



## 7000 – Wake County Pay and Timesheets Policy

X	Countywide	Department: Human Resources	Division: Payroll
Supersedes: 306 – 309 Compensation			Effective Date: January 1, 2023
Approving Authority: County Manager or designee			
Originating Department(s): Human Resources			

### I. Purpose:

The Pay and Timesheets Policy is designed to ensure accurate and timely reporting and record keeping of time worked in compliance with the provisions of the **Fair Labor Standards Act (FLSA)** and other applicable federal, state, and local laws and to recognize the additional effort and inconvenience of certain work responsibilities beyond an employee's normal work schedule, level of responsibility, or nature of work.

### II. Policy:

It is the policy of the County to pay employees for time worked in an accurate and timely manner, in accordance with applicable laws, and to maintain the required supporting documents and records. Employees have a duty to comply with County policies and guidelines with respect to time and attendance. Supervisors have a duty to be familiar with these procedures as well as the basic provisions of the Fair Labor Standards Act (FLSA) covering time reporting and record keeping. This policy applies to both **exempt** and **non-exempt** employees under the FLSA.

As an integral part of job responsibilities, Department Heads, managers, and supervisors are required to ensure compliance with the applicable standards, regulations, and guidelines of the Fair Labor Standards Act (FLSA). State and federal laws require that non-exempt employees be paid for all overtime worked. Overtime is defined as work performed more than 40 hours per week or hours more than the work period according to 7(k) exemption in no event will vacation, sick leave or holidays be included in the calculation of overtime and are paid at straight time. If supervisors or managers do not request, but do permit, an employee to work more than the permissible hours, it must be considered overtime work and compensated accordingly. At the discretion of the supervisor or manager, a non-exempt employee may be given equivalent time off by adjusting work schedules within the same **work week** so that overtime is not incurred. *See 7300 Eligibility for Overtime Compensation Under the FLSA.*

### 7100 Hours of Operation

The County's official hours of operation are Monday through Friday, 8:30 a.m. to 5:15 p.m. ET, with a 45-minute lunch break; however, Department Heads may establish **work schedules** that vary from these days and hours to meet the operational needs of the

department. Employees are expected to work their daily scheduled hours, which is typically 8, 12 or 24 hours shifts. Adequate supervision must always be provided to all employees. All schedules must be in accordance with the Fair Labor Standards Act (FLSA).

#### **7101 Absences, Late Arrival, and Early Departure**

An employee who will be unable to report to work as scheduled, who will be tardy, or who plans to leave early must contact their supervisor (or other contact, as designated by the department) as far in advance as possible. At the latest, notification should be made prior to the start of the employee's workday or the early departure. Employees should follow their departmental procedures for the type of notification (e.g., call, email, text).

#### **7200 Compensatory Time (Comp-time)**

Wake County does not grant, provide, or award compensatory time (comp-time) to FLSA exempt or non-exempt employees. Employees subject to overtime compensation shall receive straight time pay or overtime pay for all hours worked in accordance with the FLSA and the Wake County Pay and Timesheets Policy.

The County does recognize that in extraordinary circumstances exempt employees may be required to work an immense number of hours to get the job done. In those circumstances, there are several ways a department can recognize such extraordinary efforts, but in no circumstances should additional hours worked be tracked or recorded for exempt employees. An adjusted work schedule is not considered compensatory time. Supervisors that violate the comp-time policy are subject to disciplinary action up to and including dismissal.

See 2200 – *Leave Policy, Section 2214 Extraordinary Leave* for additional information.

#### **7300 Eligibility for Overtime Compensation Under the FLSA**

For purposes of determining overtime worked, the Human Resources Department shall classify County positions as exempt or non-exempt, in accordance with the criteria specified in the FLSA and U.S. Labor Department rules adopted pursuant to the Act.

Overtime work for non-exempt employees is work performed more than 40 hours per workweek, unless working on a FLSA schedule that requires more than 40 hours. A workweek is a fixed and regularly recurring period of seven consecutive days, except for certain positions engaged in law enforcement and emergency services (to include firefighters and sheriff personnel) whose workweek may be from 7 to 28 consecutive days and is established as the FLSA cycle according to the 7(k) exemption. Different workweeks may be established for departments, employees, or groups of employees. The Human Resources Department maintains a list of the County's various workweeks for payroll purposes.

Department Heads are delegated the authority to approve overtime. However, it shall be Wake County policy to avoid overtime work whenever possible. Employees shall seek authorization to work overtime; failure to do so may result in disciplinary action up to and including dismissal.

### **7301 Overtime Compensation**

All non-exempt employees will be paid time-and one-half for hours worked more than their standard FLSA work period.

Certain executive, professional, and administrative employees (as determined in accordance with U. S. Department of Labor regulations) are exempt from the time-and-one-half provisions of the FLSA. The salary paid is intended to cover all hours worked.

### **7302 Procedure for Reporting Overtime**

In determining eligibility for overtime in a workweek or work period, only hours worked shall be considered. Vacation, sick leave, or holidays will not be included in the computation of hours worked for overtime compensation.

Non-exempt employees are responsible for reporting all hours worked in a workweek on their timesheet. Departments are not allowed to "carry over" extra hours worked in one workweek to another workweek.

The publishing of a rule prohibiting **unauthorized work** is not sufficient to avoid compensation for additional hours worked.

### **7303 Overtime Approval**

All overtime must be approved by the supervisor or manager prior to the employee working overtime. Non-exempt employees who work overtime will be entitled to compensation; however, employees who work overtime without proper authorization may be subject to disciplinary action up to and including dismissal. Unless authorized by the supervisor or manager, employees may not elect to work outside of their established schedule to make up for lost time. When it is essential to maintain department operations or during emergencies, disasters, etc., supervisors may require employees to work overtime. The County does not allow employees to accumulate overtime hours. Overtime must be paid within the authorized **pay period**.

Non-exempt employees who voluntarily continue to work before or after the beginning or close of normal work hours are engaged in working time. The reason for the work is immaterial; if employees work on the organization's behalf, they must be paid. Department Heads, managers and supervisors are required to make certain that overtime work is approved and compensated properly.

## **7400 Hours Worked Under the FLSA**

### **A. Hours Worked - General**

1. Work time or "hours worked" is all time an employee "is suffered or permitted to work." It is of no consequence where such work takes place, i.e., in the customary workplace, at home, or anywhere else. Work time includes all time spent in physical or mental exertion, controlled or required by the County, and pursued primarily for the County and its business. Infrequent and insignificant periods of time beyond the scheduled working hours which cannot be precisely recorded for payroll purposes may be disregarded. This rule applies only where there are uncertain and indefinite periods of time involved (a few seconds or a few minutes in duration). This time is considered "de minimis." Any time that can be practically ascertained must be reported and paid.
2. Work time includes most related preliminary activities of the employee's primary duties. Examples include sharpening or cleaning tools, setting up equipment, fueling or servicing vehicles, waiting for instructions, moving about the County to perform assigned duties, attending departmental meetings, changing clothes on County premises where special uniforms or clothing are required by the County and employees are not allowed to wear them to work, emergency medical treatment for on-the-job accidents, and other similar work-related activities such as medical appointments, and travel time to and from work for work-related injuries.
3. Hours worked in excess of the non-exempt employee's established work schedule shall be used to offset leave reported in the same overtime period. The purpose of paid leave is to maintain employee income, not enhance it. If employees work additional hours outside of their normal schedule in a work week in which they also have scheduled or take time off, the additional time worked should offset the time that the employee intended to cover the available leave. Therefore, the number of leave hours originally charged must be reduced by the number of additional hours worked. This offset is mandatory; the employee cannot be paid both for the leave times and the time outside of the normal schedule.

