

Bargaining Unit employees should review their appropriate Collective Bargaining Agreement (CBA) to determine if this policy applies to them. In case of a conflict between the applicable CBA and these policies, the provision in the CBA controls.

Policy No.: 5-14

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Compensatory Time

OVERVIEW: This policy establishes compensatory time eligibility, accrual and use for persons employed by the Board of County Commissioners.

SCOPE: This policy applies to all regular employees of the Board of County Commissioners.

PROVISIONS:

1. Eligibility.

- a. **Non-Exempt Employee.** An employee assigned to a classification in the Non-Bargaining Unit Pay Plan who is eligible for overtime pay, or an employee assigned to a classification in the Bargaining Unit Pay Plan who is exempt from the bargaining unit may elect to receive compensatory time off in lieu of overtime pay.
 - i. An employee who earns overtime and chooses to accrue compensatory time must elect to do so in writing by completing a Non-Exempt Employee Compensatory Time Form (Appendix C).
 1. This form must be completed no later than the last working day in the pay period in which the overtime occurs.
 - ii. An employee who fails to complete this form within the prescribed time will have overtime hours reported on the timesheet for the pay period in which it was earned and will receive overtime pay.
- b. **Exempt Employee.** Exempt employees are not normally eligible for compensatory time; however, there may be times during the year that specific circumstances require exempt employees to work many hours more than what is reasonable and customary.
 - i. The number of hours worked, justification, and the accrual of compensatory time must be approved by the department director or designee.
 - ii. An Exempt Employee Compensatory Time Form (Appendix C) must be completed and signed by the employee, supervisor, and department director or designee.

2. **Accrual of Compensatory Time.**

- a. Non-Exempt Employee. Compensatory time for non-exempt, hourly employees is awarded at the rate of one and one-half hours of time off for each hour of overtime worked, with a maximum accrual of 240 hours.
 - i. Where the normal 40 hour work week does not occur, appropriate and proportionate adjustments shall be made in the application of this policy.
 - ii. Once the maximum hours are reached, compensation for overtime will be paid out.
 - iii. When an employee moves from a Non-Exempt position to an Exempt position, any compensatory time earned as a Non-Exempt employee must be paid out prior to the employee becoming an Exempt employee.
- b. Exempt Employee. Compensatory time should be used as close to the date of accrual as possible.
 - i. Compensatory time accrual is limited to 80 hours each fiscal year. Hours earned in January through September must be used by the end of that calendar year. Hours earned October through December must be used by the end of the next calendar year.
 - ii. Hours remaining at the end of the respective calendar year will be lost.
 - iii. There will be no pay out of unused compensatory hours for exempt employees.
 - iv. Exempt employees who move to Non-Exempt positions forfeit any compensatory time accrued as an Exempt employee.

3. **Use of Compensatory Time.**

- a. Non-Exempt Employee. Compensatory time off must be scheduled with supervisory approval and at a time mutually convenient to the employee and the department.
 - i. If an employee terminates employment or transfers to another department, the compensatory time balance will be paid at the time of separation or transfer.
 - ii. Such payment shall be paid at that rate which is higher:
 1. The final hourly rate, or
 2. The average regular hourly rate received during the last three years of employment.
- b. Exempt Employee. Compensatory time off for exempt employees should be scheduled as close to the time of accrual as possible, and in accordance with section 2.b.ii) above.
 - i. Scheduled time off requires supervisory approval at a time mutually convenient to the employee and the department.

- ii. If an exempt employee terminates employment or transfers to another department, the compensatory time balance will be lost.
- iii. There will be no payout for exempt employees.

4. **Holiday Compensatory Time.**

- a. In the event an Exempt or Non-Exempt employee receives Holiday Compensatory Time in accordance with Policy #5-18, Holidays, it will be accrued at straight time. Holiday Compensatory Time hours will count towards the maximum accruals for compensatory time. There will be no payout for Holiday Compensatory Time.

County Manager

County Attorney