

15.0 - HOURS OF WORK, OVERTIME, AND OUT OF CLASSIFICATION WORK

15.1 - Hours of Work - The standard work week for all employees of the City is 40 hours, except for those Fire personnel whose hours are set by the CBA. Department Heads shall establish normal operating hours for respective departments, subject to approval of the City Manager.

15.1.1 - Exempt Employees - As per provisions of the Fair Labor Standards Act, (FLSA) exempt employees are not entitled to overtime pay; and are paid a full salary for the workweek. However, exempt employees exercise a high level of discretion and independent judgment.

15.1.2 - Non-exempt Employees - As provided in the FLSA, non-exempt employees must be paid for every hour of overtime worked over 40 hours per week. Overtime work shall be authorized in advance by the employee's immediate supervisor.

15.2 - Call Back Pay - If an employee, other than an exempt employee, is called back to work during off duty hours because of an emergency or other urgent situation, the employee shall be paid for the actual time worked, or a minimum of two hours pay, whichever is greater. All payments will be made in accordance with the FLSA and/or appropriate CBA.

15.3 - Employees Working in a Higher Classification - Employees temporarily working in a higher classification, at the request of the Department Head and with approval from the Human Resources Director, will be compensated in accordance with the following procedures, unless otherwise indicated in the CBA:

15.3.1 - No compensation shall be received for working in a higher classification for a period of less than forty (40) consecutive hours.

15.3.2 - An employee working forty (40) consecutive hours or more in a higher classification will be compensated an additional 5% for all hours worked. An employee who serves for a period of forty (40) consecutive hours or more in a higher classification of two (2) pay-grades or more, will be compensated at 10% for all hours worked. This additional compensation will not apply to Assistant Directors when acting as Department Heads while Directors are out on any type of leave. Fraternal Order of Police bargaining unit members shall be compensated at 5% when assigned to work in a higher rank.

15.3.3 - An Assistant Department Head serving as an Acting/Interim Department Head for at least thirty (30) days may receive additional compensation at the discretion of the City Manager, retroactive to the first day of the Acting Department Head temporary assignment. The City Manager, with the recommendation of the Human Resources Director, may

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allow the Assistant Department Head to retain a percentage of the additional compensation if the Assistant Department Head serves for a period(s) longer than 9 months.

15.3.4 - Under no circumstances shall the total additional compensation exceed the regular pay rate of the position being filled.

15.4 - Assignment - A regular employee may be assigned to perform the duties of a higher classification when there is a temporary vacancy due to an employee being on extended leave of absence, extended sick leave, or other temporary reason. All assignments are subject to the approval of the Human Resources Director and may continue for no longer than six (6) months, unless extended upon recommendation of the Department Head, the Human Resources Director and approval of the City Manager.

Assigned employees will be compensated an additional 5%, or 10% if the position is two (2) pay-grades or more, within the range of the classification to which the employees are assigned, but accrue no other benefits or rights in the higher classification. Fraternal Order of Police bargaining unit members shall be compensated at 5% when assigned to work in a higher rank.

15.5 - Overtime and Compensatory Time for Non-Exempt Employees - Overtime shall be authorized by the Department Head (or designee) prior to being worked. Overtime and compensatory time will be paid and/or administered pursuant to the FLSA and/or, if applicable, the appropriate CBA. Department Heads are responsible for the reporting of overtime and compensatory time.

15.5.1 - Overtime Pay - Overtime must be reported to the Finance Department on the bi-weekly payroll attendance reports during the applicable payroll period that the time was actually worked.

15.5.2 - Compensatory Time - Compensatory time earned for overtime worked is reported to the Finance Department on the form "Request for Compensatory Credit for Overtime Worked". This form must be submitted with the bi-weekly payroll attendance report during the payroll period that the time was earned.

15.5.2.1 - The use of earned compensatory time must be reported on the payroll attendance report and on a Leave Application form.

15.5.2.2 - At the time of separation, accumulated compensatory time will be paid to the employee and will be calculated in accordance with the provisions of the FLSA.

15.5.2.3 - Employees excluded from bargaining units may accumulate compensatory time to a maximum of 120 hours.

15.5.2.4 - Bargaining unit employees are governed by the provisions

of the applicable CBA.

15.6 - Exempt employees are not entitled to overtime and/or compensatory time. Exception to this RULE is described in RULE 22.