### **B. Hours Worked - Specific Situations**

1. Personal Breaks
  - a. Personal breaks are not a right or entitlement, but may be granted by the supervisor if workload permits. No County operation will be hindered in any way by an employee's break. While we recognize that everyone must work their required hours and get the job done, the County also recognizes the health and wellness benefit of incorporating movement into the work day. Incorporating movement into the workday, reduces work-related musculoskeletal disorders. Therefore, the County encourages supervisors to allow employees time to get up, stretch or time for a short rest period.

- b. In accordance with the Patient Protection and Affordable Care Act, the County permits employees who are mothers of a nursing child to use these break periods to express breast milk for her nursing child (each time the need occurs) for up to one year after the child's birth. When such a break is required, the time away from the workstation must be reasonable, i.e., 15 minutes, unless otherwise medically necessary.

## 2. Participating in Health and Well-being

In support of our culture of health and well-being, employees are not required to use leave time to participate in County sponsored health and well-being activities. County sponsored activities include attending the Employee Health Center (EHC), wellness coaching sessions delivered by County sponsored vendors, meeting benefit vendors or other Living Great @ Wake events. Supervisors are expected to allow employees to participate in County sponsored events and activities. Fitness classes offered to County employees in County facilities are excluded from counting as work time.

## 3. Meal Periods

- a. The County customarily allows a 45-minute meal period for full-time employees that work 8:30 a.m. – 5:15 p.m. ET. If operations vary from these, the meal break may be adjusted to ensure the employee works their scheduled hours.
- b. A bona-fide meal period of 30 minutes or more is not work time. If an employee is required or permitted to work during the meal period, then this must be counted as work time. For example, if an office assistant eats at the desk and continues to answer the phone, receive the public, etc., the meal time would have to count as work time and if not offset at some other point within the work week, would result in overtime work.

## 7401 On-call Time

On-call occurs when an employee must remain available, at any time of day or night, usually with short notice, to be called back to work to carry out their job duties. **Simply having a County phone or pager for convenience does not constitute on call.** Employees shall be notified in advance if their position is subject to performing on-call time.

### Restricted On-call

Restricted on-call exists when an employee is restricted to the work unit or a specific location without freedom to pursue normal activities. This means that the employee is **engaged to wait**. A non-exempt employee that is engaged to wait is considered working and hours will be compensated under the FLSA.

### Non-Restricted On-call

Non-restricted on-call occurs when the employees is only **waiting to be engaged** and will not be counted as hours worked. Non-restricted on-call exists when the following conditions are met:

- Employees are not restricted to a certain vicinity
- Employees during non-restricted on-call hours are free to engage in their own personal pursuits; and
- Employees are given pagers or phones to communicate with their department or must leave a telephone number at which they may be contacted

Both exempt and non-exempt employees who are required to remain "on-call" but are otherwise able to pursue their normal off-duty activities are defined as "waiting to be engaged" and are not considered working. Although the employee is not limited in where or how they spend their time, they may carry a cell phone or pager and remain available with a professional demeanor in the event they are called back to respond to a critical situation. For positions that are approved for on-call pay, Wake County provides compensation at \$3.00 per hour for:

- Non-exempt employees who are in a waiting to be engaged (non-restricted)
- Exempt employees who are waiting to be engaged (non-restricted)
- Exempt employees who are in an engaged to wait (restricted)

However, non-exempt employees that are engaged to wait are considered working and must receive their hourly rate of pay. Department Heads and Division Heads are ineligible for on-call pay.

#### **A. Rate Determination**

The rate of compensation shall be determined by the Human Resources Department based on survey data of prevailing practices in the applicable labor market. Human Resources shall report any on-call rate changes for the occupational groups or any exceptions to the County Manager and Senior Leadership Team.

#### **B. Designation of Positions**

Management should carefully weigh the costs and benefits of alternatives before authorizing on-call or call-back pay. Reasonableness and fairness shall be exercised in administering this policy. With the approval of the Human Resources Director, Department Heads may select job classifications and/or individual positions that are subject to on-call or call-back.

#### **C. Approved Classifications for On-call**

Human Resources maintains a list of positions/classifications that are eligible and approved for on-call pay.

#### **D. Overtime Pay for FLSA Non-exempt**

If a non-exempt employee is called back to work, resulting in overtime, the on-call pay must be included in calculating the employee's regular hourly rate for overtime pay. The time in on-call status is not included for determining overtime hours unless the employee is called back to work.

#### **E. Instructions for Time Entry**

An eligible employee will record on-call pay on their timesheet by using the (OCALL) event code.

1. Create timesheet, record all regular time worked using REGLR event code on one line (non-exempt employees only)
2. Add a row to the timesheet
3. Record the times that were scheduled as On Call using the OCALL event code (exempt and non-exempt employees)

#### **7402 Call-Back Time**

Call-back time occurs when an employee has left the work site and is requested to respond on short notice to an urgent work situation. Employees shall be notified in advance if their position is subject to performing call-back time. When non-exempt employees are called back to work, compensation will be provided for a minimum of two (2) hours if the completion of the task is less than two hours. Tasks performed over two (2) hours will be compensated for the actual time worked. When non-exempt employees respond via the phone/computer, they shall receive a minimum of thirty (30) minutes of compensation. If the total hours worked are more than the employee's regular weekly schedule, the time over forty (40) hours will be paid at time and one half of their regular pay. If total hours worked are less than or equal to the employees regularly scheduled weekly hours, the compensation will be calculated on a per hour basis as straight time.

For non-exempt employees, compensable time in call-back duty begins when the person leaves home and ends when the person returns home. If the employee does not go directly home after the call back, the normal travel time from the employee's residence to the work site shall be added to the time when the employee left home originally, plus the hours worked during the call back.

Exempt employees normally do not receive additional compensation for call-back time. However, if the Department Head determines that specific working or market conditions justify, they may work with the Human Resources Director to determine if an FLSA exempt position is eligible for call-back compensation, based on documented data of prevailing practice in the applicable labor market.

Failure to be available for call-back or failure to report to the duty station when called back to work may constitute insubordination and may be subject to disciplinary action up to and including dismissal. Employees who are assigned to positions that are subject to be called back but are unable to report due to legitimate environmental conditions or situations outside of their control, shall immediately contact their supervisor to inform them of the situation and to provide documentation of their circumstances.

## **Call-Back Payroll Guidelines for Non-exempt Employees**

- Shift premium pay, holiday premium pay, and overtime pay shall be received in addition to call-back pay, if applicable. Time on call-back is considered work time and those hours are subtracted from the on-call hours
- Employees whose work continues following the end of the regularly scheduled hours of work are not eligible for the call-back pay
- Time actually worked and travel to/from the worksite shall be included in hours worked for determining overtime hours
- Call-back pay must be included in calculating the employee's regular hourly rate for overtime pay

For example:

A non-exempt employee who is on FLSA schedule A (Sun – Sat 40 hours) is on call for 8 hours on 9/14 (8am – 4pm). The employee receives an urgent call and reports back to work on 9/15 from 1pm – 4pm. Employee would record: OCALL 5.00 and REGLR 3.00. Non-exempt employees are compensated for a minimum of two hours or actual time worked. The employee worked a total of 43 hours, 3 hours of that time will be overtime.

*Advisory Note: Medical positions designated to receive on-call and call-back compensation prior to the effective date of this policy may be grandfathered and shall continue to be eligible for on-call and/or call-back at the same rate of compensation until specifically eliminated.*

## **7404 Travel Time**

Whether travel time is considered as hours worked depends on the circumstances and should be determined on a case-by case basis.

