

RULE 8

HOURS OF WORK AND WORK WEEK

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RULE 8 - HOURS OF WORK AND WORK WEEK

8.1 General:

The different services rendered by and in the different departments, offices and activities of the City of Sarasota require that employees work varying days and hours based on the operational needs of individual Departments.

In order that employees may be compensated equitably, based upon hours of work in addition to other factors including ability, duties, and merit; the allocation of hours and days of normal work are herein established.

8.2 Allocation of Work Hours

The normal work week shall be forty (40) hours per week. Such hours of work shall not be construed as either a fixed minimum or maximum. It is likely that a workload in excess of that which can be performed within the hours and/or days of an established work week will be required from time to time. All employees are expected to perform the necessary duties when called upon to do so. It is also possible that part-time work schedules may become necessary, as provided herein.

The assignment of an employee to work shifts or specific hours is based on the operational needs of the Department shall be at the discretion of the Department Head.

A. Non-Exempt Employees:

- (1) The normal 40-hour work week shall normally be assigned to non-exempt employees on the personnel action papers at the time of appointment and subsequent in-service personnel changes. Assignments are based on the operational needs of the Department. Non-exempt employees shall be paid a weekly salary, unless otherwise approved by the City Manager or City Auditor and Clerk for their respective employees.
- (2) Where there is a significant variation from the normal 40-hour work week due to the requirement of other scheduled hours per week, such hours of work shall be reflected on the personnel action papers, if applicable.

B. Exempt Employees: The payroll register shall indicate the absences for exempt employees by exception.

Authorized absences from duty for exempt employees shall be reported on the payroll in the appropriate column (sick leave, comp time, and other paid leave) in units of whole hours.

Time off without pay for exempt employees shall be authorized only after approval of the Human Resources Director to insure compliance with the Fair Labor Standards Act.

8.3 Changes in Work Schedules:

A. Full-Time: The work week or daily hours of work of any employee including probationary, permanent, part-time, temporary or any combination of employment status may be changed to

conform to schedules based on the operational needs of the Department. Such changes in hours worked and pay structure shall be requested on personnel action papers by the Department Head and recommended by the Director of Human Resources and approved by the City Manager or City Auditor and Clerk, for their respective employees, prior to the change.

- B. Part-Time: When there is more than one employee in the class of positions affected by a lack of work, the work schedule of probationary appointees shall be the first to have their work week or daily hours of work changed to a part-time schedule. If there are no probationary employees, permanent employees with the lowest current service report rating shall have their daily hours of work changed to part-time schedule.

8.4 Hours of Work and Attendance:

- A. Professional, Administrative and Executive Employees: The normal work week of professional, administrative and executive employees shall be at least forty (40) hours.
- B. Uniform Force of the Police Department: Police Officers shall work shifts as prescribed based on the operational needs of the Police Department, and/or the negotiated contract for represented employees, if applicable.

8.5 Compensation for Hours Worked by Non-Exempt Employees:

Non-exempt employees will normally receive straight time pay for hours worked up to forty (40) in their work week in compliance with the Fair Labor Standards Act and/or the negotiated contract for represented employees, if applicable.

8.6 Overtime (Scheduled):

- A. Approval for Overtime Work: Eligible employees may be required to work overtime upon prior approval by their Department Head. Overtime shall be allocated by the Department as equally as is practical among the employees in a class of positions. Where overtime is deemed necessary by the Department Head, prior approval must be obtained from the City Manager or City Auditor and Clerk for their respective employees. Such approval must be submitted to the Department of Human Resources with the payroll to substantiate payment, if not previously submitted. Overtime for Police Officers is authorized based on the operational needs of the Department.
- B. Rate of Overtime Compensation: Authorized work performed in excess of the normal scheduled work week shall be compensated at one and one-half (1-1/2) times the employee's straight time rate of pay in accordance with the Fair Labor Standards Act and/or Union Agreement, if applicable. Such compensation shall be included with the pay for the pay period concerned or the next succeeding pay period.
- C. Excepted Hours in Overtime Compensation: Holiday hours or other time compensated for and not worked, such as excused hours, leave time, bereavement leave, shall not be considered time worked for purposes of computing overtime pay.
- C. Work Time Pay Less Than Forty (40) Hours: Non-exempt employees who work less than a 40-hour work week shall be paid straight time pay for authorized hours worked in excess of their

normal work week up to and including forty (40) hours, and shall be paid time and one-half for hours worked in excess of forty (40).

