

	UNIFIED FIRE AUTHORITY ORGANIZATIONAL MANUAL	
	Affiliation: Human Resources Policies	
	Title: Overtime and Compensatory Time	
	Number: 900 - 360	
	Approved: 9/10/2025	By: Fire Chief Dominic Burchett
Last Reviewed: 8/22/2025	By: HR Director Kiley Day	

REFERENCES:

- [Fair Labor Standards Act of 1938, as amended](#)
- [U.S.Dept. of Labor Wage and Hour Division Fact Sheet #8](#)
- [U.S.Dept. of Labor Wage and Hour Division Fact Sheet #22](#)
- [UFA Policy and Procedure – Records Management](#)
- [UFA Policy and Procedure – Employment Status](#)
- [UFA Policy and Procedure – Payroll](#)
- [UFA Policy and Procedure – Shift Trades](#)

POLICY:

- 1.0 There are two types of employment classes in Unified Fire Authority (UFA) relative to the Fair Labor Standards Act (FLSA) requirements: FLSA Exempt (Exempt) and FLSA Covered (Non-exempt). Non-Exempt employees are subject to FLSA requirements. Designation of FLSA Status will be made by the Human Resources Division as part of the position classification process and approved by the Fire Chief or designee.
- 2.0 Qualifying Conditions Applying to Overtime Eligibility of Non-Exempt Employees
 - 2.1 Employees will not be paid overtime unless the total number of actual hours worked in a standard work week exceeds 40 or in a standard work period exceeds 182.
 - 2.2 Holidays, vacation, sick leave, and other paid leave such as jury duty, military leave and funeral leave will not be counted as time worked for purposes of overtime except as described in 2.2.1.
 - 2.2.1 Holiday and vacation leave hours will be included in calculation of “hours worked” in a pay period for the purposes of calculating overtime, when a sworn employee, working either an operational or “day” shift schedule, works holding over, late call, mandatory staffing or constant staffing hours during the pay period.
 - 2.3 Any eligible employee who receives a call-back to work will receive a minimum of three (3) hours straight time pay. If three (3) hours or more are worked, only the actual time worked is paid as straight time unless the requirements for overtime are met; then all hours will be paid at one and one half (1 1/2) times the regular rate.

- 2.3.1 If an employee responds to a phone call, email, or other inquiry after regular working hours, it is considered time worked but not a call-back unless the employee is required to physically report to a UFA working location.
- 2.3.2 Under some circumstances (i.e., when being on-call significantly restricts their daily activities), the FLSA may require compensation for on-call employees regardless of whether or not they are actually called back to work. In these cases, all on-call time is counted as time worked for purposes of overtime.
- 2.4 Employees may work in a similar capacity for an independent employer without the additional hours being included in the computation of actual hours worked, even if UFA facilitates such employment.
- 2.5 Employees may substitute and work for another employee in accordance with FLSA and the internal policy and procedure covering trades. The substitution must be voluntary and approved by the Fire Chief or designee in accordance with UFA Policy and Procedure – Shift Trades. Hours will be credited to the scheduled employee and not to the substitute employee. No other form of compensation, other than trading hours worked, between employees is allowed.
- 2.6 Volunteers are exempt from FLSA minimum wage and overtime requirements and will not be considered an employee of UFA. They may receive a nominal fee, reimbursement for expenses, or reasonable benefits.
- 2.6.1 Employees may not volunteer to perform the same services for UFA they provide on a regular basis as a paid employee. They may, however, provide such services for a different employer.
- 2.6.2 Employees may perform volunteer work for UFA that is completely unrelated to their regular work assignment.
- 2.7 The standard work week for 8-hour firefighter and non-firefighter employees will be from 12:00 am Sunday to Midnight Saturday.
- 2.8 The standard work period for 24-hour firefighter employees will be from 7:00 a.m. on the first day of the applicable 24-day cycle to 7:00 a.m. on the last day of the cycle.
- 2.8.1 UFA uses the following method to calculate hours worked in a year for 24-hour firefighters, based on a 24-day FLSA pay cycle:
- 8 24-hour shifts worked in a 24-day FLSA pay cycle = 192 hours worked.
 - 365.25 days in a year (takes into account a leap year day added every 4 years) divided by 24 days (FLSA cycle) = 15.21875 FLSA pay cycles.
 - Multiply 192 x 15.21875 = 2922 hours worked per year for 24-hour firefighters.

