

POLICY 503: PAY PROCEDURES

ADOPTED: MAY 11, 1994 (REVISED: JUNE 20, 2017)

Policy:

It is the policy of the County to pay employees on a regular basis and in a manner so that the amount, method and timing of such payments comply with any applicable laws or regulations.

503:1 GENERAL PROVISIONS

1. Employees normally will be paid biweekly. If the regular payday occurs on a holiday, employees will be paid on the last working day prior to the holiday.
2. Employees on each payday will receive, in addition to their pay, a statement showing gross pay, deductions and net pay. Federal and Social Security taxes will be deducted automatically. No other deductions will be made unless required or allowed by law, contract or employee obligation. Employees may elect to have additional voluntary deductions taken from their pay only if they authorize the deductions in writing, and if the additional deductions are approved by the County.

Employees who discover a mistake in their pay, lose their pay or have it stolen should notify Payroll immediately. In the case of a mistake, the error will be remedied promptly.

503:2 STAND-BY PAY

1. Time and one-half will be paid for a minimum of two hours if employees are called to duty during their stand-by status, regardless of hours worked. Paid time begins when the employee receives the call to report to work, and ends when the employee leaves the worksite. In addition, they will receive eight or ten extra hours of stand-by pay for their stand-by hours per week, to coincide with one regular shift. Such pay will be paid at their regular hourly rate and included in their regular rate for purposes of calculating any overtime payments due.

503:3 OVERTIME COMPENSATION

1. Non-exempt employees (as defined by the provisions of the Fair Labor Standards Act (FLSA)) will be compensated at the rate one and one-half times their regular hourly rate for work in excess of forty hours during their normal work week. (See Hours of Work Policy 306.)
2. Overtime for non-exempt employees shall be paid, at the discretion of the division director by either: (1) paying the employee time and one-half his or her regular rate of pay for all overtime hours, or (2) notifying the employee pursuant to previous agreement and before the performance of the work, that the employee shall receive compensatory time for all overtime hours worked at a rate of one and one-half hours off for each hour of overtime worked. Only hours actually worked in excess of forty during one week will be counted in the calculation of overtime and compensatory time. Sick leave, vacation leave, paid holidays, or any other paid time off will not be counted.

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No County employee may accrue more than 160 hours of actual overtime hours worked (Accrued at time and one-half equal 240 total compensable hours). Any County employee who accrues 240 hours of compensatory time off for overtime hours worked shall thereafter be paid time and one-half his or her regular rate for all overtime hours worked until such time as his or her accrued compensatory time off falls below 240 hours. Employees must use all accrued compensatory time by the last day of the last full pay period of the calendar year. Any unused time at the end of the last full pay period of the calendar year will be paid to the employee as a direct deposit or cash pay card whichever method the employee currently receives pay.

Any non-exempt employee who has accrued compensatory time off at the time of his or her separation of employment with the County, or who has accrued time at the end of each calendar year, will be paid for the unused compensatory time at a rate of compensation not less than the current regular rate of compensation received by the employee.

Any employee given a decrease in the rate of compensation (i.e. demotion), whether voluntary or involuntary, will be paid out any accrued compensatory time at the higher rate of pay received prior to the decrease in rate of compensation.

Employees who have requested the use of their compensatory time off shall be permitted to use such time within a reasonable period after making the request, at the discretion of the supervisor.

503:4 PROCESSING PAYROLL DURING A STATE OF LOCAL EMERGENCY AND DECLARED DISASTER

In case of a declared disaster and/or local state of emergency, where there is a concern that the daily operations will be impacted for more than a week, and in order to ensure our employees continue to receive their wages during the local state of emergency, the Board authorizes the Clerk's Office to:

1. Prepare and issue payroll for the Board using base hours only for regular full and part time employees. On-call personnel would not be paid unless there is a reasonable mechanism to timely report actual hours worked to the Payroll Office.
2. Budget review of payroll costs prior to the release of payments for this payroll will be suspended and resolved, if necessary, when the County returns to normal operations.
3. The payments to individual employees generated by this payroll processing will be released upon authorization by fax, e-mail or verbal authorization which will be followed up with written authorization once the County returns to normal operations.
4. Normal operations are defined as being when the Board and Clerk's financial and timekeeping software has been restored and is available to fiscal personnel.

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503:5 DEDUCTIONS FROM WAGES FOR NON-EXEMPT EMPLOYEES

Notwithstanding anything in this Manual to the contrary, other than in cases of employee theft, the County shall not reduce a non-exempt employee's non-overtime pay below the Florida minimum wage. Furthermore, and again with the exception of theft, should the County make deductions from a non-exempt employee's wages, any overtime hours worked by the employee will continue to be paid at time-and-one-half the employee's pre-deduction regular rate.

503:6 DEDUCTIONS FROM SALARY FOR EXEMPT EMPLOYEES

Unless deductions from salary are permitted by applicable law, an exempt employee shall receive his or her full salary in any week in which any work is performed, without regard to the number of days or hours worked.

Deductions from salary specifically will not be made when an exempt employee's absence is directed by the County, or by County operations, for less than a full workweek; when an employee has served as a juror or witness for less than a full workweek (although salary may be adjusted to account for the employee's receipt of juror or witness pay); or when an exempt employee is absent for less than one full day for any reason.

A non-exclusive list of deductions permitted by law is as follows:

1. An exempt employee's salary may be prorated for the initial or terminal week of employment, and proportionally adjusted to correspond to time actually worked if the employee takes intermittent leave or leave on a reduced schedule under the FMLA.
2. Deductions may be made when an exempt employee is absent from work for one or more full days for personal reasons, and the employee has exhausted applicable paid leave.
3. Deductions may be made when an exempt employee is absent from work for one or more full days for reasons of sickness or disability, when the employee has exhausted sick leave, or has not yet accrued sick leave.
4. Deductions may be made when imposed by the County in good faith in response to an employee's violation of safety rules of major significance.
5. Deductions may be made for unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace conduct rules, such as the violation of the County's policy prohibiting unlawful harassment.

Deductions from an exempt employee's sick or vacation leave accruals are not "deductions from salary" under this policy.

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Any exempt employee believing that his or her salary has been subject to an unlawful deduction is to bring the matter to the attention of the County's Human Resources Department as soon as possible. The Human Resources Department will investigate promptly, and will ensure that the employee promptly is reimbursed for any improper deductions.