8.7 Overtime Exceptions:

Overtime hours worked shall not be recorded for the defined purpose of monetary payment for exempt employees, except as approved by the City Manager or City Auditor and Clerk for their respective employees

Overtime hours worked for non-exempt employees shall be in accordance with the Fair Labor Standards Act.

8.8 Overtime Compensation for Emergency Work:

A. Non-Exempt Employees: When emergency work results in overtime pay for non-exempt employees, overtime payments shall be made in accordance with the Fair Labor Standards Act and/or the Union Agreement, if applicable, the Department Head shall request, in writing, approval from the City Manager or City Auditor and Clerk, for their respective employees, to pay for such work at the earliest possible time and such approval shall be attached to the payroll.

8.9 Rest Periods:

Rest periods of not more than fifteen (15) minutes each may be granted for each employee by the supervisor near mid-morning and near mid-afternoon, or at corresponding times during evening or night shifts.

8.10 Authorization for Overtime Compensation Form:

Authorization for Overtime Compensation Form for non-exempt employees shall be used for additional hours of work that cannot be anticipated, scheduled or reflected on the personnel action papers (see Page 8-5, Authorization for Overtime Compensation Form).

8.11 Ordered Extra Duty:

The City may require employees to return to work on other than their regularly assigned shifts. For such Ordered Extra Duty, the eligible employee shall either receive a minimum of two (2) hours of pay at time and one-half (1-1/2), or the equivalent thereof in compensatory time off as provided in Rule 8 of these Rules and Regulations. Such time shall not be counted as time worked for any other overtime purposes

8.12 Compensatory Time for Employees in Exempt Status Positions:

When employees in exempt status positions are directed to work beyond their regularly scheduled hours, they may be eligible to receive compensatory time off based on straight time when this duty is directed and approved by the appropriate Department Head. Any authorized additional duty must be approved and recorded by the individual department. The employee may use compensatory time in the manner approved by the appropriate Department Head.

The maximum accrual limit of compensatory time in one (1) fiscal year is eighty (80) hours. Once the maximum accrual limit is reached, no further accrual will be allowed until the balance is less than eighty (80) hours within the same Fiscal Year. Employees in exempt status positions may utilize compensatory time throughout the fiscal year upon approval of the department head and will be able to re-accrue this time up to the eighty (80) hour limit.

Compensatory time earned should be used in the fiscal year earned but upon request, and the approval by the City Manager or City Auditor and Clerk for their respective employees, these hours can be extended for a maximum of ninety (90) days. If compensatory time is unused during the 90 day extension, the balance will be forfeited.

Compensatory time will not be paid to exempt status employees that are transferred to, re-assigned to or obtain a non-exempt position. Compensatory time will not be paid to exempt status employees upon leaving employment with the City nor can this time be utilized after an employee's last working day.

Nothing herein requires the City to pay employees in exempt status positions for any compensatory time not used or for any work performed beyond their regular working hours.

Employees in exempt status positions are responsible for maintaining a record of any compensatory time that is earned. All compensatory time recorded by the employees in exempt status positions must be approved by the Department Head. All compensatory time accrued and taken will be recorded in the payroll system in compliance with other administrative procedures as required by the City Manager or City Auditor and Clerk, for their respective employees.

Exceptions to the above policy may be made based on the operational needs or other legitimate needs of the City as solely determined by the Department Head and the Director of Human Resources.



AUTHORIZATION FOR OVERTIME COMPENSATION
(Reference Personnel Rule 8.10 - Non-exempt)

The following hours of overtime were required during the week of _____,
 199____, for the following eligible employees, and approval of the payment of overtime is requested
 herein:

Employee Name	Employee I.D. No.	Budget Charge No.	Number of Hours

_____ Date

_____ Department Head Signature

Approved/Disapproved
 Circle One

_____ City Manager or City Auditor and Clerk
 (For their respective employees)

Compensatory Time Accrual Form For Exempt Employees Only

Name: _____

Department: _____

I verify that I have accrued _____ hours of compensatory time
for the week ending _____.

Employee's Signature: _____

Department Head or Designee Approval: _____

Date: _____

Daily Record of Accrued Hours

Wed	Thurs	Fri	Sat	Sun	Mon	Tue	Total

To be completed on a weekly basis and turned into Departmental Payroll preparers for input on payroll.