

**CITY OF BEAUMONT
POLICIES AND PROCEDURES MANUAL**

Policy Number: 4.4

Subject: Overtime-On call-Call back

Effective Date: 9-7-11

Approved By: Kyle Hayes | 05/01/2021
City Manager | Date

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I. PURPOSE

The purpose of this policy is to define guidelines and procedures for authorizing compensation during overtime, on call, and call-back work hours.

II. DEFINITIONS

Work time - The period of time an employee is engaged in performing work-related activities for the City.

Work day - The period of twenty-four (24) hours which begins at 0:01 a.m. and ends at midnight.

Work week - A fixed and regularly recurring period of 168 hours during seven consecutive 24 hour periods.

Exempt - An employee who is paid on a salary basis and is not eligible for overtime pay when working in excess of the normal forty (40) hour work week.

Classified - An employee who is paid at an hourly rate and is eligible for overtime compensation when working in excess of the normal forty (40) hour work week, fifty-six (56) hours for Paramedic employees.

Compensatory time - Time off in lieu of overtime pay, in which the accrual maximum is 240 hours for most classified employees.

Work schedule - For most full-time classified employees, the usually assigned eight (8) duty hours per day and the forty (40) duty hours in each work week.

Overtime work - All time worked by a classified employee in excess of the normal forty (40) hours in a work week.

Pay period - A period of two (2) work weeks.

Call back time - Any time a classified employee is called back to work outside his/her normal work shift after he/she has left the job.

Coded hours - All paid non-work time such as vacation, personal leave, compensatory time, and holiday pay.

III. RESPONSIBILITY

- A. The Personnel Department is responsible for interpreting and administering this policy including determining the exempt and classified status of each employee.
- B. The Finance Department is responsible for maintaining adequate records to ensure compliance with City policy and applicable federal and state statutes.
- C. The responsibilities of each department director/division manager who is charged with ensuring compliance are:
 - 1. Ensure consistent administration of departmental overtime policies.
 - 2. Ensure that each classified employee is compensated for all time worked including hours worked prior to and after the normal work day.
 - 3. Ensure that work time is recorded exactly the way it is worked, as to date and amount, starting/quitting time, for compliance with the Fair Labor Standards Act (FLSA).
 - 4. Ensure that hours are recorded accurately for compliance with established policy.
- D. It is the responsibility of each employee to work only those hours approved/assigned by the supervisor. Failure to do so could result in disciplinary action up to and including termination.

IV. RULES/PROCEDURES

- A. All hours worked shall be used in calculating or determining overtime. Holiday pay, jury duty, cancer screening, premium pay for hours worked during an evacuation or city closure and city related travel shall be considered as hours worked.

- B. Each classified employee may be compensated for hours worked in excess of forty (40) hours per week in the form of overtime to the nearest quarter ($\frac{1}{4}$) hour at one and one-half ($1\frac{1}{2}$) times his/her regular rate of pay.
- C. When calculating overtime pay involving shift differential, the shift differential rate shall be used (*also refer to Compensation Policy*).
- D. Each classified employee may be given time off in lieu of overtime pay at the rate of one and one-half ($1\frac{1}{2}$) times for hours worked in excess of a forty (40) hour work week.
- E. An employee's work schedule may be adjusted during the week for budgetary purposes to ensure that a forty (40) hour work week is maintained.
- F. Exceptions to the normal work week must be authorized by the department director.
- G. Overtime work may be assigned to an employee as deemed necessary by supervision.
- H. Reasonable efforts shall be made to rotate overtime assignments in a manner which shall provide equal opportunity for overtime work.
- I. Each department director is responsible for establishing and approving an "on call" schedule. An on call schedule should be established only when it is absolutely essential to provide ready individuals outside normal work hours for job requirements that may develop.
- J. Any employee who is designated as being "on call" shall be guaranteed one hour of pay at his /her regular rate of pay for each eight (8) hour period..
- K. In the event a classified employee who is "on call" is called back to work outside his/her normal work shift after he/she has left the job, the employee will be guaranteed a minimum of one (1) hour. An employee's hours of work shall be calculated from the time the employee leaves his/her home.
- L. All time worked by an employee who is designated "on call" and is called back to work will be paid at one and one half ($1\frac{1}{2}$) times the regular rate of pay and will be calculated to the nearest quarter ($\frac{1}{4}$).
- M. As a condition of continued employment, an employee's participation in the department's "on call" schedule is mandatory.

- N Each employee has the right to raise questions regarding their pay status or suspected changes, including pay, hours worked or any other pay-related matter in accordance with the City's grievance procedure.

V. CALL BACK

Call back pay for employees not "on call" will be paid at the straight time rate of pay to the extent that hours worked does not exceed forty (40). Example: If an employee has used personal leave, compensatory time, vacation or STD hours during that week, and actual hours worked do not exceed forty (40) hours, any additional hours worked will be paid at the straight time rate of pay. If forty (40) hours worked are exceeded, the additional hours will be paid at one and a half (1½) times the employee's regular rate of pay.