

**RESOLUTION NO. 24-01**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS AMENDING RESOLUTION 13-05, 20-07, AND 20-23 OF THE PERSONNEL POLICY & PROCEDURE MANUAL OF THE CITY OF BRECKENRIDGE TO INCLUDE CHANGES TO ON-CALL AND CALL BACK PAY FOR NONEXEMPT EMPLOYEES - CHAPTER 4 – POLICY ## 409, 410 –ON CALL AND CALL BACK PAY**

**WHEREAS**, the Breckenridge City Commission initially passed and approved the Personnel Policy and Procedure Manual in January 2013; and

**WHEREAS**, the Breckenridge City Commission has since 2013, periodically amended the Personnel Policy and Procedure Manual, as recommended by the City Secretary and/or the City Manager and/or Interim City Manager; and

**WHEREAS**, after reviewing the proposed changes to the Personnel Policy and Procedure Manual, the Breckenridge City Commission finds it is in the best interest of the City and its employees to amend the Personnel Policy and Procedure Manual as provided. .

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS THAT:**

1. Enactment. This Resolution No. 24-01 shall be known as the “Personnel Policy and Procedure Manual of the City of Breckenridge.”
  - a. Chapter #4 – Classification and Salary Administration –

Changing: Policy #409, On Call Policy and #410, Call Back Additional Provisions (attached as Exhibit “A”)

**PASSED AND APPROVED** this 9th day of January 2024 by the Breckenridge City Commission.

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Bob Sims,  
Mayor

**ATTEST:**

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Jessica Sutter City Secretary

**RESOLUTION 24-01**  
**EXHIBIT "A"**

4.09 On-Call Policy A non-exempt employee may be designated "On-call" to return to work to do unforeseen or emergency work after leaving the work location at the end of the non-exempt employee's regular shift and before the beginning of the next regularly scheduled shift. When on call, employees are unrestricted in their activities but must remain accessible by phone and in a fit condition to return to work within one hour. An employee is in on-call status only when specifically assigned by a supervisor. The City reserves the right to require employees to be designated as on-call on a given day or week, as needed.

A. Employees will be paid as follows:

**1. Employees designated to be on-call on Saturdays, Sundays, or City-recognized holidays ("Weekend On-Call"):**

a. If the on-call employee is *not* called out to return to work, the employee will be paid a minimum of two hours at their regular pay rate. This time is not considered "hours worked," but as "premium On Call pay," in consideration for the employee being subject to being "on call" over a weekend.

If a Weekend On-Call employee is called out and returns to work, they will be paid for the time worked *instead of* the On-Call waiting time (such pay will be paid as regular time, unless the employee's hours worked for the week have exceeded 40 hours. Time worked more than 40 hours will be paid, at a time and one-half rate). If the employee is called out for a job, they will be paid for a minimum of two hours of call-out time, even if the actual work time is less. That is, they will be paid the actual call-out time or for a 2-hour minimum, whichever amount is greater.

**2. Employees designated to be on-call Monday-Friday (Weekday On-Call):**

If a Weekday On-Call employee is called out and returns to work, they will be paid for the time worked; there is no premium pay for on-call waiting time. Their return to work will be paid as regular time unless the employee's hours worked for the week exceed 40 hours. Time worked more than 40 hours will be paid at a time and one-half rate. If the employee is called out, they will be paid for a minimum of one hour, even if the actual time worked is less. That is, they will be paid the actual call-out time (regardless of rate) or the one-hour minimum, whichever amount is greater.

#### 4.10 Call Back - Additional provisions

- A. A non-exempt employee who is called back to work shall gather any tools or equipment necessary to complete the job. When the emergency is resolved, the employee shall return to his regular work location, and return his tools and equipment.
- B. The on-call employee is responsible for reporting accurate times for any call-out.
- C. An employee who is scheduled as on-call but who fails to respond as required (within one hour) may be subject to disciplinary action, up to and including termination.
- D. This policy does not apply to exempt employees.