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SUBJECT: HOURS OF WORK AND OVERTIME/COMPENSATORY TIME

EFFECTIVE DATE: June 10, 2004

PAGE 1 OF 3

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1. Hours of Work

The normal work week for all County employees (excluding designated law enforcement personnel in the Sheriff's Department) shall be forty (40) hours. A work week shall begin at 12:01 A.M. on Saturday through midnight on Friday. Each department may adjust these work weeks if needed.

A system of time sheets will be utilized by all departments as a means to account for hours worked and use of leave time. All non-exempt personnel time will be accounted for with the County time sheet system.

Personnel engaged in law enforcement activities within the Sheriff's Department, consistent with the provisions of the Fair Labor Standards Act (FLSA), work on the 207K Exemption Plan.

Regular office hours for the County shall be from 8:00 A.M. to 5:00 P.M., Monday through Friday. Department heads may establish adjusted work hours for employees which differ from the normal standards, i.e., summer flex time, providing all County offices remain open between the hours of 8:00 AM and 5:00 PM each day (through the noon hour) and providing departments are sufficiently staffed to handle the needs of the public and other County offices.

All time which is to be taken for meals is the employee's own time. The normal lunch period shall be one hour set by the department so as to ensure County offices remain open during the lunch period. In all employment, shifts exceeding 5 hours of work require a minimum 30 minute uninterrupted break between the 3rd and 5th hour.

Employees may be permitted two (2) fifteen (15) minute break periods during the workday, the time of which shall be at the discretion of the department head or designee. Work breaks are to be treated as a privilege and must be arranged so as not to interfere with County business. Unused breaks may not be accumulated nor shall break periods be utilized for early

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departures or late arrivals during the course of the normal work day. If breaks are used to conduct non-work related activities away from the employer's premises, no workers compensation coverage is available.

2. Overtime and Compensatory Time

All non-exempt employees shall be eligible for overtime compensation. Department heads will have the authority to handle overtime within the allotted budget and within the policies adopted by the Commission.

Overtime shall be defined as all hours worked in excess of forty (40) per week. For personnel engaged in law enforcement activities in the Sheriff's Office, overtime shall be defined as either all hours worked in excess of 171 hours within a 28-day cycle or 139 hours within a 24-day cycle. The 24-day cycle is only in effect for patrol officers in the Sheriff's Office. Changes in the length of the cycle will require a commission approved policy change. All off duty time for which an employee is paid is not considered as "time worked".

Time spent in training, up to a maximum of eight (8) hours per day and required by management is considered as time worked. Travel to and from such required training or any other time outside of the core training activity(s) will not be considered as compensable by the County unless time spent in traveling occurs during normal working hours on non-working days (Saturday, Sunday, and holidays) as well as on regular working days.

All overtime must be approved by the department head and plan for compensation made prior to accrual whenever possible. Overtime shall be paid, at the discretion of the employee by either: 1) paying the employee time and one-half his or her regular rate of pay for all overtime hours, or 2) permitting the employee to take compensatory time for all overtime hours worked at a rate of one and one-half hours for each hour of overtime worked. Each employee shall select a method of compensation at the time of their initial employment, which will stay in effect until a new authorization is submitted by the employee and department head. The change can only be made in January of any given year. Compensation will default to payment if no election is made.

County employees may accrue up to a maximum of 12 hours of compensatory time (accrual at time and one-half equals 18 total compensable hours). Any hours earned in excess of these maximum limits must be paid as overtime.

Employees must use all accrued compensatory time by December 15th of each year. Any unused time as of December 15th will be paid to the employee in cash overtime payments. Any overtime or compensation time accrued after the 15th of December shall be accrued and used in the following calendar year.

Employees who have requested the use of their compensatory time off shall be permitted to use such time within a reasonable period of time of making the request so long as the use of the compensatory time does not unduly disrupt the operations of the department or the County. Employees are required to use compensatory time prior to utilization of annual leave.

Employees classified as exempt are not eligible to receive overtime payment. Such employees are not considered to be on a standard forty (40) hour work week as are other County employees and are expected to work as long as it is reasonably necessary to fulfill their job responsibilities. If, however, circumstances arise that require considerable extra work time, time off with pay may be authorized by a department head. Such time off shall be used within a reasonable period of time so as not to disrupt the operations of the department or the County. Exempt employees should note that if such compensatory time is given, that it is not intended to be part of the employee's salary and benefit package, but is used only as a tool to boost morale.

When the commission officially declares an emergency within Cass County, exempt employees will receive overtime.

Employees may not accrue more than 160 hours of "extra work time" and must use all accrued time by the end of the calendar year or forfeit any such remaining hours. Exempt employees leaving County employment will not receive cash payment for any unused "extra work time".

Elected officials are not covered under the provisions of the aforementioned policy.

Overtime accrued after a county disaster declaration is made shall be paid as a cash payment.