



# Charleston County Sheriff's Office Policy and Procedures Manual

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**Sheriff Carl Ritchie**

4-06

## Overtime and Compensatory Time

- ☐ NEW
- ☒ REVISED
- ☒ REVIEWED

ACA Standards Reference:  
CALEA Standards Reference: 22.1.1  
NCCHC Standards Reference:  
SCLEA Standards Reference:  
SC Minimum Standards:

*This policy dated 4/24/2025 replaces prior policies cited above and supersedes all previously issued directives.*

Purpose: To establish guidelines to ensure all personnel are accurately and adequately compensated for approved overtime and compensatory time worked.

I. Policy: It is recognized working overtime and non-standard hours is inherent to law enforcement. It is the policy of the Charleston County Sheriff's Office to compensate those employees eligible under the applicable state and federal laws, and the Fair Labor Standards Act of 1938 (FLSA) to receive overtime pay or compensatory time upon meeting the established criteria set forth in this policy. This policy contains the responsibilities and procedures for all employees of the Sheriff's Office.

II. Definitions:

A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I or Class III, as defined by the South Carolina Criminal Justice Academy. The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

1. Deputy, deputy sheriff, sworn employee, uniformed sworn employee, sworn administrative employee, and
2. civilian, non-sworn employee.

B. *Employee*: When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).

C. *Compensatory Time*: The accrual of leave by a non-exempt deputy sheriff or civilian employee at one-and one-half times the regular hourly rate of pay, in lieu of overtime payment for all approved hours worked in excess of the established work hours in a work period. Or the accrual of leave by an exempt employee at the rate determined by the Sheriff or his designee.

(Ref: CALEA 22.1.1 item e)

D. *Exempt Employee*: Refers to a salaried employee who is exempt from the minimum wage and overtime provisions of the FLSA, as amended.

E. *Grant Funded Employee*: Refers to an employee who is employed on a full-time or part-time basis for a specified period of time as identified in the grant period. Employment is contingent upon future funding awards. This employee must sign an employment agreement and satisfactorily complete the specified new hire probationary period. This employee is eligible for benefits as indicated for regular full-time or regular part-time employee, depending on the amount of hours worked.

- F. *Non-Exempt Employee:* Refers to an hourly paid employee who is covered by minimum wage and overtime provisions of the FLSA, as amended.
- G. *Overtime Pay:* Payment included in an employee's paycheck at one-and one-half times the employee's regular hourly rate of pay, for all approved hours worked in excess of the maximum number of regular work hours in a work period. The certified non-exempt employee established threshold is eighty-six (86) hours. Civilian non-exempt employee established threshold is forty (40) hours in a one-week work period. Overtime is only available to certified non-exempt employees; overtime is not available to exempt employees.

(Ref: CALEA 22.1.1 item f)
- H. *Schedule Adjust:* Refers to the practice of adjusting an employee's work schedule by cancelling regularly scheduled shifts/hours to offset extra shifts/hours worked during that same work period in order to avoid overtime.
- I. *Scheduled Overtime:* Refers to the hours a deputy sheriff non-exempt employee works that is required by the agency to prevent staff shortages during normal Sheriff's Office operations. For a deputy sheriff non-exempt employee to receive the increased rate of one and one-half times their regular hourly rate for scheduled overtime, the deputy sheriff non-exempt employee must still meet the necessary threshold hours as outlined in Section III, paragraph H, *infra*.
- J. *Temporary Employee:* An individual who works on a part-time or full-time basis for a specified period determined by the agency. An incumbent in a temporary position receives no benefits.

III. Procedures:

- A. All non-exempt, full-time employees of the Sheriff's Office who work more than their maximum number of regular work hours within a work period will be paid overtime at the rate of one and one-half times their regular hourly rate as outlined in Section III, paragraph H, *infra*. (Ref: CALEA 22.1.1 item f)
- B. Exempt full-time employees of the Sheriff's Office are expected to work the number of hours necessary to complete their work in a timely fashion and are not legally entitled to overtime pay or compensatory time. However, a supervisor may choose to award additional time off to an exempt employee who has worked an inordinate number of hours in an emergency or special situation. This type of "compensatory" time need not be at one-and one-half times the regular hourly rate of pay. How much, if any time off is awarded, is at the Sheriff's or designee's discretion. (Ref: CALEA 22.1.1 item e)
- C. When a non-exempt employee has worked overtime, a *Report of Overtime (CCSO form-301)* must be completed and approved by the employee's immediate supervisor,

followed by the employee's chain-of-command up to the captain's level. (Ref: CALFA 22.1.1 item f)

- D. All non-exempt, full-time employees of the Sheriff's Office who work more than their maximum number of regular work hours within a work period may elect to receive compensatory time in lieu of overtime. No employee will be allowed to accumulate more than sixty (60) hours of compensatory time. There is no exception. Supervisors and employees may not agree to an accumulation of compensatory time over the allotted sixty (60) hours.
- E. Supervisors will be responsible for maintaining a designated compensatory time file for each employee under their command. The file and subsequent forms utilized for this record keeping will be uniform agencywide. All compensatory time must be updated monthly in order to reflect an accurate sum for each employee, and reported monthly to the employees respective Chief Deputy for review. Chief Deputies will provide a compensatory record to Human Resources as requested to be centralized and documented.
- F. The file and subsequent *Report of Overtime* form that is signed by two supervisors of higher rank will be kept in the employees' file until the hours are expended.
- G. Scheduled Overtime for Patrol Division:
  - 1. In order to ensure the Sheriff's Office is fully staffed during normal operations, the agency has designed a scheduled overtime roster effective January 13, 2023. Minimum staffing for the Patrol Division will be sixteen deputies per shift. All line-level deputies are assigned to the scheduled overtime roster by their immediate supervisor. Failure to report for scheduled callout may result in disciplinary action.
  - 2. Deputy sheriffs are required to report for duty when contacted by a supervisor during their assigned two-week callout period. At any time during a shift, deputy sheriffs may be called to report to work due to an emergency and or any unforeseen circumstances.
  - 3. Any on-call deputy sheriff who has a medical emergency or any unforeseen circumstances that arise during their call-out period, must notify their immediate supervisor and the on-duty supervisor.
  - 4. Patrol Division supervisors will be responsible for scheduling their line-level deputies for their two-week scheduled overtime callout assignments. In the event that a deputy sheriff resigns or transfers out of the Patrol Division, the supervisor is responsible for assigning another deputy sheriff to fill the

vacancy. The supervisor will also be responsible for updating the call-out schedule.

5. Deputy sheriffs will not request leave during their scheduled overtime callout assignment unless exigent circumstances arise. Deputy sheriffs will notify their supervisors if such a circumstance takes place. Any conflicts with the callout schedule will be resolved by the deputy sheriff and their immediate supervisor.
6. The scheduled overtime will remain in effect until the Patrol Division has adequate staffing to safely operate as deemed necessary by the Patrol Captain or their designee. A review of the scheduled overtime will be completed every six months by the Patrol Captain or their designee to evaluate if scheduled overtime shall continue. The scheduled overtime roster will be planned for the entire year in conjunction with the Patrol Division schedule.

**Disclaimer:**  
**By Signing for this policy you are agreeing to the terms**  
**described in this document.**