- 3.0 It is the policy of UFA to grant non-exempt employees cash payments for overtime hours worked. However, the Fire Chief or designee may elect to grant compensatory time off in lieu of making cash payment for overtime. If granted, compensatory time off will be preserved, used, or exchanged for cash payment in accordance with this section and with FLSA. Overtime payments will be as follows:
- 3.1 Cash Payment - at one and one half (1 1/2) times the regular rate for all hours in excess of 40 actually worked in a standard work week for 8-hour firefighter and non-firefighter employees and 182 in a standard work period for 24-hour firefighter employees.
- 3.1.1 Day staff firefighters who are allowed to work constant staffing shifts will be compensated for overtime based on a weighted average of both their day shift hourly rate and the field hourly rate, calculated in accordance with the Fair Labor Standards Act (FLSA).
- 3.1.2 Non-exempt employees who are working during the time that daylight saving ends – when clocks fall back- are entitled to one extra hour of work for that pay period. Conversely, non-exempt employees who are working when daylight saving begins, rather than lose one hour of pay - when clocks spring forward – will be granted one hour of paid Administrative Leave that will not be counted towards hours worked.
- 3.2 Compensatory Time Off - may be provided in lieu of cash if provided at the rate of one and one half (1 1/2) hours for each hour of overtime.
- 3.2.1 Public safety employees or other employees engaged in emergency response or seasonal activities are allowed to accumulate no more than 480 hours (320 actually worked), and all other employees no more than 240 hours (160 actually worked). Overtime work over these limits will be compensated in cash. Individuals who transfer from public safety, emergency response or seasonal activities to positions subject to the 240-hour limitation will be allowed to carry the number of compensatory hours accrued over to the new position. UFA will not be required to pay cash for the accrued compensatory time which is in excess of the 240-hour limit. However, the employee must be compensated in cash for any subsequent overtime hours worked until the number of accrued hours of compensatory time falls below the 240-hour limit.
- 3.2.3 A non-exempt terminated employee will be compensated in cash for any compensatory time remaining on the books at a rate not less than the average rate of pay received by the employee during the last three (3) years or the final regular rate received by the employee, whichever is higher.
- 3.2.4 Determination as to whether to pay overtime or grant compensatory time, within the limits of FLSA, will rest with the Fire Chief or designee and will be granted sparingly. An employee who requests compensatory time will be permitted to use such time within a reasonable period of time if operations are not unduly disrupted.

3.2.5 Compensatory time will be utilized within a reasonable time not to exceed six (6) months. Compensatory time not utilized within six (6) months will be paid as overtime.

3.2.6 Where an employee in a single workweek works at two or more different types of work for which different straight-time rates have been established, the employee's regular rate for that week is the weighted average of such rates. That is, the earnings from all such rates are added together and this total is then divided by the total number of hours worked at all jobs.

4.0 When responding to a reimbursable event such as a FEMA US&R deployment, a National Forest Service, BLM or US Fish and Wildlife requested Wildland Response, EMAC, SMAA resource deployment, State-mandated or Federally-mandated EOC activation, or other similar activities, UFA will adhere to the following, as it relates to overtime pay for deployed employees: Note: The Emergency Manager will not be eligible for overtime for any Salt Lake County EOC activation or other activities funded by Salt Lake County.

4.1 When calculating its reimbursement for personnel costs, and reimbursement for regular wages and overtime wages, UFA will convert the employee's base hourly rate to its equivalent for a 40-hour work week ("40-hour conversion"). Payment for overtime hours in excess of 40 hours worked will be at one and one half (1 1/2) times the regular, converted rate for all reimbursable or billable hours.

4.1.1 If UFA ordinarily Backfills a position in situations where a regular employee is unavailable for a period of time (e.g., sick leave, vacation, participation in an extended mutual aid assignment, injury, or disability, etc.), then UFA may include the cost of Backfilling the position for the period that the regular employee is part of an assignment as described in paragraph 4.0. However, UFA will only bill for the incremental overtime salary and benefit expenses associated with the replacement employee.

4.1.1.1 Off-duty personnel responding to an EMAC deployment may be granted two hours of preparatory time to gather necessary equipment and personal belongings. At the discretion of the Operations Chief, on-duty personnel may be granted department business starting at 07:00 hrs. on the deployment day until the mobilization time for EMAC. These hours may be included in the calculation of reimbursement for personnel costs, and reimbursement for regular wages and overtime wages.

4.1.2 It is the practice of UFA to establish a uniform 24-hour tour of duty during a deployment. UFA will seek reimbursement for 24 hours of pay for each day that an employee is deployed, from their arrival at the assigned home unit, or point of assembly, until their release from duty and subsequent return to the home unit. This reimbursement procedure is known as "portal to portal" pay.

4.1.3 As part of the request for assistance or other activation, the requesting party and UFA may agree to terms that differ from the 40-hour conversion

and portal to portal pay provided for in this section. Similarly, state or federal law may restrict the ability to seek reimbursement based upon a 40-hour conversion or portal to portal pay. In such cases employees will be paid according to the terms of the agreement or applicable legal standard and consistent with UFA's standard, non-deployment payment policies.

- 5.0 It is the policy of UFA that At-Will Staff and Exempt Merit employees are not subject to the mandatory overtime provisions of the Fair Labor Standards Act and that additional compensation in the nature of overtime will be provided very sparingly to exempt employees and only for extraordinary performance under unusual circumstances.
 - 5.1 Cash payment in the nature of overtime for exempt employees is only permitted when reimbursement is provided, and billed for, in accordance with paragraph 4
 - 5.2 Payment of compensation in the nature of overtime for exempt employees in the above, isolated circumstances will not constitute a change or a basis for a change in the exempt employee's Fair Labor Standards Act status nor a conversion of the employee to a Fair Labor Standards Act covered employee.
- 6.0 Record Keeping.
 - 6.1 Timecards, as completed in accordance with UFA Policy and Procedure – Payroll (or other applicable policy) for non-exempt employees, will function as the record for overtime and maintained in accordance with UFA Policy and Procedure – Records Management.

Replaces policy dated January 26, 2024