

Polk County Wisconsin

OVERTIME AND HOURS OF WORK

Policy 507

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Policy Statement

It is the desire of Polk County to ensure that all of its employees are paid in such a manner as to promote the abilities, productivity, and well being of its work force as well as ensuring the timely and efficient delivery of services to the citizens of Polk County. It is the purpose of this policy to ensure that the status, scheduling, record keeping, method of compensation, and accountability for each of the county's employees is consistent with these goals.

All employees of Polk County shall be subject to the provisions of this policy, unless alternative contractual provisions of specific items in the policy have been negotiated and agreed to in advance by the county. It shall be the responsibility of work supervisors, Department Heads, and governing committees to monitor and enforce the provisions of this policy.

Employee Status

Each employee of Polk County shall be classified as either an exempt or non-exempt employee as defined by the federal Fair Labor Standards Act. This classification shall be determined by the Department of Employee Relations and approved by the Personnel Committee in accordance with applicable state and federal law. Any employee who is eligible to be classified as an exempt employee shall be classified as such.

Exempt employees shall be paid on a salary basis and are not subject to the overtime provisions of the Fair Labor Standards Act. Non-exempt employees shall be paid on a per hour basis and are subject to the overtime provisions of the Act.

Work Schedules

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flextime scheduling is available in some cases to allow employees to vary their starting and ending times each day within established limits. Represented employees should consult with their supervisor as to the availability and restrictions of flextime scheduling for their individual position. Non-represented employees (with the exception of department heads) desiring flextime scheduling may submit a proposal to their department head for approval. Department heads desiring flextime scheduling may submit a proposal for the approval of their governing committee. All flextime-scheduling requests for Non-Represented Employees shall adhere to the following guidelines:

- a) Employees must attend all staff and supervisor meetings unless excused by their supervisor.
- b) Employees must work at least 4 days per week. If the position is job shared, the position must be covered at least 4 days per week.
- c) For employees on regular flex schedules, overtime shall be calculated on a forty (40) hour per week basis.
- d) Except for emergency call out, employees may not work more than 10 hours per day.
- e) Employees may not use Holiday pay to exceed their normal work week hours.
- f) Holidays shall be paid on a regular workday basis (either 7.5 or 8 hours).
- g) Employees may elect their option for flex scheduling only at the beginning and/or ending of a pay period.
- h) New employees may only opt for flex scheduling at the end of their probationary period.

As a general rule, salaried employees are expected to work a schedule that is comparable to the number of annual hours upon which their pay is based. At a minimum, salaried employees are expected to work as many hours as necessary to adequately perform the functions of their position.

Absences of one day or more for which no paid leave is substituted shall be considered leave without pay. When absent from the office, salaried employees must leave information with the office staff as to the purpose of the absence and how they can be reached if necessary. Department heads must provide the Administrative Coordinator with telephone contact information as to how they can be reached in the event of an after hours emergency.

Governing Committees, the Human Resources Director, and the Corporation Counsel shall have the authority to investigate complaints of employee fraud or abuse with regard to this policy. In

addition, they shall have authority to direct the implementation of time studies as well as to take any other management steps necessary to ensure the proper administration and compliance with this policy.

Rest and Meal Periods

Each workday, full-time nonexempt employees are provided with two rest periods. Supervisors will advise employees of the regular rest period length and schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time employees are provided with one meal period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Unless otherwise provided for by contract or the operational requirements of a department, employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Overtime

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive prior authorization from the employee's supervisor.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked, and unless provided for otherwise by contract will be paid at one and one-half (1 1/2) times the employees regular rate of pay for all hours worked beyond that of a regularly scheduled full time employee in the same or similar classifications in the same department.

In lieu of this provision, non-exempt employees of Golden Age Manor may at the discretion of GAM Administration be paid overtime in accordance with the FLSA regulations for Health Care Facilities.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in appropriate disciplinary action.

Employees eligible to earn overtime may, at the discretion of their department head, accrue compensatory time in lieu of overtime to a maximum of 45 hours (30 hours worked). The scheduling and usage of compensatory time off shall be by mutual agreement of the employer and the employee. Any unused compensatory time balances shall be paid out monetarily on

December 31 of each year.

Salaried employees are not eligible to earn overtime or compensatory time off.

Attendance at County Sponsored Meetings and Functions

When an employee is required to attend a county sponsored meeting or function as part of their job duties or in the event they are directed to attend such a meeting or function by their supervisor, such time shall be considered work time and the employee shall be compensated according to the provisions of this and any other applicable policies and/or collective bargaining agreements. This includes meetings that occur both during and outside of the employee's normal work schedule.

If during the workday an employee chooses to attend a county sponsored meeting or function when such attendance is not part of their job duties and they have not been directed to attend by their supervisor, such time shall not be compensated. In such cases, employees must receive authorization from their work supervisor to attend such meetings or functions, and may utilize any appropriate accrued leaves they have available to make up for the lost work time.

Employees attending collective bargaining sessions, employee grievance meetings, and labor-management cooperation meetings shall be compensated according to the current labor agreement between the county and each respective collective bargaining unit as well as any letters of agreement or understandings reached between the County and individual bargaining units.

Timekeeping

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Polk County to keep an accurate record of time worked in order to calculate employee pay and benefits.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Nonexempt employees should report to work no more than five (5) minutes prior to their scheduled starting time nor stay more than five (5) minutes after their scheduled stop time without expressed, prior authorization from their supervisor.

Salaried employees may keep a record of their time worked for their own purposes at their

option. Polk County shall not recognize any such record or the lack thereof as constituting a liability or benefit to or from any such employee(s).