### **Home to Work**

An employee who travels from home to work before the regular workday and returns home at the end of the workday is engaged in ordinary home to work travel that is a normal incident of employment. This is true whether the employee works at a fixed location or at different job sites. Except for call-back situations, normal travel from home to work is not work time.

### **Home to Work on Special One-Day Assignments in Another City**

When an employee who regularly works at a fixed location is given a special one-day assignment in another location, such travel cannot be regarded as home-to-work travel. For example, an employee who works in Raleigh with regular working hours from 8:30 a.m. to 5:15 p.m. ET, may be given a special assignment in another city, with instructions to leave Raleigh at 7:00 a.m. ET. The employee arrives at 12 noon ET, ready for work. The special assignment is completed at 3:00 p.m. ET, and the employee arrives back in Raleigh at 8:00 p.m. ET. Such travel cannot be regarded as ordinary home-to-work travel occasioned merely by the fact of employment. It was performed for the County's benefit and would, therefore, qualify as an integral part of the "primary" activity that the employee was hired to perform on that day. All



the time involved, however, need not be counted as work time. The usual time required to travel from home to the employee's primary work location should be deducted from the total hours of the special one-day assignment, such time being in the "home-to-work" category.

#### **Travel as Part of Employee's Primary Activity**

Time spent by an employee in travel, as part of the employee's principal activity, such as travel from job site to job site during the workday, must be counted as hours worked. When an employee is required to report at the employer's premises, or at a meeting place, to receive instructions or to perform other work there, the travel time for this designated place to the work place is part of the day's work and must be counted as worked.

If an employee normally finished work at a particular job site at 5:15 p.m. ET and is required to go to another job that is finished at 8:15 p.m. ET and is required to return to the employer's premises arriving at 9:15 p.m. ET, all of the time is working time. However, if the employee goes home instead of returning to the employer's premises, the travel after 8:15 p.m. ET is home-to-work travel and is not hours worked.

#### **Travel Away from Home**

Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is work time when it cuts across or falls in the employee's regularly scheduled workday. The employee is simply substituting travel for other duties. Travel time is not only hours worked on regular work days during normal working hours, but also during the corresponding hours on non-working days. For example, if an employee regularly works from 8:30 a.m. to 5:15 p.m. ET, Monday through Friday, the travel time during these hours is work time on Saturday and Sunday as well. Regular meal period time is not counted.

Non-exempt employees who are driving are considered working during the time that they are driving, even if the travel occurs outside of regular working hours. Otherwise, time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not considered work time unless work is performed during this travel. Any actual work performed by non-exempt employees while traveling is considered work time.

### **7405 Attendance at Training Sessions and Other Meetings**

- Required attendance at training or other meetings, whether during, before, or after the employee's regular work schedule, is work time. Attendance is voluntary only where an employee is not led to believe that working conditions or chance of continuing employment would be affected by non-attendance.
- Voluntary attendance at training or other meetings that are directly related to the employee's job, whether during or after regular hours is also work time. However, if notification of the training event was not brought by the supervisor to the employee, and if the employee brings the voluntary training event to the attention of the supervisor, and

the supervisor acknowledges the event but does not encourage, prompt, or require the employee to attend the time is not work time.

- Voluntary attendance outside regular work hours in training to maintain certification or qualification required by a higher jurisdiction or the state is not work time even if the certification or qualification is a requirement of employment.
- Voluntary attendance outside the employee's regular work hours in a course or training that is offered to the public from a public or private educational institution is not hours worked even if it relates directly to the employee's job.
- For virtual training options for remote workers, see *5000 – Training and Development Policy* or contact [HRConnect@wakegov.com](mailto:HRConnect@wakegov.com).

#### **7406 Waiting Time**

Whether waiting time for non-exempt employees is compensable depends on the factual circumstances. Required waiting time is compensable; however, non-exempt employees who wait before starting their duties because they arrive at work earlier than the required time are not entitled to be paid. The same circumstances are true for those non-exempt employees who may wait at the end of the required shift.

All time spent by non-exempt employees in waiting while on duty must be counted as hours worked. If employees begin, while waiting to start their shift, to perform duties for which they were employed, such time becomes compensable.

Under FLSA regulations, waiting time by non-exempt employees who have been relieved of duty need not be counted as hours worked if: employees are completely relieved from duty, allowed to leave the job, free to do as they please, and are relieved until a definite specified time. Departments should consult with Human Resources to determine if waiting time is considered work time.

#### **7500 Record Keeping and Timesheets**

Standardized County-wide electronic timesheets are used for all employees. Refer to the Payroll Calendar issued annually by the Human Resources Department for each respective work period schedule to determine payroll deadlines for timesheets.

Time entered must be in five (5) minute increments. See *2200 – Wake County Leave Policy* for additional guidance.

Non-exempt employees are required to complete an electronic timesheet for each FLSA cycle of the pay period. The supervisor will review and electronically approve the employee's timesheet at the end of the payroll period. Approving the timesheet is an indication that the supervisor agrees with the time as recorded by the employee and is an authorization to pay the employee according to the recorded time. If the supervisor has any questions about the time recorded by the employee, the supervisor should discuss this with the employee and

reconcile any questions prior to approving the timesheet. If the employee has worked overtime during the pay period, the supervisor will ensure the employee is compensated in accordance with this policy.

The County's Time and Attendance System will make the calculations for any hours or pay due in addition to the normal salary.

Exempt employees are not required to submit a timesheet unless the employee:

- works a holiday or the holiday falls on their scheduled day off
- receives shift differential (approved by department/position classification only)
- receives on call (approved by department/position classification only)
- takes time off during the pay period

Note: Additional time keeping records may be required for other purposes, such as grant funding reporting. The official timekeeping record of the County is the electronic timesheet submitted in Advantage .

See [Appendix 7000:E: Timesheet Codes](#)

#### **A. Unauthorized Work**

Any time worked that is unauthorized, on or off the clock, is prohibited, including during meal breaks. Employees are subject to disciplinary action up to and including dismissal for failing to abide by their supervisor's directives.

#### **B. Recordkeeping Requirements**

The FLSA requires specific recordkeeping requirements designed to determine an employee's eligibility for overtime compensation and if the employee is properly compensated when overtime occurs.

- Employee demographic records will be maintained by the Human Resources Department
- Time Worked Records (Timesheets) must be maintained for a minimum of three years
- Overtime Compensation Records - If the employee was paid for overtime work, the necessary records are retained in the electronic Timekeeping System

Employees should review their pay stubs and report any discrepancies or errors immediately to their HR/Payroll Representative. The County will recover any overpayments made by payroll which were caused by improper recording of time worked or improper data entry. These deductions will be in accordance with the North Carolina State law, Department of Labor, and FLSA guidelines as to not violate the minimum wage for non-exempt employees or the FLSA exemption salary test.

## **7600 Work Options**

Wake County recognizes that while most County employees report to work at a County facility from 8:30 a.m. to 5:15 p.m. ET, Monday through Friday, there may be times when it is more beneficial to both the County and the employee to have other work options. These other options include flextime, compressed work week, job sharing, hybrid working, and remote working.

Flextime, compressed work schedule, hybrid working, and remote working options may be utilized by employees with the advance approval of their Department Heads or their designee. It is the responsibility of the Department Head or their designee to avoid any condition that may adversely affect service delivery.

### **7601 Flextime**

It is the policy of the Wake County to permit employees to utilize flexible working schedules to achieve improved service levels and to accommodate needs of the employees when this does not conflict with the effective delivery of County services.

Flex-time work schedules are not a right or entitlement. However, the County supports employees in addressing a balance between their jobs and their family concerns and recognizes that flexible work schedules may assist employees in achieving this balance. Flexible work schedules may also be utilized to expand hours of operation to better accommodate service delivery. The County supports flexibility for employees with the understanding that effective and efficient service delivery for citizens is paramount. Whenever possible, the County will attempt to accommodate the employee if the accommodation does not negatively impact service delivery.

#### **A. Flextime Guidelines**

- Flexible schedules must not result in routinely scheduled overtime
- Department Heads have the option of approving flexible scheduling based on the nature of the department's services, either on a short-term or long-term basis
- Each employee's flex-time work schedule must be approved by the direct supervisor and Department Head or designee
- Adequate personnel, including supervisory personnel, must be available to carry out work activities without creating any loss in services to the public
- If it is determined that the flex-time option is hindering operations or is being abused, the Department Head may discontinue flextime on an individual or work group basis at any time
- All general offices of the County that interact directly with the public or internal personnel are expected to be open and staffed each working day, Monday-Friday, from 8:30 a.m. to 5:15 p.m. ET.

## **B. Procedures for Flextime Request and Approval**

An employee who would like to work other than their current regular schedule should make the request, in writing, to the immediate supervisor. The request should include whether the requested flex-time is expected to be permanent or if the request is for a limited period to accommodate a personal circumstance of limited duration.

If the supervisor recommends the request for flex-time, the supervisor will forward for approval to the Department Head or designee.

If, after a review of the available information, the supervisor or manager determines the flexible schedule cannot be accommodated because of service delivery issues, the supervisor will notify the employee of the decision. If the schedule can be accommodated, the supervisor and employee should document the schedule and expectations in written fashion and the document should be signed by both parties. The document should include under what terms and with what notice the flex-time arrangement will be terminated by either party. The document should also be placed in the employee's official personnel file with Human Resources.

Before informing an employee with a known disability that a requested flexible work schedule cannot be accommodated, the supervisor or manager must consult with Human Resources and the County Attorney's Office to ensure the denial follows the provisions of the American with Disabilities Act.

## **7602 Compressed Work Week**

A compressed work week allows full-time employees to work forty (40) hours in fewer than five (5) days in exchange for a partial day or an entire day off in the work week. Alternative schedules may be developed for non-exempt employees if hours worked in the seven-day work week do not exceed forty (40) hours. Exempt employees are expected to be available for work as necessary and must average forty (40) hours of work per week. Employees participating in a compressed work week schedule must complete a written agreement, a copy of which should be included in the employee's official personnel file, signed by both supervisor and employee. The document should include under what terms and with what notice the compressed work week arrangement will be terminated by either party.

## **7603 Hybrid and Remote Working**

Upon approval of the Department Head, eligible County employees in certain classifications may be permitted or required to perform approved County work functions from locations other than official and traditional government office locations on a regular or recurring basis.

Supervisors are required to notify the Payroll Manager via an email to [HRConnect@wakegov.com](mailto:HRConnect@wakegov.com) of any approved hybrid or remote working that will occur outside of North Carolina no matter the amount of time the employee will be working outside of North

Carolina. The Payroll Manager should be notified by email two weeks before hybrid or remote working begins for an existing employee or as soon as an applicant has accepted an offer for hire. The Supervisor shall provide the employee/applicant name, proposed start date, number of days the employee will be hybrid or remote each week and the state where the work will be performed. The Payroll Manager will work with Finance, Employee Relations, and the Human Resource Systems Team as needed for any tax and unemployment services set up.

The Wake County's hybrid and remote working program is designed as a work alternative that the County may offer to some employees when it would benefit both the employee and the organization. Hybrid and remote working is not a right nor an entitlement, but an alternative work arrangement intended to enhance productivity, creativity, employee satisfaction, and/or reduce operation costs. A hybrid or remote working arrangement could include working in an alternate location exclusively or a combination of an alternate location and conventional office. Some positions, by the nature of their expectations and responsibilities, lend themselves to the possibility of hybrid or remote working; others do not. In all cases, the needs of the County and service to external and internal customers take precedence in decisions about hybrid and remote working. Hybrid and remote working do not change the basic terms and conditions of employment with the County, and employees are subject to all County policies that apply when working at a County facility.

This policy covers the employee's and the County's obligations when the employee works at an alternate location, including the employee's home.

Employees who are hybrid or remote must complete the hybrid and remote worker acknowledgment in eWake Talent. Departments may use the sample hybrid and remote working agreement found in [Appendix 7000-A: Sample Hybrid and Remote Working Agreement](#) or use their own if the same information is captured.

The employee or the County may terminate the agreement at any time for any reason with a two-week notice. Department Heads have the authority to approve individual hybrid or remote working arrangements consistent with the County guidelines as outlined below:

**Position Criteria:** Hybrid or remote working is not appropriate for every position, and Department Heads should consider the following criteria when approving a hybrid or remote working arrangement:

- Exempt positions according to FLSA guidelines are eligible. Non-exempt positions require approval from Human Resources due to the potential liability of overtime;
- Position should function independently;
- Position should require limited face-to-face customer contact in the office setting;
- Work is technology/information driven rather than customer oriented;
- Position has a well-developed work plan with clear objectives and appropriate measurement criteria to insure good accountability;

- Information security is addressed, and any specialized reference materials are available without additional costs to the County; and
- Needs of customers and co-workers can be met from alternative locations.

**Employee Criteria:** Hybrid or remote working is not suitable for every employee, and Department Heads should consider the following criteria when approving a hybrid or remote working arrangement:

- Employee has thorough knowledge of the job and supervisor's expectations;
- Employee is a good performer as demonstrated by appropriate performance reviews and no disciplinary actions within the past two years;
- Employee has a positive attitude and strong work ethic;
- Employee has good computer skills and can operate computers, software systems, and related equipment effectively and independently;
- Employee can work productively with limited supervision;
- Employee is well-organized and has effective time management skills;
- Employee is self-motivated and results-oriented; and
- Employee is able to meet deadlines and achieve milestones .

**Management Criteria:** Hybrid or remote working can present some management challenges as managing remote employees requires skills in communications and accountability. The employee and the manager must be committed to making the hybrid or remote working arrangement successful. The following management criteria should be considered when approving a hybrid or remote working arrangement:

- Manager encourages good communication and feedback among all employees;
- Manager is comfortable managing by results rather than observation;
- Manager and employee have a developed results-oriented work plan that allows independent performance and accountability;
- Manager is an effective problem-solver and facilitator;
- Manager is supportive of hybrid or remote working as a concept; and
- There is a high level of trust and good working relationship between the manager and the employee.

Employees who participate in hybrid or remote working are required to maintain the same standards of confidentiality for County records and information as if they were working in County office space. The responsibility for maintaining confidentiality applies to all types of records including paper, electronic or other media. Failure to maintain confidentiality will result in disciplinary action up to and including dismissal.

There are several types of hybrid or remote working arrangements available depending on the frequency of the days scheduled to work at home. The employee and the manager will

determine the appropriate level for the position based upon business need and recommend that level to the Department Head for approval. Departments should consider regularly scheduled meetings and other business needs when approving hybrid or remote schedules.

### **Types of Workers**

- **Onsite worker:** work is onsite at the employee's work location
- **Hybrid workers:** work onsite 2-3 days per week, as defined by the Department Head. The remaining work week is worked remotely/offsite.
- **Remote worker:** the entire work schedule is worked remotely/offsite

### **Hybrid and Remote Working Provisions**

Hybrid and remote workers may forfeit their assigned office space and may share space with another employee. Department Heads or their designees will determine how shared spaces will be utilized. If the hybrid and remote working agreement is modified or cancelled, the Department Head is responsible for identifying office space. It is strongly recommended that an employee begin hybrid or remote working on an occasional or part-time basis prior to a full-time hybrid or remote working schedule.

All employees who are hybrid or remote must adhere to all County policies and procedures including those pertaining to technology. Any computer hardware or software purchased by Wake County is the property of Wake County. All County-owned computer equipment and software will be returned to the department if the hybrid or remote working arrangement is terminated or if the employee separates employment.

Since the home office is an extension of County workspace during the hours and days established in the hybrid and remote working agreement, any on-the-job accidents or injuries will be covered under the County's Workers' Compensation Program, provided that such accidents or injuries arise out of the employment and are within the course and scope of employment and occur during the specified hybrid or remote schedule. Hybrid and remote workers must report any accidents or injuries immediately to their supervisor as if they were working in their normal office environment. Worker's Compensation claims are subject to review and investigation by Risk Management and the Workers' Compensation Third-Party Administrator. Business visits, meetings with customers or regularly scheduled meetings with co-workers will not be held at the home.

Normal business expenses that are usually reimbursed by the County will be handled similarly for hybrid and remote workers. Hybrid and remote workers are expected to obtain office supplies when they are on-site at their regular County office. Local internet service provider charges, office furniture, and printers will be the responsibility of the hybrid or remote worker.

Hybrid and remote working is not a substitute for dependent care. Hybrid and remote workers will not act as the primary caregiver for dependents during scheduled work hours. Employees



working at home will manage dependent care and other personal responsibilities in a manner that allows them to successfully meet job responsibilities.

A hybrid or remote employee may sometimes, but not always, be affected by an emergency requiring the regular County office to close. For example, when the County Manager releases County employees early or opens late, the hybrid or remote worker would be expected to follow their normal work schedule if working at home. Widespread community emergencies, such as a hurricane or tornado, may affect both the hybrid or remote employee as well as employees working at a County office location. If an emergency such as loss of power affects the hybrid or remote worker's remote office for a major portion of the day, the employee may be required to report to a County office or take vacation leave. If an emergency such as loss of power occurs as a result of a community emergency and Wake County is closed, the hybrid and remote worker can use county closed leave.

## **7700 Inclement Weather**

The County Manager may decide to close county operations early or open late when inclement weather conditions require a modified work schedule. This policy does not apply to 24-hour operations that must maintain their regularly scheduled hours during inclement weather or functions determined service-essential by the County Manager.

Departments or divisions within a department may not modify hours of operation, close services, or offer remote services without prior approval from the County Manager.

Employees who report to work when the County hours are modified will be paid for all normal work hours that the County is closed. Employees who are scheduled to work must account for all hours the County is open. For example, if the County Manager delays opening from 8:30 a.m. to 10:30 a.m., all employees reporting at 10:30 a.m. will be given credit for the two hours as work time. If an employee reports at 11:30 a.m., they will use one hour of leave time.

Employees who elect not to report after an announcement is made of a delay or early closing may claim County Closed Leave (CTYCD) for the time officially closed and use banked holiday, emergency leave, bonus leave or annual leave to account for the remaining official operating hours. If banked holiday, emergency leave, bonus leave or annual leave is not available, the employee would use leave without pay (LWOP). For example, if the County delays opening to 10:30 a.m., and the employee elects not to report, the employee would code two (2) hours of CTYCD and six (6) hours of banked leave, bonus leave, annual leave or LWOP to achieve all scheduled work hours. However, employees who are scheduled for sick or annual leave must use sick or annual leave as scheduled. A department may require appropriate medical documentation to verify the use of sick leave. Overtime calculations are based on actual hours worked according to the FLSA.

Employees will be notified of the hours the County will be open through the media and Departmental communication.

To be considered under the inclement weather policy employees must be:

- Scheduled to work on the day that Inclement Weather alters the County's operating hours, and
- Scheduled for actual hours in which non-essential offices are closed

Hybrid and remote working employees are expected to work their regular scheduled work hours.

The following chart, and [Appendix 7000-B: Inclement Weather Instructions](#), provides instructions for recording time during inclement weather; County Closed Leave (CTYCD). Please note that banked leave, bonus leave, and annual leave must be exhausted before using leave without pay (LWOP).

For those that actually perform inclement weather duties, refer to section 7800 – *Emergency Situations* for pay.

**Wake County Pay and Leave Practices for Inclement Weather**

<b>Event</b>	<b>Employee...</b>	<b>Non-exempt</b>	<b>Exempt</b>
<b>Late Opening</b>	Elects not to report after an announcement is made	Time reflects CTYCD Leave for hours delayed plus use of banked, bonus annual or LWOP to account for scheduled hours	Time reflects CTYCD Leave for hours delayed plus use of banked, bonus, annual or LWOP to account for scheduled hours
	Reports to work at announced opening time	Time reflects actual hours worked plus CTYCD Leave for hours delayed to achieve scheduled hours (time should not exceed hours physically worked)	Time entry of CTYCD Leave required to account for scheduled hours
	Reports later than announced opening time	Time reflects actual hours worked, CTYCD Leave for hours closed, and banked, bonus, annual or LWOP to achieve scheduled hours (time should not exceed hours physically worked)	Time entry of CTYCD Leave for hours closed and banked, bonus, annual or LWOP for hours that were not worked to account for scheduled hours
	Is scheduled for annual, sick, or other type of leave	Records annual, sick, or other type of scheduled leave	Records annual, sick, or other type of scheduled leave
	Works scheduled shift	Not eligible for CTYCD. Record all time worked as REGLR.	No code needed
	Hybrid/Remote	Not eligible for CTYCD. Record all time worked as REGLR.	No code needed
	Hybrid or remote, loss of internet/power occurs as a result of a community emergency at the employee's remote location	Must report to County office or take leave (banked, bonus, annual or LWOP) for time not able to work. Allowed to use CTYCD for time Wake County is delayed in opening when there is a Wake County loss of internet/ power.	Must report to County office or take leave (banked, bonus, annual or LWOP) for time not able to work. Allowed to use CTYCD for time Wake County is delayed in opening when there is a Wake County loss of internet/power.
<b>County Offices Closed</b>	Is scheduled to work	Uses CTYCD Leave for scheduled hours	Uses CTYCD Leave for scheduled hours
	Is scheduled for annual, sick, or other type of leave or calls out prior to the County closing	Records vacation, sick or other type of scheduled leave	Records vacation, sick or other type of scheduled leave
	Hybrid/Remote	Not eligible for CTYCD. Record all time worked as REGLR	No code needed
	Is hybrid or remote, is scheduled to work, and loss of internet/power occurs as a result of a community emergency at remote location	Uses CTYCD Leave for scheduled hours if Wake County experiences a loss of internet/power as a result of a Wake County community emergency	Uses CTYCD Leave for scheduled hours if Wake County experiences a loss of internet/power as a result of a Wake County community emergency

Event	Employee...	Non-exempt	Exempt
Early Closing	Elects not to report before an announcement is made	Must use banked, bonus, annual or LWOP to achieve scheduled hours	Must use banked, bonus, annual or LWOP to account for scheduled hours
	Reports to work and stays until County officially closes	Time reflects actual hours worked plus CTYCD Leave equal to scheduled hours (time should not exceed hours physically worked)	Time entry of CTYCD Leave required to account for scheduled hours
	Leaves work earlier than announced closing time	Time reflects actual hours worked, CTYCD for hours closed, and banked, bonus, annual or LWOP to achieve scheduled hours (time should not exceed hours physically worked)	Time entry of CTYCD Leave required to account for hours closed and banked, bonus, annual or LWOP to account for scheduled hours
	Is scheduled for annual, sick, or other type of leave	Records annual, sick, or other type of scheduled leave	Records annual, sick, or other type of scheduled leave
	Works scheduled shift	Not eligible for CTYCD. Record all time worked as REGLR.	No code needed
	Hybrid/Remote	Not eligible for CTYCD. Record all time worked as REGLR	No code needed
	Hybrid/Remote , loss of internet/power occurs as a result of a community emergency at the employee's remote location	Must report to County office or take leave (banked, bonus, annual or LWOP) for time not able to work. Allowed to use CTYCD for time Wake County closes early	Must report to County office or take leave (banked, bonus, annual or LWOP) for time not able to work. Allowed to use CTYCD for time Wake County closes early

**Note: Hybrid and remote working employees are expected to work their regular scheduled work hours.**

## 7800 Emergency Situations

### A. Emergency Response Procedures

As prescribed in Title VII, Chapter 70.06(C) of the Wake County Code of Ordinances, "During states of a declared disaster or local emergency, the coordinator is authorized to utilize all available county resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of county agencies or units thereof for the purpose of performing or facilitating emergency services in consultation with the County Manager or his or her designee."

Emergency response procedures and responsibilities are outlined in the County's Emergency Operations Plan.

**B. Expectations of Employees During Emergency Situations**

Employees are to assume that County offices are open each regular workday unless it is specifically announced otherwise.

During disaster or emergency situations, all employees are subject and expected to contribute to the delivery of emergency services and sustainment and/or reconstitution of County services and may or may not be performing their normal job functions.

Upon County Manager's approval and notification, it may be necessary for employees to provide mutual aid to other jurisdictions during an emergency. Employees may be required to backfill positions that have been deployed performing disaster-related activities elsewhere. In these situations, those employees shall be paid according to standard FLSA rules.

**C. Applicability**

All exempt and non-exempt employees who are:

- (1) engaged in the disaster or emergency response,
- (2) are directly required to perform that function as a result of the emergency or disaster event, and
- (3) assigned duties directly or through the Emergency Operations Center (EOC)

will receive compensation for that day, premium pay, and banked leave where applicable for the number of hours worked per this policy.

**D. Compensation for Employees Working Under Direction of EOC and County is Open**

Both exempt and non-exempt employees required to work during emergency situations under the direction and control of the Emergency Operations Center with an EOC Level of I, II or III will receive:

- Compensation for all hours worked during the emergency, scheduled or unscheduled
- 50% premium pay for all hours worked, and

Any overtime earned by a non-exempt employee during emergency situations will be calculated per the Fair Labor Standards Act.

There may be times when conditions do not require officially closing the County. In this situation, any employee who, due to personal safety concerns, does not report to work as scheduled must:

- Notify the employee's supervisor according to established department procedures, and
- Use available accrued leave or leave without pay, respectively, or
- Work with their supervisor to make up the time missed within the same FLSA cycle.

**E. County Operations or Work Site Closed**

No services, operation or department shall close without prior approval from the County Manager.

In certain circumstances, the County Manager may officially close County offices because of an emergency. When County offices close for a full or partial regular workday, all exempt and non-exempt employees not involved in the event response, are expected to work remotely to the greatest extent possible.

**Employees Working Under the Direction of the EOC:**

Both exempt and non-exempt employees required to work during emergency situations under the direction of the Emergency Operations Center when the EOC is at Level of I, II or III will receive:

- Compensation for all hours worked during the emergency, scheduled or unscheduled
- 50% premium pay for all hours worked, and
- Up to eight (8) hours of emergency banked leave for hours worked each day.

Department Heads are only eligible for emergency banked leave.

**Employees Working During Closure:**

During the closing of services or operations, if an employee is part of the continuity of operations and is required to work on county property or remotely or chooses to work with supervisor's approval, **in some circumstances the County Manager may give the employee up to eight (8) hours of emergency banked leave for hours worked each day.**

**Employees Unable to Work Remotely During Closure:**

Employees who are unable to work during the closure due to the nature of their job duties, will not be expected to take leave. An employee who was scheduled to work but did not work will still be compensated for their scheduled shift for the time the offices were closed. However, if the employee requested leave prior to the closing, or was on leave, the employee will continue to record leave as scheduled.

**F. Maximum Accumulation of Emergency Banked Leave**

Emergency banked leave may be accumulated without any applicable maximum until January 15<sup>th</sup> of each calendar year. The maximum accumulated leave for a full-time employee is forty (40) hours of emergency banked leave; the maximum is prorated for part-time employees.

In the pay cycle ending on or before January 15<sup>th</sup>, any accrued emergency banked leave in excess of the maximum will be converted to sick leave. Once converted, this leave is considered sick leave and may be used in the same manner as accrued sick leave.

**G. Separation from Employment**

If an employee separates employment or moves into a non-benefit eligible position, the employee will be paid out the balance of any unused emergency banked leave up to forty (40) hours at the employee's annualized hourly rate. Emergency banked leave must be used prior to annual leave.

**H. Recording Time for Emergency Declaration**

**It is the supervisor's responsibility to ensure time entered is accurate.** The following charts, and [Appendix 7000-C: Emergency Declaration Guidance for Non-Exempt Employees](#) and [Appendix 7000-D: Emergency Declaration Guidance for Exempt Employees](#), provide instructions for recording time during an emergency declaration:

<b>NON-EXEMPT (HOURLY)</b>			
<b>EMPLOYEES WORKING UNDER THE DIRECTION OF THE EOC, EOC ACTIVATED AT LEVEL I, II OR III</b>			
	<b>Scenario</b>	<b>Work Scenario Description</b>	<b>Timesheet Entries</b>
<b>A</b>	<b>County Open</b>	<b>Employee is Required / Authorized to Work Under the Direction of the EOC (Regularly Scheduled Work Day or Not)</b>	<b>REGLR</b> for <u><b>All</b></u> Hours Worked  <b>EMGPR</b> for All hours worked under the direction of the EOC
<b>B</b>	<b>County Closed</b>	<b>Employee is Required / Authorized to Work Under the Direction of the EOC (Regularly Scheduled Work Day or Not)</b>	<b>REGLR</b> for <u><b>All</b></u> Hours Worked  <b>EMGPR</b> for All hours worked under the direction of the EOC  <b>EMGBK</b> for hours worked up to 8 per day for leave to be used at a future date
<b>ALL OTHER EMPLOYEES</b>			
<b>C</b>	<b>Work Site or County Closed</b>	<b>Regularly Scheduled Work Day for Employee and Employee Does Not Work</b>	<b>CTYCD</b> Leave recorded on Timesheet
<b>D</b>		<b>Regularly Scheduled Work Day for Employee and Employee Works On-site or Remotely</b>	<b>REGLR</b> for <u><b>All</b></u> Hours Worked  <b>EMGBK</b> for hours worked up to 8 per day for leave to be used at a future date
<b>E</b>		<b>Not a Regularly Scheduled Work Day for Employee, Employee</b>	No Time Entry Needed
<b>F</b>	<b>Employee on Leave</b>	Employee is <b>on leave prior to the Work Site and / or County closing</b> and would not have been at work had the County remained open	Employee not eligible for CTYCD leave and should record leave as planned
<b>G</b>	<b>On Call</b>	Employee is not working but is <b>“Engaged to Wait”</b> (employee is required to remain “on call” on County premises (including on-site sleep time) or so close to County’s premises that the employee cannot use the time effectively for their own purposes)	<b>REGLR</b> for Hours in Waiting



