

Compensatory Leave Policy

Effective Date: Adopted 6/79; Revised 7/85, 11/88, 1/93, 2/95, 8/95, 1/96, 4/00, 2/07, 6/17, and 9/18

§-I. PURPOSE To provide regulations concerning the accrual, disbursement, use, and forfeiture of compensatory leave.

§-II. SCOPE This policy applies to employees classified by the County as exempt (not eligible for overtime), but who are not key managerial staff.

§-III. GENERAL POLICY Subject to the specific rules, procedures, and limitations which follow, this policy allows a covered employee to accumulate compensatory leave at the rate of 1.5 hours credit for each hour worked over his or her regularly scheduled hours each pay period. The accumulation of compensatory leave is accounted for in one-tenth of an hour increments. Accumulated compensatory leave shall be granted in increments of fifteen minutes by the department head at such time or times as will least interfere with the efficient operation of the department. Of course, exempt employees are paid on a salary basis, and this policy does not affect that system in any way.

§-IV. COMPENSATORY LEAVE Eligible employees may accumulate and use compensatory leave on the following basis:

A. Each eligible employee must maintain an accurate and truthful record of all time worked over his or her regularly scheduled hours each pay period. This record is to be kept in increments of hours and minutes. Responsibility for any failure to keep accurate and truthful records under this policy rests entirely with the employee.

B. Each eligible employee's "regularly scheduled hours each pay period" correspond to those which he or she is expected by County management to work each work period. For some employees, this will be 80 hours in a 14-day work period. For law-enforcement and fire-protection employees, this will usually be a particular number of hours in a designated work period from fourteen to 28 days. Each eligible employee is responsible for knowing the hours he or she is normally expected to work.

C. Employees seeking to use compensatory leave must submit a request to do so in fifteen minute increments in advance. The request is to be made to the employee's department or agency head or designee. Employees are not authorized to use compensatory leave until approved by the department or agency head or other designated person.

D. Whether the request is or is not approved falls entirely within the County's discretion. In deciding whether to approve the request, the County will consider among other things whether granting the leave will interfere with the particular department's or unit's operation. Employees are urged to take compensatory leave during the same period in which it was accumulated, where this is practical.

E. At the end of the last payroll of the fiscal year, any and all compensatory hours accrued by any employee which exceed 240 will be forfeited in their entirety and will have no further force and effect of any kind.

F. Upon separation for any reason, all of an employee's unused compensatory leave credit will be forfeited. Compensatory leave is designed to permit rest for eligible employees for the added burden of having to work beyond their regularly scheduled hours. Thus, under no circumstances will payment be made in lieu of leave's being taken, either during employment or at or after separation.

§-V. Each of the exempt, salaried employees to whom this policy applies is paid on a "salary basis" as that term is used in pertinent regulations. This policy is intended solely to establish a way in which to account for and administer the accrual, disbursement, use, and forfeiture of compensatory-leave time. Nothing in this policy has anything to do with the basis upon which exempt employees' salaries are computed or administered.

§-VI. This policy supersedes all other policies or practices relating to the accrual or use of compensatory leave time. This policy does not alter the basis upon which anyone is employed by the County. The County will interpret, apply, and construe this policy in its sole discretion.

Footnotes

¹ "Key Managerial Staff" refers to salaried employees who meet the test for exemption under the Fair Labor Standards Act and who are not eligible to accrue compensatory time. Key managerial employees include Department Heads, Division Heads, Agency Directors, Command-Staff Appointments, employees who hold positions classified as grade 22 or above, and such other managerial or administrative positions as may be so designated by the County Manager or appropriate elected official.