



**TWO  
RIVERS**  
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## MEMO

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**DATE:** January 11, 2023  
**TO:** Personnel & Finance Committee & City Council  
**FROM:** Jamie Jackson, City Clerk/Human Resources Director  
**SUBJECT:** Personnel Policy Update

### **PERSONNEL POLICY BACKGROUND:**

The Personnel Policy was updated in March 2022. Recent discussions between City staff and employees in regards to payroll policies has brought to light the need for updates to a few of the policies to offer clarification to practices that currently exist, but are not in writing.

Updates are recommended for the following sections of the Personnel Policy:

- 6.03 Overtime
- 7.07 Longevity
- 8.01 Holidays

It is recommended that the Personnel & Finance Committee recommend the attached changes to the City Council for formal approval. Upon approval, the policy revisions will be incorporated into the Personnel Policy. The change will be communicated to employees and the entire updated policy will be made available to them.



## 6.03 Overtime

*Effective Date: 3/7/2022*

Overtime is defined as time worked in excess of the weekly schedule of hours normally required of full-time employees within a given department. Vacation, holiday, personal holiday, comp, and sick time are considered "hours worked" when determining overtime.

For purposes of calculating overtime, the workweek is designated as 12:01 a.m. Sunday through 12:00 a.m. Sunday. All overtime for a pay period must be reported through the last Sunday 12:00 a.m. of that pay period.

a. City Directed Overtime

There are times when it is necessary for employees to work overtime. At such times, a supervisor will notify employees as early as possible regarding the City's overtime needs. Employees shall work overtime when requested to do so by the City.

b. Employee Requested Overtime

There may be times when an employee believes there is a need to work overtime to complete City work assigned to the employee. In that case, the overtime must be approved in advance by the employee's supervisor and department head. Failure to get such approval may result in discipline, up to and including discharge.

Overtime shall not be paid more than once for the same hours worked (e.g. stand-by or call-in). A minimum of two hours of overtime pay shall be paid to employees called in to work outside of their normally scheduled hours except that time worked immediately before or after an employee's regular work shift shall not be subject to this two-hour minimum.

### Non-Exempt Employee Overtime

Non-exempt employees must be paid overtime or given compensatory time at a rate of time and one-half (1.5) for all hours worked in excess of 40 hours per week. For hours in excess of the employee's normal scheduled work week, an employee may elect to take overtime or accrue compensatory time. **In situations where overtime is paid as double time, employees must take the double time as pay; accruing compensatory time is not allowed for double time.** Additional work outside of a non-exempt employee's normal schedule must be approved by a supervisor. The City reserves the right to adjust schedules to limit overtime due to budget constraints.

a. Compensatory Time

Employees may elect to earn compensatory time at a rate of time and one-half (1.5) in lieu of overtime pay on regular workdays. Eligible employees may accumulate up to a maximum of 240 compensatory hours (e.g. 160 hours at time and one half).

Individual status of accumulated and used compensatory time will be provided on the individuals' pay statement. Compensatory time off will be scheduled by the department head in a manner deemed most advantageous to the department. Compensatory time can be both earned and taken in the same pay period so long as the balance does not go below zero. Accumulated compensatory time will be paid out at termination of employment or upon request during employment upon approval of the City Manager.

b. Flex Time

With permission from the immediate supervisor and/or department head, employees may flex to make up lost time within the same week, if the workload dictates. Said flex time should be straight time, non-overtime scheduling revisions.

## 7.07 Longevity

*Effective Date: 3/7/2022*

~~On the first payroll in December, following the appropriate anniversary date of continuous services as set forth herein, eligible full-time grandfathered employees shall have a longevity payment applied to base salary as follows:~~

- ~~a. 3% after 6 years~~
- ~~b. 4% after 12 years~~
- ~~c. 5% after 18 years~~

~~Employees hired after September 18, 2000 are not eligible for longevity pay. Fire Department non-union command personnel became ineligible for this benefit as of January 1, 2000, having been granted an additional pay step of 3 percent upon attaining 15 years of service, effective on that date, consistent with the Fire union contract.~~

On the first payroll in December, eligible full-time grandfathered employees hired before September 18, 2000, shall receive a longevity payment equivalent to 5% of their base salary. Fire Department non-union command personnel became ineligible for this benefit as of January 1, 2000, having been granted an additional pay step of 3 percent upon attaining 15 years of service, effective on that date, consistent with the Fire union contract.

Longevity is calculated by calendar year. Eligible employees leaving employment during the year will receive prorated longevity based on the number of pay periods paid in the current year. *Employees terminated for cause are not eligible for longevity pay at termination.*

## 8.01 Holidays

*Effective Date: 3/7/2022*

The City recognizes the following paid holidays:

New Year's Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Independence Day	Christmas Eve
Labor Day	Christmas Day

Whenever one of the above-designated holidays occurs on a Saturday, the Friday immediately preceding shall become the official holiday. Whenever a designated holiday occurs on a Sunday, the Monday immediately following shall become the official holiday.

The City may deviate from this weekend substitution if needed.

Either Christmas Eve or New Year's Eve, in lieu of Christmas Eve, may be taken, but not both days. It is understood that minimum staffing should be available on both days to provide necessary municipal services.

### **Provisions for employees who are required to work on an observed holiday date:**

Whenever it is necessary, as determined by the department head, for a non-exempt employee to be scheduled, or called in, to work a full workday on a holiday to continue essential services, compensation for the actual hours worked shall be at the rate of one and one-half times the regular rate of pay and the employee will be given a compensatory day off. **Any hours worked beyond a full workday will be paid at double time.**

Whenever it is necessary, as determined by the department head, for a non-exempt employee to be scheduled, or called in, to work less than a full workday on a holiday to continue essential services, compensation for the actual hours worked shall be at the rate of one and one-half times the regular rate of pay in addition to the holiday pay they would have received had they not been scheduled, or called in, to work.

### **Provisions for employees who are required to work on a legal holiday when it differs from the City-observed holiday date. For example, an employee is required to work on a legal holiday on a Sunday when the City is observing the holiday on Monday:**

Whenever it is necessary, as determined by the department head, for a non-exempt employee to be scheduled, or called in, to work a full workday on a legal holiday, that is *not* the City-observed holiday date, to continue essential services, compensation for the actual hours worked shall be at the rate of one and one-half times the regular rate of pay. Any hours worked beyond a full workday will be paid at double time.

Whenever it is necessary, as determined by the department head, for a non-exempt employee to be scheduled, or called in, to work less than a full workday on a legal holiday, that is *not* the City-observed holiday date, to continue essential services, compensation for the actual hours worked shall be at the rate on one and one-half times the regular rate of pay.

Police management personnel whose schedules require work on these days (or for whom such a holiday is a regular rotation shift day off) will receive a replacement holiday off (at straight time) that will be taken by mutual agreement of the Chief of Police or his/her designee and that employee. Holidays are not used until earned and cannot be carried over from year to year. Police management personnel may not elect to receive pay in lieu of taking holiday time off.

Holiday time for eligible part-time employees is pro-rated based on the total hours worked in the prior year. Vacation, personal days, holidays, and any other paid days off are considered hours worked for the purposes of this calculation. The anticipated annual hours will be used for employees with less than one full year of employment at the time of calculation.