<b>EXEMPT (SALARIED)</b>			
<b>EMPLOYEES WORKING UNDER THE DIRECTION OF THE EOC, EOC ACTIVATED AT LEVEL I, II OR III</b>			
	<b>Scenario</b>	<b>Work Scenario Description</b>	<b>Timesheet Entries</b>
<b>A</b>	<b>County Open</b>	<b>Employee is Required / Authorized to Work Under the Direction of the EOC (Regularly Scheduled Work Day or Not)</b>	<b>EMREG Coded for Hours Worked beyond regular schedule per day</b>  <b>EMGPR for All hours worked</b> under the direction of the EOC
<b>B</b>	<b>County Closed</b>	<b>Employee is Required / Authorized to Work Under the Direction of the EOC (Regularly Scheduled Work Day or Not)</b>	<b>EMREG Coded for Hours Worked beyond regular schedule per day</b>  <b>EMGPR for All Hours Worked</b> under the direction of the EOC  <b>EMGBK for hours worked up to 8 per day for leave to be used at a future date</b>
<b>ALL OTHER EMPLOYEES</b>			
<b>C</b>	<b>Work Site or County Closed</b>	<b>Regularly Scheduled Work Day for Employee and Employee Does Not Work</b>	<b>CTYCD</b> Leave recorded on Timesheet
<b>D</b>		<b>Regularly Scheduled Work Day for Employee and Employee Works On-site or Remotely</b>	<b>EMREG Coded for Hours Worked beyond regular schedule per day</b>  <b>EMGBK for hours worked up to 8 per day for leave to be used at a future date</b>
<b>E</b>		<b>Not a Regularly Scheduled Work Day for Employee, Employee</b>	No Time Entry Needed
<b>F</b>	<b>Employee on Leave</b>	Employee is <b>on leave prior to the Work Site and / or County closing</b> and would not have been at work had the County remained open	Employee not eligible for CTYCD leave and should record leave as planned
<b>G</b>	<b>On Call</b>	Employee is not working but is <b>“Engaged to Wait”</b> (employee is required to remain “on call” on County premises (including on-site sleep time) or so close to County’s premises that the employee cannot use the time effectively for their own purposes)	<b>EMREG</b> for Hours in Waiting

## **7900 Other Premium Pay**

The County provides additional compensation to FLSA non-exempt employees when the nature, timing or other special circumstances surrounding certain work activities may warrant special compensation in addition to an employee's normal salary or legally mandated overtime payments.

## **7901 Shift Premium Pay**

Wake County provides additional compensation for employees who are regularly scheduled to work on evening or night shifts, or on weekend shifts for certain classifications when determined to be necessary to be competitive with the labor market.

### **A. Eligibility**

To be eligible for shift premium pay, employees must work regularly recurring shifts and occupy positions that are:

- Assigned to work at least five (5) hours daily which occur between the hours of 4:00 p.m. to 8:00 a.m. ET
- Non-exempt, and
- Non-sworn law enforcement or non-emergency services personnel

Human Resources maintains a list of positions/classifications that are eligible and approved for shift premium pay.

### **B. Premium Rate**

Individuals who are eligible for shift premium pay will receive the shift premium rate determined by the Human Resources Department. The current rate is 10% of the regular hourly rate for each hour worked during the 4:00 p.m. to 8:00 a.m. ET period. Eligible employees who earn shift premium pay and work overtime hours in the same workweek will receive overtime at a rate which blends the shift premium pay rate with their base pay rate at time and one half.

Shift premium pay is not included in any base pay rate calculations, other than for determining an overtime pay rate. The total number of shift premium hours worked must be entered into the County's Timekeeping System.

### **C. Hours Not Eligible**

Employees shall not receive shift premium pay for hours not actually worked. This exclusion includes meal periods and such time periods as vacation leave, holidays, sick leave, jury duty, and military leave.

### **D. Department Heads are responsible for**

- Ensuring consistent application of this policy for the work unit
- Ensuring accurate and timely recording and reporting of hours worked that are eligible for shift premium pay
- Maintaining budgetary constraints regarding premium payments
- Submitting individuals eligible for shift premium to Human Resources
- Offering shift premium at the rate specified per policy

### **E. Instructions for Time Entry**

An eligible employee will record Shift Premium Pay on their timesheet by using the (SHIFT) event code, in addition to recording their regular hours worked (REGLR).

1. Create timesheet
2. Record all regular time worked using REGLR event code on one line
3. Add a line. Record shift premium pay for the hours worked (from 4pm – 8am) using the SHIFT event code

For example:

- Eligible employee works 3:00pm – 11:45pm (45-minute lunch)  
Employee records: REGLR 8.00 and SHIFT 7.00
- Eligible employee works 6:00pm – 02:45am (45-minute lunch)  
Employee records: REGLR 8.00 and SHIFT 8.00

## **7902 Holiday Premium Pay**

If an employee is required to work during a County observed holiday, the employee will receive pay for any hours worked, according to the Fair Labor Standards Act, in addition to holiday premium pay (one-half annualized hourly rate) for the number of hours worked on the holiday, up to twenty-four (24) hours. Additionally, the employee can either:

- Receive the paid holiday leave in the paycheck that includes the observed holiday, or
- Receive the holiday leave as banked leave to use at a later date in the calendar year.

The County will pay the employee for any time worked, holiday premium pay, and the holiday leave, unless otherwise requested. When an employee is required to work on a County observed holiday and banks the holiday leave, the supervisor should schedule time off for the

employee soon after the observed holiday to exhaust any holiday leave accrued. Banked holiday leave must be taken before annual leave.

Both exempt and non-exempt employees are eligible for premium pay. To receive holiday premium pay, employees must key HOLWK on the timesheet.

Holiday premium pay is paid in addition to any overtime pay. Premium pay for holiday work will not be included in determining the regular hourly rate of pay for calculating overtime payments.

#### **A. Maximum Accumulation of Banked Holiday Leave**

Banked Holiday Leave may be accumulated without any applicable maximum until January 15<sup>th</sup> of each calendar year. The maximum accumulated leave for a full-time employee is eighty (80) hours of banked holiday leave; the maximum is prorated for part-time employees.

In the pay cycle ending on or before January 15<sup>th</sup>, any accrued banked holiday leave in excess of the maximum will be converted to sick leave. Once converted, this leave is considered sick leave and may be used in the same manner as accrued sick leave.

#### **B. Separation from Employment**

Unless the holiday is an actual workday for the employee, an employee's first day of work and last day of work may not be on a County observed holiday.

If an employee separates employment or moves into a non-benefit eligible position, the employee will be paid out the balance of unused banked holiday leave up to eighty (80) hours at the employee's annualized hourly rate.

### **7903 Extraordinary Premium Pay**

Exempt employees are accountable for performance of regular duties and responsibilities assigned by the Department Head and/or supervisor. Exempt employees are expected to perform their regular duties and responsibilities assigned by the County without limitations on the number of work hours, as compared to non-exempt employees for whom overtime pay is required.

**Extraordinary premium pay** represents payments for effort that is normally above and beyond normal work schedules for exempt employees. It provides Departments the ability to reward extraordinary efforts of salaried employees. Such exceptional compensation requires specific approval by the Department Head, Human Resources, and the County Manager's Office before communication to the employee.

#### **A. Eligibility**

To be eligible for extraordinary premium pay, exempt employees must be working above and beyond on a special assignment or project for a long period of time. Activities lasting less than ninety (90) calendar days are not normally considered for extraordinary premium pay. Department Heads may seek other pay incentives for shorter term activities such as a temporary in-band salary adjustment or extraordinary leave. Refer to the section 2214 of the Wake County Leave Policy for Extraordinary Leave guidelines.

Department Heads should not award both Extraordinary Leave and Extraordinary Premium Pay for the same special project or activities.

#### **B. Exempt Staff – Not Eligible for Overtime**

Extraordinary pay for overtime pay of exempt employees is not appropriate. The salary established for exempt employees is not directly related to actual hours spent at work, but rather the fulfillment of the requirements of the job regardless of the number of hours worked. If a job does require significant “above normal” hours as a matter of routine, that should be carefully considered when the base pay for the individual is established.

