

*Levy County Board of County Commissioners
Agenda Item Summary*

1. DEPARTMENT MAKING REQUEST/NAME/EXTENSION:

JACQUELINE MARTIN, HUMAN RESOURCE MANAGER

2. MEETING DATE:

September 5, 2017

3. REQUESTED MOTION/ACTION:

Present proposed amendment to Personnel Policies and Procedure #207 HOURS OF WORK for Board's consideration.

4. IS THIS ITEM BUDGETED (IF APPLICABLE)?: YES NO IF NO, STATE ACTION REQUIRED

BUDGET ACTION:

FINANCIAL IMPACT SUMMARY STATEMENT:

DETAILED ANALYSIS ATTACHED?: YES NO BUDGET OFFICER APPROVAL DATE

5. BACKGROUND: (WHY IS THE ACTION NECESSARY, AND WHAT ACTION WILL BE ACCOMPLISHED)

THE PROPOSED AMENDMENT WOULD ADDRESS COMPENSATION TO PERSONNEL WHO ARE NOT EXEMPT FROM PROVISIONS OF THE FAIR LABOR STANDARDS ACT.

COMPENSATION WAS AS FOLLOWS FOR THE LAST TWO STORM EVENTS: ADMINISTRATIVE LEAVE PAY WAS GRANTED TO EMPLOYEES THAT WERE SENT HOME AND EMPLOYEES WORKING THE EVENT, FOR HOURS APPROVED BY COUNTY COORDINATOR. STORM HOURS WORKED WERE PAID AT TIME AND A HALF AFTER 40 HOURS.

THE PROPOSAL IS TO LIMIT ADMINISTRATIVE LEAVE TO EMPLOYEES RELEASED FROM WORK AND TO PAY EMPLOYEES WORKING THE EVENT TIME AND A HALF REGARDLESS OF WHETHER OR NOT THEY HAVE WORKED FORTY (40) HOURS IN THE WORK WEEK.

DEPARTMENT DIRECTOR	OTHER	OTHER	OTHER	COUNTY ATTORNEY	COUNTY COORDINATOR
YES_ NO	YES_ NO	YES_ NO	YES_ NO	YES_ NO	YES_ NO

7. COMMISSION ACTION:

APPROVED

DENIED

DEFERRED DATE TO BRING BACK:

OTHER SPECIFY:

**LEVY COUNTY
BOARD OF COUNTY COMMISSIONERS
PERSONNEL POLICIES AND PROCEDURES**

Subject: HOURS OF WORK	Effective Date: August 3, 2004	Number: 207
Applies to: All Employees of the Levy County Board of County Commissioners	Last Amended: October 4, 2011	Page: 1 of 2

Policy:

It is the policy of Levy County to establish the time and duration of working hours as required by work load and production flow, citizen service needs, the efficient management of human resources, and any applicable law.

Comments/Procedures:

- (1) The normal workweek consists of forty hours. The normal workday will vary depending on job duties. Rest or coffee breaks are considered as time worked.
- (2) The schedule of hours for employees will be determined by each department head. The department head will inform employees of their daily schedule of hours of work, including meal periods and rest or coffee breaks, and of any changes that are considered necessary or desirable by Levy County.
- (3) Department heads may schedule overtime or extra shifts. Supervisors will assign overtime to nonexempt employees (those employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act) as needed. Employees are not permitted to work overtime without the prior approval of their supervisor or department head.
- (4) Employee attendance at lectures, meetings, and training programs will be considered hours of work, and therefore will be compensated time, if attendance is requested by management.
- (5) "Reporting-Time", "Stand-By" and "Call-Out" pay will be approved as required.
- (6) Earned comp time must be recorded and tracked on electronic time records. Comp time must be used within pay period it is earned or the pay period immediately following.
- (7) All hourly employees are required to complete an individual time record showing the daily hours worked. Time records cover one workweek and must be completed by the close of each workday. The following points should be considered in filling out time records:
 - (a) Employees should record their starting time, time out for lunch, time in from lunch, quitting time, and total hours worked for each workday;
 - (b) Employees are not permitted to sign in or begin work before their normal starting time or to sign out or stop work after their normal quitting time without the prior approval of their supervisor;
 - (c) Employees are required to take scheduled lunch or meal breaks;
 - (d) Employee time records should be checked and signed by the supervisor involved. Unworked time for which an employee is entitled to be paid (paid absences, paid holidays, or paid vacation time) should be entered by the supervisor on the time record. Authorized overtime also should be identified by the supervisor;
 - (e) Unapproved absences should not be considered as hours worked for pay purposes. Supervisors should inform employees if they will not be paid for certain hours of absence; and
 - (f) Filling out another employee's time record or falsifying any time record is prohibited and may be grounds for disciplinary action, up to and including termination.

