

## Resolution No. 2023-05

### Exhibit A

Below represents the changes made to the Mission Springs Water District Personnel Rules and Regulations:

#### **Rule 15. Compensation Plan – Revised**

F. Promotion. Any employee who is promoted to a position having a higher range than the position he/she occupies, shall commence work in the higher range at a step that at minimum is an increase of ten percent (10%) above the rate the employee was receiving prior to promotion. **The new pay rate will be effective at the beginning of the pay period it takes effect.**

G. Demotion Pay Rate. When a regular employee is demoted to a position for which the employee is qualified, the employee's salary shall be set at the step rate in the lower pay range which provides the smallest decrease in pay. **The new pay rate will be effective at the beginning of the next pay period it takes effect.**

H. Pay Periods. All employees shall be paid every two (2) weeks. A pay period is fourteen (14) consecutive days. **Week 1 starts on a Friday mid-shift with 4 hours and shall end on a Friday mid-shift with 4 hours worked in Week 2. ~~beginning on a Friday at 12:01 p.m. and ending on a Friday at 12:00 noon.~~** Step increases or promotions shall be effective at the beginning of the pay period in which they fall. For alternative work schedules the pay period may be modified to comply with federal and state law.

#### **Rule 22. Hours of Work, Overtime, Compensatory Time and Standby Time - Revised**

A. Work Week. A regular schedule of forty (40) hours in a seven (7) day period, based on the employee's regular 9/80 or other established work week, the scheduling of which may vary from time to time based on the workforce needs of the District as determined by the General Manager; but no modification of the work schedule may impose additional financial burden on the District. A 9/80 workweek is when an employee works eight 9-hour days and one 8-hour day in a two-week period with one day off every other week that corresponds with the 8-hour day. The General Manager or his designee shall assign each employee of the District a regular work week. **~~Each workweek for administrative employees begins at noon on Friday and ends the following Friday at 11:59 a.m.—Each workweek for field employees begins at 11:00 a.m. on Friday and ends the following Friday at 10:59 a.m.—~~** Each workweek begins on a Friday mid-shift with 4 hours and ends on a Friday mid-shift with 4 hours worked.

B. Work Schedules. Every employee shall have an approved work schedule, which is established by Human Resources and approved by the Appointing Authority. Management reserves the right to set schedules to accomplish the work tasks of the District. No alternative work schedule shall be proposed or approved which imposes an additional financial burden on the District for overtime or otherwise.

- 1. Drive time during regularly scheduled workdays will not be compensated.**

D. Overtime.

1. Overtime Definition and Rates of Pay. All nonexempt employees will receive overtime pay in accordance with applicable law for all hours worked over their regularly scheduled hours pursuant to the 9/80 workweek adopted by the District, i.e., all hours over forty (40) hours per week.

Overtime will be computed on actual minutes worked, adjusted to the nearest 15-minute increment.

~~Only~~ Those hours that are actually worked, ~~approved scheduled vacation days, optional holidays, and District holidays~~ are counted to determine an employee's overtime pay. An "approved scheduled" vacation day or optional holiday is a day that has been scheduled and approved two-weeks in advanced. Certain types of pay are excluded from the calculation of employees' regular rates of pay for purposes of determining the number of overtime compensation due because they are payments made for periods when no work is performed. Those types of pay include: vacation (~~where less than two-week notice was given~~), ~~holiday~~, sick, reporting time, jury duty, pay for bereavement leave, and/or discretionary bonuses.

5. Compensatory Time. Nonexempt employees may elect to accumulate compensatory time in lieu of overtime pay. Compensatory time will be calculated at the rate of one and one-half (1.5) hours ~~of compensatory time~~ for every hour of overtime worked. Once compensatory time has been converted from overtime at one and one-half (1.5) hours, it will be treated as regular pay when used and will be paid out at the employee's regular rate of pay. Employees may accrue up to a maximum of 40 comp time hours. Any time accrued over 40 hours will be paid ~~as overtime~~ during the next available pay period with no more additional comp time permitted until the accrued time is ~~taken and/or paid as overtime used. Unused compensatory time will be paid as overtime, calculated at 1.5 times the employee's regular rate of pay.~~ Employees may request a pay out of accrued but unused compensatory time at any time during the year. ~~Unused compensatory time will be paid as overtime at the employee's regular rate of pay.~~ Additionally, unused compensatory time will be paid out upon termination pursuant to the FLSA. Compensatory time may be used with prior approval from ~~the employee's~~ supervisor. Request for use of compensatory time will be permitted as long as it does not unduly disrupt the district's operations.

**Rule 23. District Paid Holidays – Revised**

C. Part-Time Employees. Temporary part-time employees regularly assigned to work twenty-seven (27) hours or less are not entitled to holiday pay.