#### **C. Premium Rate**

Individuals who are eligible for extraordinary premium pay will receive the premium rate determined by the Human Resources Department. The current rate is 10% of the regular hourly rate for hours identified as a special assignment or project.

#### **D. Department Heads are responsible for**

- Ensuring consistent application of this policy for the work unit
- Ensuring accurate and timely recording and reporting of hours worked that are eligible for extraordinary pay
- Maintaining budgetary constraints regarding premium payments
- Submitting individuals eligible for extraordinary pay to Human Resources

#### **E. Instructions for Time Entry**

An eligible exempt employee will record extraordinary pay on their timesheet by using the (EXOPP) event code for the hours approved for special projects or activities.

### **7904 Longevity Pay**

Regular employees who have at least ten (10) years of current and/or reinstated service coverage as an employee of the County under the North Carolina Local Governmental Employees' Retirement System or the North Carolina Law Enforcement Officers' Retirement System as of June 30 of each year shall be eligible for longevity pay.

Note: Employees who are hired or re-employed on or after June 16, 1995, are not eligible for longevity pay.

**A. Time and Method of Payment**

- Payment shall be made when all eligibility requirements are met
- Payment shall be made in a lump sum, and
- Payment shall be made annually at the end of each fiscal year for an eligible employee who is in active pay status on June 30 or in the final paycheck of an eligible employee who is in active pay status at the time of his termination

An employee who meets the minimum service requirements for a higher rate of longevity pay as of June 30 of each year shall be eligible for the payment of the higher rate of longevity pay that year provided the employee is still in active pay status as of June 30.

**B. Payment Calculation**

Annual longevity pay amounts are based on the length of current and/or reinstated service and a percentage of the employee's actual fiscal-year-to-date pay received (that is, pay cycles covering from July of one year through June of the following year or pay cycles covering July of one year through the month in which the employee terminates, if earlier than June of the following year). Longevity pay amounts are computed by multiplying the employee's actual fiscal-year-to-date pay according to the formula below:

<b>Years of Current and/or Reinstated County Service as of June 30</b>	<b>Longevity Pay Rate</b>
10 but less than 15 years	1.50 percent
15 but less than 20 years	2.25 percent
20 but less than 25 years	3.25 percent
25 or more years	4.50 percent

For an employee who is not in pay status on June 30, no longevity payment will be made.

If an employee otherwise meets the eligibility requirements and terminates prior to June 30, the employee will receive a prorated longevity payment, based on years of service as of the previous June 30, provided the employee is in active pay status at the time of termination.

**III. Definitions:**

Call-back - When an employee has left the work site and is requested to respond on short notice to an emergency work situation to avoid significant service disruption, avoid placing employees or the public in unsafe situations, or protect and/or provide emergency services to property or equipment.

Exempt Employee - An employee who is exempt from minimum wage and overtime pay as specified in Section 13(a)(1) of the FLSA. Section 13(a) (1) and Section 13(a) (17) also exempt certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week. Job titles do not determine exempt status. For an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the FLSA regulations.

Extraordinary Premium Pay - A special premium pay for effort that is normally above and beyond normal work schedules for exempt employees.

Fair Labor Standards Act (FLSA) - a federal law establishing the minimum wage rate, overtime compensation, recordkeeping requirements, prohibiting gender-based wage discrimination between men and women performing the same work, and child labor standards affecting full-time and part-time workers in the private sector and in federal, state, and local governments.

Hybrid Working - When an employee works a portion of their schedule from their work location and the remaining portion of their schedule remotely. Hybrid workers are onsite 2-3 days per week, as defined by the Department Head. The remaining work week is worked offsite.

Non-Exempt Employee - An employee who is subject to the minimum wage, overtime and record-keeping provisions of the Fair Labor Standards Act (FLSA).

On-call - When an employee must remain available at any time of day or night, usually with short notice, to be called back to work to carry out their working duties. Simply having a County phone or pager for convenience DOES NOT constitute on call.

Onsite Working - When an employee works their work schedule at their work location.

Pay Period - A pay period is a fixed and regularly recurring period every 15 to 16 days (semi-monthly). The pay period is customarily the first through the fifteenth and the sixteenth through the last day of the month. A regular work week may extend from one pay period into the next pay period.

Remote Working - When an employee works their entire work schedule remotely.

Shift Premium Pay - Extra pay received by an employee for working a less-than desirable shift (i.e., late nights, evenings). Shift premium pay is an integral part of each eligible employee's gross compensation and is subject to the same payroll deductions and payroll charges as regular salary or wages. The shift premium pay rate is 10% of the regular hourly rate.

Unauthorized Work - Hours worked by an employee without the employer's permission or contrary to instructions.

Work Period - A regularly recurring period of work which, under the terms of the Fair Labor Standards Act (FLSA) and legislative history, cannot be less than 7 consecutive days nor more than 28 days.

Work Schedules - The hours each day and days each week that an employee is normally assigned to work. Work Schedules may be adjusted by the department.

Work Week - The basis for determining an employee's regular rate of pay and overtime pay due under the Fair Labor Standards Act (FLSA). It can be any consecutive 7-day (168 hour) period chose by the employer (e.g., Sunday through Saturday, Monday through Sunday). Overtime is calculated after the completion of a work week. A work week cannot be changed or adjusted by the department. However, if deemed a permanent change, the request may be submitted to the Department Head and Human Resources Director for approval. Hours cannot be carried from one work week to another work week.

#### **IV. Applicability:**

The Wake County Pay and Timesheets Policy applies to all Wake County employees and departments.

#### **V. Policy Responsibility and Management:**

- The Payroll Division is responsible for the development and implementation of the Pay and Timesheets Policy
- All Wake County employees are responsible for adhering to the policy
- All supervisors are responsible for ensuring adherence to the policy
- The schedule of policy review takes place once a year and includes compliance review of all local, state, and federal mandates. Additionally, the policy is reviewed on an as-needed basis based upon changes in applicable laws
- The Human Resources Department communicates this policy through: e-mail, the County's intranet website, and course offerings including webinars, classroom training and e-learning courses in eWake Talent
- For questions regarding the Pay and Timesheets Policy, contact HR Connect at 919-856-6090

#### **VI. Related Policies, Procedures, and Publications:**

2200 – Leave Policy  
4000 – Classification and Compensation Policy  
5000 – Training and Development Policy  
8000 – Separation, RIF, and Re-employment Policy  
9000 – Personnel Records Policy

#### **VII. Appendices:**



[Appendix 7000-A: Sample Hybrid and Remote Working Agreement](#)

[Appendix 7000-B: Inclement Weather Instructions](#)

[Appendix 7000-C: Emergency Declaration Guidance for Non-exempt Employees](#)

[Appendix 7000-D: Emergency Declaration Guidance for Exempt Employees](#)

[Appendix 7000-E: Timesheet Codes](#)

**VIII. History:**

<b>Effective Date</b>	<b>Version</b>	<b>Section(s) Revised</b>	<b>Author</b>
1/1/2023	7800	Emergency Situations	Human Resources
2/26/22	7000	Pay and Timesheets Policy	Human Resources
11/22/2021	7000	Work Options	Human Resources
7/16/2020	7700, 7800	Inclement Weather Emergency Situations	Human Resources
2/20/2020	7700, 7800	Inclement Weather Emergency Situations	Human Resources
01/22/2020	7903	Extraordinary Premium Pay	Human Resources
11/1/2019	7000	Payroll and FLSA Policy	Human Resources
06/24/2005	306	Fair Labor Standards Act	Human Resources
07/16/2002	308	Overtime	Human Resources
07/01/2002	309	Longevity Pay	Human Resources
08/16/1993	307	Work Week	Human Resources