LEVY COUNTY
 BOARD OF COUNTY COMMISSIONERS
 PERSONNEL POLICIES AND PROCEDURES

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- (8) Personnel employed in executive, administrative, professional, or certain computer-related capacities generally are exempt from the provisions of the Fair Labor Standards Act. These employees are not required to fill out hourly time records but must account for daily attendance. In addition, exempt employees will not be eligible for overtime compensation, except when the County is in a declared State of Emergency, or when performing services under a mutual aid agreement during a declared State of Emergency. In the event of a declared State of Emergency, the following provisions will apply:

PROVISIONS:

(a) Eligibility.

In the event the Board of County Commissioners declare a State of Emergency, or exempt employees are performing services pursuant to a Statewide Catastrophic Mutual Aid Agreement or similar agreement, exempt employees (as defined under the Fair Labor Standards Act) of the County who perform essential services may be required to work hours in excess of their regular schedule, as deemed necessary by the Chair or other designated member of the Board of County Commissioners, the County Coordinator, or the Director of the Emergency Management Department (herein each of these persons shall be referred to as an "Administrating Official"). Under the Declaration of a State of Emergency, or Mutual Aid Agreement, exempt employees shall be compensated for emergency duty hours assigned in excess of their regular bi-weekly work schedule.

(b) Authorization.

The appropriate Administrating Official shall authorize compensation for exempt employees for all hours in excess of their bi-weekly work schedule that are spent performing essential services during a declared State of Emergency. Only employees performing related emergency work and approved to perform such work by an Administrating Official shall receive compensation.

(c) Payment.

Compensation for these excess hours shall be paid at a straight time rate that is calculated by dividing the employee's bi-weekly salary amount by his/her bi-weekly scheduled hours. There will be no substitution of compensatory time for payment of excess hours.

(d) Record Keeping.

- (i) All hours worked in excess of the employee's regular bi-weekly schedule shall be documented to define duties performed and hours of work on a "Daily Work Record" in order to receive compensation.
- (ii) All hours worked in excess of the regular bi-weekly schedule shall be entered on time sheets and identified by codes determined and announced by the Clerk of Court.

- (9) Nonexempt personnel during a declared emergency or disaster shall be compensated as follows:
- (a) All nonexempt personnel who are released from work by the County Coordinator on a scheduled work day due to an impending or declared emergency or disaster, shall be compensated at their normal hourly rate for their normal work schedule for the remainder of their shift and up to one (1) additional normal scheduled work day from the date the emergency or disaster is declared.
 - (b) In circumstances where the County Coordinator has not granted paid leave, employees directed not to report to work, or who are unable to report to work, may utilize accrued leave in accordance with existing policies. Otherwise, employees shall be placed on unpaid leave of absence until the declared emergency ends.
 - (c) All nonexempt personnel who are instructed by their Department Head or the County Coordinator to work during an impending or declared emergency or disaster, shall be eligible for overtime compensation at the rate of time and one-half (1.5 x hourly rate) regardless of whether or not they have worked forty (40) hours in that work week.