

# LAMPASAS COUNTY PERSONNEL POLICIES

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## SECTION 5. WORK SCHEDULE AND TIME REPORTING

### 5.1 ATTENDANCE AND TIMELINESS

EACH EMPLOYEE SHALL REPORT TO WORK ON EACH DAY HE/SHE IS SCHEDULED TO WORK UNLESS PRIOR APPROVAL FOR ABSENCE IS GIVEN BY THE EMPLOYEE'S SUPERVISOR OR THE EMPLOYEE IS UNABLE TO REPORT FOR WORK BECAUSE OF CIRCUMSTANCES BEYOND THE CONTROL OF THE EMPLOYEE.

#### TARDINESS

EACH EMPLOYEE SHALL BE AT HIS/HER PLACE OF WORK AT THE STARTING TIME SET BY HIS/HER SUPERVISOR UNLESS PRIOR APPROVAL IS GIVEN BY THE SUPERVISOR OR THE EMPLOYEE IS UNABLE TO BE AT WORK ON TIME FOR REASONS BEYOND THE EMPLOYEE CONTROL.

EACH EMPLOYEE SHALL REMAIN ON THE JOB UNTIL THE NORMAL QUITTING TIME ESTABLISHED BY THE SUPERVISOR UNLESS PERMISSION TO LEAVE EARLY IS GIVEN BY THE SUPERVISOR.

#### NOTIFICATION

IF AN EMPLOYEE IS UNABLE TO BE AT WORK AT HIS/HER NORMAL REPORTING TIME, THE EMPLOYEE SHALL BE RESPONSIBLE FOR NOTIFYING HIS/HER SUPERVISOR AS SOON AS IS REASONABLY PRACTICABLE OF THE CIRCUMSTANCES CAUSING THE TARDINESS OR ABSENCE.

#### EXCUSED AND UNEXCUSED

EACH SUPERVISOR SHALL BE RESPONSIBLE FOR DETERMINING IF AN UNSCHEDULED ABSENCE OR TARDINESS IS TO BE CLASSIFIED AS EXCUSED OR UNEXCUSED, BASED ON THE CIRCUMSTANCES CAUSING THE ABSENCE OR TARDINESS.

FREQUENT OR UNEXCUSED ABSENCES OR TARDINESS SHALL MAKE AN EMPLOYEE SUBJECT TO DISCIPLINARY MEASURES, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.

#### ABANDONMENT

AN EMPLOYEE WHO DOES NOT REPORT TO WORK FOR THREE CONSECUTIVE SCHEDULED WORK DAYS AND WHO FAILS TO NOTIFY HIS/HER SUPERVISOR, SHALL BE CONSIDERED TO HAVE RESIGNED HIS/HER POSITION BY ABANDONMENT.

# LAMPASAS COUNTY PERSONNEL POLICIES

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## SECTION 5. WORK SCHEDULE AND TIME REPORTING

### 5.2 WORK SCHEDULE AND WORKWEEK

#### WORK SCHEDULE

THE NORMAL HOURS OF WORK FOR MOST POSITIONS IN THE COUNTY SHALL BE FROM 8:00 A.M. UNTIL 5:00 P.M., MONDAY THROUGH FRIDAY. THESE HOURS ARE 40 HOURS PER SEVEN DAY WORKWEEK FOR NON LAW ENFORCEMENT PERSONNEL OR AS DEFINED UNDER THE FAIR LABOR STANDARDS ACT.

#### EXCEPTIONS

IN ORDER TO MEET THE NEEDS OF THE COUNTY, CERTAIN DEPARTMENTS OR EMPLOYEES MAY BE REQUIRED TO WORK A SCHEDULE THAT VARIES FROM THE NORMAL WORK SCHEDULE, OR THEY MAY BE SUBJECT TO CALL BACK IN CASE OF EMERGENCY OR SPECIAL NEED. THE NEED FOR SCHEDULES THAT VARY FROM THE NORMAL SCHEDULE SHALL BE DETERMINED BY EACH DEPARTMENT BY EACH DEPARTMENT HEAD.

