

3.07 SICK LEAVE CAP

(Current)

Eligible employees shall accrue sick leave at a rate of twelve (12) hours per month.

Accrual of sick leave shall start at the time an employee has completed his/her ninety (90) day waiting period.

An employee must complete at least eighty (80) hours of work per month to earn twelve (12) hours of sick leave that month to be available for use at the beginning of the next month.

The maximum amount of unused sick leave an employee shall be allowed to have at any time is three hundred sixty (360) hours.

(Proposed)

Eligible employees shall accrue sick leave at a rate of 12 hours per month. Accrual of sick leave shall start on the first day of the month following the completion of the employee's ninety (90) day waiting period.

The maximum amount of unused sick leave an employee may accumulate is three hundred sixty (360) hours.

5.07 OVERTIME COMPENSATION

This policy shall apply to all county employees eligible for overtime compensation under the Fair Labor Standards Act (FLSA), with the exception of the Sheriff's law enforcement employees, see below for law enforcement overtime policy.

Overtime *pay* is calculated at one and one half (1½) times the regular hourly rate. Compensatory time is accumulated at one and one-half (1½) times the overtime hours worked.

Overtime for law enforcement employees is in accordance with Section 7(k) of FLSA, 29 U.S.C. § 207(k). The established work period for law enforcement employees is 28 consecutive days for the purpose of overtime compensation. The maximum hours standard for law enforcement personnel are 171 hours worked in a 28-day work period after which the employee is entitled to one and one-half (1½) times the regular hourly rate. Law Enforcement Employees may receive overtime pay or compensatory time for time worked beyond 171 hours in a 28-day work period.

Effective August 8, 2022, the County is changing the limit for Comp time to 80 hours. Anyone who accrues more than 80 hours after October 1, 2022, must use that time within the next pay period.

When an employee has accrued more than 80 hours of compensatory time, the County will require that, if the employee wishes to take any time off, including sick leave, vacation, or personal leave, they must first use their compensatory time hours. This requirement will remain in effect until the employee's compensatory time balance falls below the 80-hour limit.

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 (1½) the employee's regular rate of pay until compensatory time has been used to bring the balance below the maximum.

Employees shall be allowed to use earned compensatory time within a reasonable period after it is requested provided that the employee's absence will not place an undue hardship on the operations of the department in which the employee works.

Compensatory time may be used for any purpose desired by the employee. The County shall have the right to require employees to use earned compensatory time at the convenience of the county.

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 the FLSA.

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 employee's current regular rate.

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 (1½) the employee's regular rate of pay.

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.

Any issues on overtime compensation not addressed in this policy shall at least meet the minimum requirements of the FLSA and the regulations issued by the Department of Labor to administer that Act.