected assignments.

306:2 MEAL AND BREAK PERIODS

- a) The schedule of hours for employees will be determined by each department director or designee who will inform employees of their daily schedule of hours of work, including meal and break periods, and of any changes deemed necessary or desirable by the County. Work breaks are not intended to be combined with the meal break, to make up for late arrival or early departure, nor as any other leave with pay. An employee shall not accumulate unused meal or work breaks.
- b) All non-exempt employees working forty hours per week may be allowed two fifteen minute breaks during the day, the time of which should be at the discretion of the supervisor or their designee. Such breaks shall be paid. Unpaid meal periods for non-exempt employees must be for a minimum of one-half hour, during which no work is to be done.

306:3 OVERTIME AND COMPENSATORY TIME

- a) Department/division directors or their designee may schedule overtime or extra shifts when it is deemed necessary. Supervisors will assign overtime to employees in the particular job for which overtime is required. Non-exempt employees are not permitted to work overtime without the prior approval of their supervisor or department/division directors or designee. For the purposes of overtime compensation, only hours worked in excess of forty during a workweek will be counted.
- b) Non-exempt employees are entitled to receive pay or may be offered compensatory time off at a rate of one and one half times the employee's hourly rate of pay for hours worked in excess of 40 during the workweek (See Pay Procedures Policy 503). Those employees in administrative, executive, and professional positions as defined by the Fair Labor Standards Act are exempt from the overtime compensation provisions of this policy.

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- c) Employees may accrue up to 240 hours of compensatory time. Compensatory time off must be scheduled with supervisory approval and at a time which does not unduly disrupt the operations of the employee's department. (See Pay Procedures Policy 503 for further clarification.)

306:5 TRAINING AND OFFSITE WORK

- a) Employee attendance at lectures, meetings and training programs will be considered hours of work if such attendance is requested by management, or attendance occurs during normal work hours, or if the employee performs work while in attendance, or if the subject matter is job-related.
- b) Non-exempt employees performing County related business from home or any other offsite location will be considered hours of work and will be paid accordingly.

306:6 STAND-BY DUTY

- a) In order to provide coverage for services and to handle emergencies during off duty hours, it may be necessary to assign and schedule employees for stand-by duties. County employees in non-exempt job classifications who are on stand-by duty and are restricted to a designated location or premises are eligible for stand-by pay. Assignment is rotated among employees in the appropriate job class and posted one month in advance. Employees in this status are expected to work their normal 40 hours during the pay period, as well as be on stand-by for the remaining 128 hours.

306:7 HOURS NOT WORKED

- a) Department/division directors or their designee may, at their discretion, allow employees to make-up time off during a given workweek (See Alternative Work Arrangements Policy 209).
- b) All employees may be required to make up time if scheduled hours are not worked during the workweek, if paid leave is not used.

306:8 TIME SHEETS

- a) Departments are required to complete an individual time record showing the daily hours worked for all non-exempt employees (those employees subject to the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA)). Based on the FLSA, any timekeeping plan is acceptable as long as it is complete and accurate. The time record must show the date and time a worker's workweek starts, the number of hours worked each day and the total hours worked during the week. Time records cover two workweeks.

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The following points should be considered in filling out time records:

- Non-exempt employees are not permitted to commence work before their normal starting time or to continue work after their normal quitting time without the prior approval of their supervisor. Any non-exempt employee working outside the employee's normal working hours, without supervisory permission, will be disciplined, up to and including termination.
 - Non-exempt employees are to record all hours worked, including any time worked at home or remotely via computer, cell phone, or other electronic device.
 - Employee time records are to be checked and signed by the supervisor involved. Unworked time for which an employee is entitled to be paid (paid absences and paid holidays) must be entered by the supervisor on the time record. Authorized overtime also must be identified by the supervisor;
 - Falsifying any time record is prohibited and may be grounds for disciplinary action, up to and including termination; and
 - Non-exempt employees are required to take scheduled lunch or meal breaks.
- b) Personnel employed in exempt positions are exempt from the overtime provisions of the Fair Labor Standards Act and are required to work a minimum of 40 hours per workweek. Such employees are not required to fill out hourly time records but must account for daily attendance. In addition, exempt employees will not receive overtime compensation, but occasionally may be granted time-off after working exceptionally long hours.

306:9 SHIFT DIFFERENTIAL

- a) Non-exempt employees (excluding 56-hour employees, communications operators, and employees at the rank of lieutenant and higher) will receive a shift differential as follows:
- i) 3% additional pay for second shift, where four or more hours are worked which fall between 3:00 PM and 11:00 PM.
 - ii) 5% additional pay for third shift, where four or more hours are worked which fall between 11:00 PM and 7:00 AM.
- b) When work hours for any shift qualify for shift differential, the time record shall be posted to reflect all hours worked during that shift at the highest rate of shift differential pay. Time is not split between two rates of shift differential pay for work on the same continuous shift.