

LAMPASAS COUNTY PERSONNEL POLICIES

SECTION 5. WORK SCHEDULE AND TIME REPORTING

5.4 OVERTIME COMPENSATION

POLICY APPLICATION

THIS POLICY SHALL APPLY TO ALL COUNTY EMPLOYEES ELIGIBLE FOR OVERTIME COMPENSATION UNDER THE FAIR LABOR STANDARDS ACT (FLSA) EXCEPT FOR LAW ENFORCEMENT EMPLOYEES.

OVERTIME FOR LAW ENFORCEMENT EMPLOYEES SHALL BE HANDLED IN ACCORDANCE WITH THE POLICY FOR OVERTIME COMPENSATION ESTABLISHED BY THE SHERIFF'S DEPARTMENT IN ACCORDANCE WITH FLSA REGULATIONS.

OVERTIME COMPENSATION

OVERTIME COMPENSATION SHALL BE PAID IN THE FORM OF COMPENSATORY TIME OFF IN ACCORDANCE WITH THE PROVISIONS OF THE FLSA. (see definition in policy on hours worked and overtime)

COVERED EMPLOYEES SHALL RECEIVE COMPENSATORY TIME OFF, WITH PAY, AT A RATE OF ONE AND ONE-HALF (1 ½) TIMES THE OVERTIME WORKED.

MAXIMUM COMPENSATORY TIME

THE MAXIMUM AMOUNT OF UNUSED COMPENSATORY TIME, AN EMPLOYEE SHALL BE ALLOWED TO ACCUMULATE AT ONE TIME IS 24 HOURS.

WHEN AN EMPLOYEE HAS REACHED THE MAXIMUM ACCRUAL OF COMPENSATORY TIME, ANY ADDITIONAL OVERTIME WORKED SHALL BE COMPENSATED AT A RATE OF ONE AND ONE-HALF (1 ½) THE EMPLOYEE'S REGULAR RATE OF PAY UNTIL COMPENSATORY TIME HAS BEEN USED TO BRING THE BALANCE BELOW THE MAXIMUM.

USE OF COMPENSATORY TIME

EMPLOYEES SHALL BE ALLOWED TO USE ACCRUED COMPENSATORY TIME AFTER IT IS REQUESTED PROVIDED THE EMPLOYEE'S ABSENCE WILL NOT PLACE AN UNDUE HARDSHIP ON THE OPERATIONS OF THE DEPARTMENT IN WHICH THE EMPLOYEE WORKS.

THE DEPARTMENT HEAD WILL APPROVE IN ADVANCE ANY USE OF COMPENSATORY TIME OFF AND WILL CONSIDER WORK RELATED ISSUES SUCH AS STAFF COVERAGE, WORK LOAD AND RELATED ITEMS.

COMPENSATORY TIME MAY BE USED FOR ANY PURPOSE DESIRED BY THE EMPLOYEE.

THE PREFERRED METHOD FOR OVERTIME COMPENSATION IS TO SCHEDULE EQUAL TIME OFF FOR THE AFFECTED EMPLOYEE DURING THE SAME WORK PERIOD IN WHICH THE OVERTIME WAS WORKED. (see policy on work schedule and work week)

LAMPASAS COUNTY PERSONNEL POLICIES

5.4 OVERTIME COMPENSATION (CONTINUED)

THE COUNTY DISCOURAGES TIME AND ONE HALF PAYMENTS FOR OVERTIME, WHICH MAY BE APPROVED BY THE DEPARTMENT HEAD ONLY IF ADEQUATE FUNDS ARE AVAILABLE IN THE DEPARTMENT'S BUDGET. THE COUNTY DISCOURAGES THE ACCUMULATION OF COMPENSATORY TIME OFF FOR NON EXEMPT EMPLOYEES AT ONE AND ONE HALF TIMES THE NUMBER OF HOURS WORKED BECAUSE OF THE CONTINGENT FINANCIAL LIABILITY THIS CREATES FOR THE COUNTY. COMPENSATORY TIME SHOULD BE SCHEDULED AS SOON AS POSSIBLE AFTER OVERTIME HOURS ARE WORKED AND IS TO BE USED BY THE END OF EACH FISCAL YEAR (SEPTEMBER 30).

TERMINATION

IF AN EMPLOYEE TERMINATES EMPLOYMENT, FOR ANY REASON, PRIOR TO USING ALL EARNED FLSA COMPENSATORY TIME, HE/SHE SHALL BE PAID FOR ALL UNUSED COMPENSATORY TIME IN ACCORDANCE WITH THE REQUIREMENTS OF FLSA.

BUY BACK OF COMPENSATORY TIME

THE COUNTY SHALL RETAIN THE RIGHT TO "BUY BACK" ALL OR PART OF AN EMPLOYEE'S UNUSED COMPENSATORY TIME BY PAYING THE EMPLOYEE FOR THAT TIME AT THE EMPLOYEES CURRENT RATE.

CASH PAYMENT FOR OVERTIME

THE COUNTY SHALL RETAIN THE RIGHT TO PAY ALL OR PART OF THE OVERTIME WORKED IN ANY WORKWEEK BY PAYING FOR THAT OVERTIME AT ONE AND ONE-HALF (1 ½) THE EMPLOYEE'S REGULAR RATE OF PAY. (see policy on overtime compensation and policy on hours worked and overtime)

RECORDKEEPING

EACH EMPLOYEE SHALL BE RESPONSIBLE FOR RECORDING ANY COMPENSATORY TIME USED WITHIN A PAY PERIOD ON THE TIME SHEET FOR THAT PAY PERIOD.

THE DEPARTMENT HEAD SHALL BE RESPONSIBLE FOR KEEPING RECORDS OF ALL COMPENSATORY TIME EARNED AND USED BY EACH ELIGIBLE COUNTY EMPLOYEE IN HIS/HER DEPARTMENT AND SHALL UPDATE THE BALANCE DUE TO EACH EMPLOYEE AT THE END OF EACH PAY PERIOD.

OTHER ISSUES

ANY ISSUES ON OVERTIME COMPENSATION NOT ADDRESSED IN THE POLICY SHALL AT LEAST MEET THE MINIMUM REQUIREMENTS OF THE FLSA AND THE REGULATIONS ISSUED BY THE DEPARTMENT OF LABOR TO ADMINISTER THAT ACT.

(see also policy 5.3 on work schedule and hours worked and overtime)