#### WORK DAY

THE WORK DAY FOR THE COUNTY SHALL BEGIN AT 12:01 A.M. EACH DAY AND END 24 CONSECUTIVE HOURS LATER. LUNCH BREAK IS ONE HOUR WITH ANY OTHER SHORT BREAK PERIOD TO BE DETERMINED BY THE DEPARTMENT HEAD.

LAW ENFORCEMENT WORK DAY IS DETERMINED BY THE DEPARTMENT HEAD IN ACCORDANCE WITH THE FAIR LABOR STANDARDS ACT AND RELATED STATUTES.

#### WORK WEEK

FOR THE PURPOSES OF RECORDKEEPING AND TO DETERMINE OVERTIME IN COMPLIANCE WITH THE FAIR LABOR STANDARDS ACT (FLSA), THE WORKWEEK FOR LAMPASAS COUNTY SHALL BEGIN AT 12:01 A.M. ON EACH TUESDAY AND END SEVEN (7) CONSECUTIVE DAYS LATER (168) HOURS. (TWO MONTHS IN EACH YEAR CONTAIN 3 PAY PERIODS TO EQUATE TO 26 PAY PERIODS IN A CALENDAR YEAR).

LAW ENFORCEMENT. FOR PURPOSES OF CALCULATING OVERTIME, TWO CONSECUTIVE PAY PERIODS ARE INCLUDED. OVERTIME IS BASED ON 171 HOURS IN TWO CONSECUTIVE PAY PERIODS (SEE PROCEDURES FOR MORE DETAIL).

(see also policies on hours worked and overtime)

## LAMPASAS COUNTY PERSONNEL POLICIES

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### SECTION 5. WORK SCHEDULE AND TIME REPORTING

#### 5.3 HOURS WORKED AND OVERTIME

##### HOURS WORKED

OVERTIME IS PROVIDED IN CASES OF EMERGENCIES AND/OR SPECIAL CIRCUMSTANCES AND IS SPECIFICALLY AUTHORIZED IN ADVANCE BY THE DEPARTMENT HEAD. HOURS WORKED SHALL INCLUDE ALL TIME ACTUALLY WORKED IN THE SERVICE OF THE COUNTY AS DEFINED IN THE FAIR LABOR STANDARDS ACT (FLSA) AND ITS REGULATIONS.

##### OVERTIME APPLICATION

OVERTIME, AS DEFINED BY THE POLICY, SHALL APPLY TO ALL EMPLOYEES ELIGIBLE FOR OVERTIME COMPENSATION UNDER THE FLSA, EXCEPT FOR LAW ENFORCEMENT EMPLOYEES. FLSA REQUIRES CLASSIFICATIONS OF POSITIONS AS EXEMPT OR NOT EXEMPT FROM OVER TIME ELIGIBILITY (see Procedures Manual for more detail).

A NONEXEMPT EMPLOYEE IS ONE WHOSE POSITION IS COVERED UNDER THE OVERTIME PAY PROVISIONS OF THE FAIR LABOR STANDARDS ACT (FLSA) AND WILL BE COMPENSATED FOR OVERTIME AS REQUIRED BY LAW.

AN EXEMPT EMPLOYEE IS ONE WHO HOLDS A POSITION THAT IS EXEMPT FROM THE OVERTIME PROVISIONS OF THE FLSA AND IS EXPECTED TO RENDER NECESSARY AND REASONABLE SERVICES BEYOND 40 HOURS PER WEEK WITH NO ADDITIONAL COMPENSATION. EXEMPT EMPLOYEES' SALARIES ARE SET WITH THIS CONSIDERATION IN MIND. COUNTY EMPLOYEES WHO ARE IN EXEMPT POSITIONS MOST OFTEN QUALIFY UNDER FLSA TESTING CRITERIA AS EXECUTIVE, ADMINISTRATIVE, OR PROFESSIONAL EXEMPTIONS OR A COMBINATION OF THESE EXEMPTIONS.

OVERTIME FOR LAW ENFORCEMENT EMPLOYEES IS DEFINED IN THE POLICY ADDRESSING LAW ENFORCEMENT OVERTIME IN THE SHERIFF'S DEPARTMENT IN ACCORDANCE WITH FLSA REGULATIONS AS DEFINED BY TIME WORKED IN EXCESS OF 171 HOURS (see overtime definition below). TIME WORKED INCLUDES NON SCHEDULED TIME.

##### OVERTIME DEFINITION

OVERTIME SHALL INCLUDE ALL TIME ACTUALLY WORKED FOR THE COUNTY IN EXCESS OF 40 HOURS IN A WORK WEEK. TIME ACTUALLY WORKED WILL NOT INCLUDE HOLIDAYS, OTHER BENEFIT HOURS USED DURING THAT WEEK (SUCH AS VACATION, SICK, COMPENSATORY OR PERSONAL TIME) OR TIME OFF WITHOUT PAY.

EXCEPT IN EMERGENCY SITUATIONS, AN EMPLOYEE SHALL BE REQUIRED TO HAVE AUTHORIZATION FROM HIS/HER SUPERVISOR BEFORE WORKING OVERTIME.

(see also policies on work schedule and hours worked, and overtime compensation)

# LAMPASAS COUNTY PERSONNEL POLICIES

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## SECTION 5. WORK SCHEDULE AND TIME REPORTING

### 5.4 OVERTIME COMPENSATION

#### POLICY APPLICATION

THIS POLICY SHALL APPLY TO ALL COUNTY EMPLOYEES ELIGIBLE FOR OVERTIME COMPENSATION UNDER THE FAIR LABOR STANDARDS ACT (FLSA) EXCEPT FOR LAW ENFORCEMENT EMPLOYEES.

OVERTIME FOR LAW ENFORCEMENT EMPLOYEES SHALL BE HANDLED IN ACCORDANCE WITH THE POLICY FOR OVERTIME COMPENSATION ESTABLISHED BY THE SHERIFF'S DEPARTMENT IN ACCORDANCE WITH FLSA REGULATIONS.

#### OVERTIME COMPENSATION

OVERTIME COMPENSATION SHALL BE PAID IN THE FORM OF COMPENSATORY TIME OFF IN ACCORDANCE WITH THE PREVISIONS OF THE FLSA. (see definition in policy on hours worked and overtime)

COVERED EMPLOYEES SHALL RECEIVE COMPENSATORY TIME OFF, WITH PAY, AT A RATE OF ONE AND ONE-HALF (1 ½) TIMES THE OVERTIME WORKED.

#### MAXIMUM COMPENSATORY TIME

THE MAXIMUM AMOUNT OF UNUSED COMPENSATORY TIME, AN EMPLOYEE SHALL BE ALLOWED TO ACCUMULATE AT ONE TIME IS 24 HOURS.

WHEN AN EMPLOYEE HAS REACHED THE MAXIMUM ACCRUAL OF COMPENSATORY TIME, ANY ADDITIONAL OVERTIME WORKED SHALL BE COMPENSATED AT A RATE OF ONE AND ONE-HALF (1 ½) THE EMPLOYEE'S REGULAR RATE OF PAY UNTIL COMPENSATORY TIME HAS BEEN USED TO BRING THE BALANCE BELOW THE MAXIMUM.

#### USE OF COMPENSATORY TIME

EMPLOYEES SHALL BE ALLOWED TO USE ACCRUED COMPENSATORY TIME AFTER IT IS REQUESTED PROVIDED THE EMPLOYEE'S ABSENCE WILL NOT PLACE AN UNDUE HARDSHIP ON THE OPERATIONS OF THE DEPARTMENT IN WHICH THE EMPLOYEE WORKS.

THE DEPARTMENT HEAD WILL APPROVE IN ADVANCE ANY USE OF COMPENSATORY TIME OFF AND WILL CONSIDER WORK RELATED ISSUES SUCH AS STAFF COVERAGE, WORK LOAD AND RELATED ITEMS.

COMPENSATORY TIME MAY BE USED FOR ANY PURPOSE DESIRED BY THE EMPLOYEE.

THE PREFERRED METHOD FOR OVERTIME COMPENSATION IS TO SCHEDULE EQUAL TIME OFF FOR THE AFFECTED EMPLOYEE DURING THE SAME WORK PERIOD IN WHICH THE OVERTIME WAS WORKED. (see policy on work schedule and work week)

## LAMPASAS COUNTY PERSONNEL POLICIES

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### OVERTIME COMPENSATION (CONTINUED)

THE COUNTY DISCOURAGES TIME AND ONE HALF PAYMENTS FOR OVERTIME, WHICH MAY BE APPROVED BY THE DEPARTMENT HEAD ONLY IF ADEQUATE FUNDS ARE AVAILABLE IN THE DEPARTMENT'S BUDGET. THE COUNTY DISCOURAGES THE ACCUMULATION OF COMPENSATORY TIME OFF FOR NON EXEMPT EMPLOYEES AT ONE AND ONE HALF TIMES THE NUMBER OF HOURS WORKED BECAUSE OF THE CONTINGENT FINANCIAL LIABILITY THIS CREATES FOR THE COUNTY. COMPENSATORY TIME SHOULD BE SCHEDULED AS SOON AS POSSIBLE AFTER OVERTIME HOURS ARE WORKED AND IS TO BE USED BY THE END OF EACH FISCAL YEAR (SEPTEMBER 30).

#### **TERMINATION**

IF AN EMPLOYEE TERMINATES EMPLOYMENT, FOR ANY REASON, PRIOR TO USING ALL EARNED FLSA COMPENSATORY TIME, HE/SHE SHALL BE PAID FOR ALL UNUSED COMPENSATORY TIME IN ACCORDANCE WITH THE REQUIREMENTS OF FLSA.

#### **BUY BACK OF COMPENSATORY TIME**

THE COUNTY SHALL RETAIN THE RIGHT TO "BUY BACK" ALL OR PART OF AN EMPLOYEE'S UNUSED COMPENSATORY TIME BY PAYING THE EMPLOYEE FOR THAT TIME AT THE EMPLOYEES CURRENT RATE.

#### **CASH PAYMENT FOR OVERTIME**

THE COUNTY SHALL RETAIN THE RIGHT TO PAY ALL OR PART OF THE OVERTIME WORKED IN ANY WORKWEEK BY PAYING FOR THAT OVERTIME AT ONE AND ONE-HALF (1 ½) THE EMPLOYEE'S REGULAR RATE OF PAY. (see policy on overtime compensation and policy on hours worked and overtime)

#### **RECORDKEEPING**

EACH EMPLOYEE SHALL BE RESPONSIBLE FOR RECORDING ANY COMPENSATORY TIME USED WITHIN A PAY PERIOD ON THE TIME SHEET FOR THAT PAY PERIOD.

THE DEPARTMENT HEAD SHALL BE RESPONSIBLE FOR KEEPING RECORDS OF ALL COMPENSATORY TIME EARNED AND USED BY EACH ELIGIBLE COUNTY EMPLOYEE IN HIS/HER DEPARTMENT AND SHALL UPDATE THE BALANCE DUE TO EACH EMPLOYEE AT THE END OF EACH PAY PERIOD.

#### **OTHER ISSUES**

ANY ISSUES ON OVERTIME COMPENSATION NOT ADDRESSED IN THE POLICY SHALL AT LEAST MEET THE MINIMUM REQUIREMENTS OF THE FLSA AND THE REGULATIONS ISSUED BY THE DEPARTMENT OF LABOR TO ADMINISTER THAT ACT.

(see also policies on work schedule and hours worked and overtime)