

RESOLUTION 23-08

A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURE MANUAL SECTION XII.9. OVERTIME PAY TO FURTHER DEFINE SCHEDULED OVERTIME.

WHEREAS, on March 19, 1998, the Hyrum City Council adopted a personnel policy manual known as "Personnel Policies and Procedures Manual for Hyrum City Corporation"; and

WHEREAS, said manual sets forth those policies pertaining to personnel conduct, conditions of employment, employment classification, work week, benefits, payroll, and related matters; and

WHEREAS, Section XII.9. defines overtime pay; and

WHEREAS, there is a need to further clarify the definition of scheduled overtime from all hours worked in excess of 40 hours per week to all hours worked in excess of 40 hours per work week except those hours wherein employee is summoned by the Mayor or his/her designed to respond to emergency situation "Emergency Overtime"; and

WHEREAS, all Emergency Overtime is paid at one and half times the employees regular rate of pay and therefore should not be used in the calculation of a 40 hour work week when determining overtime.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hyrum, Cache County, Utah, that Section XII.9 Overtime of the "Personnel Policies and Procedures Manual for Hyrum City Corporation" is hereby amended to read as follows:

1. Section XII.9. OVERTIME PAY of the Hyrum City Personnel Policies and Procedures Manual is hereby amended as follows:

9. OVERTIME PAY.

A. Definitions:

- (1) Emergencies: Plowing snow, sanding, or other road hazards occurring outside of normal work hours. Interruptions of utility services outside of normal work hours, including electrical power failure, sewer backup, culinary or irrigation water failures, or other situations demanding immediate attention as determined by the Mayor or his/her designee.
- (2) Overtime rate: One and one-half (1 1/2) times the regular straight-time pay for eligible hours

worked.

- (3) Emergency overtime: All non-scheduled hours worked beyond work hours identified herein under XII.5 as determined by the Mayor or his/her designee in response to designated emergencies as defined in Section XII.9.A.(1) and other situations identified by the Mayor or his/her designee as emergencies.
 - (4) Scheduled overtime: All hours worked in excess of 40 hours per work week (except those hours wherein employee is summoned by the Mayor or his/her designee to respond to emergency situation "Emergency Overtime") including when an employee is required by the Mayor or his/her designee to work outside of normal work hours and/or if employee responds to scheduled overtime when On-Call. Scheduled overtime is not considered emergency overtime. When possible employee should receive a minimum of an 8 hour notice for scheduled overtime. All scheduled overtime must be approved by the Mayor or his/her designee.
 - (5) Compensatory time (comp-time): Time off during normal working hours in lieu of pay for hours accumulated under emergency or scheduled overtime.
- B. Overtime shall be allowed for all hours worked in response to defined emergencies regardless of the number of hours worked during the work week.
 - C. Overtime shall be allowed for all scheduled hours worked in excess of 40 hours per work week, which work week is defined under XII.4. Emergency Overtime hours are excluded from counting towards the 40 hour work week since Emergency Overtime is already paid at one and one-half (1 ½) times employees regular rate of pay.
 - D. Holidays and vacation hours count towards 40 hour work week.
 - E. Comp-time and sick leave do not count toward 40 hour work week.

THIS RESOLUTION shall become effective upon adoption.

ADOPTED AND PASSED by the Hyrum City Council this 16th day of March, 2023.

HYRUM CITY CORP.

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder