

Subject: OVERTIME MANAGEMENT

Date: June 29, 2005

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Replaces Policy Dated: N/A

PURPOSE: To establish guidelines to be used for the approval and management of overtime worked by Pinal County employees.

STATEMENT OF POLICY: It is the policy of Pinal County to limit overtime scheduling to mission essential activities that cannot be performed at any other later date or during the normal work day.

Managers are expected to aggressively manage overtime to ensure such expenses are incurred only for unusual, occasional situations beyond the manager's control, which must be handled within a given time and would otherwise result in charges, damage to County property, or increased liability to the County unless the overtime hours are worked.

SCOPE: Management and control of overtime expenses are considered to be one of the primary responsibilities of employees, supervisors and managers throughout the County and will play a significant part in determining successful performance. Any employee, who violates the terms of this policy, including approving or working non-essential overtime, will be subject to disciplinary action.

DEFINITIONS:

OVERTIME: Overtime is time worked over 40 hours in the employee's defined work week. When such time is worked by a non-exempt employee, it must be compensated at 1 1/2 times the employee's normal rate of pay. Approved paid absences, including but not limited to Sick time, vacation time, holiday time, jury duty, military leave, etc., are not counted as time worked for the purposes of computing overtime pay. Overtime is considered a condition of employment. Refusal to work overtime by any employee when directed to do so, when reasonable notice has been given or in the event of an emergency, is cause for discipline up to and including termination.

Exempt employees are not eligible for additional compensation during those times that they work beyond their regularly scheduled hours. However they are expected to work as long as necessary to successfully accomplish their duties.

WORK: Any job related activity performed by an employee for which the County derives a benefit. When an employee performs work, that work must be compensated. All non-exempt employees who perform work for the County must report the time worked and be properly compensated. It is a violation of this policy for any non-exempt employee to fail to report work performed or for any supervisory or managerial employee to permit an employee to work without receiving compensation for the work performed.

CONTROLLING THE USE OF OVERTIME

Overtime must only be incurred when it is absolutely necessary. Every Appointing Authority/Elected Official should establish a program for overtime management and monitoring.

Such a program should include:

- An emphasis on employee productivity during the work day to maximize efficiency and minimize the need to work overtime to accomplish what could have been performed during the normal workday.

- A successive layer of oversight into the overtime approval process.
- Quarterly review of Departmental overtime usage.
- Follow-up and disciplinary measures to ensure compliance.

SCHEDULING AND WORKING OVERTIME

Work that can be deferred to the next business day without adverse consequences to the business unit must be deferred.

If overtime must be worked, supervisors and managers should make every effort to assign the overtime work to employees who can be scheduled for the equivalent amount of time off during the remaining portion of their workweek. By scheduling the employee off, the employee's total weekly hours worked will not exceed 40 hours and overtime liability will not be created. NOTE: If the employee cannot be scheduled for an equivalent amount of time off, the overtime worked must be paid. It is a violation of the FLSA to schedule the employee for time off in a different workweek in lieu of payment. Special care and attention must be given to the start or stop time of the work week of every employee on a flexible work schedule.

OVERTIME APPROVALS

All overtime worked must be pre-approved and subsequently documented in writing by the employee's immediate supervisor as ***essential for the operation of the unit*** before it is worked. Work performed during scheduled On-Call assignments that satisfy the requirements of Policy 4.40 is considered as approved overtime. Every effort should be made to provide the employee who worked while on-call the necessary flex time off to ensure the time worked during the work week does not exceed 40 hours.

Written approval must consist of:

- Name of the employee authorized to work overtime.
- Name of Supervisor authorizing the overtime.
- Number of hours authorized.
- Detailed justification of the need for the overtime
- Alternatives considered to avoid the overtime.

At the end of each pay period, before the time sheets are submitted to Finance, the second level supervisor (or approved designee) is responsible for reviewing the approved overtime of subordinate employees to affirm that the overtime worked was mission essential, and had to be performed in an overtime status.

At the end of each fiscal quarter every Appointing Authority should review the overtime worked in each work unit. This review should be conducted with the objective of determining why the overtime was necessary, what actions could have been done to avoid the need for the overtime, and what actions will be taken in the future to avoid a recurrence of the situation. Work units with a large amount of overtime worked should be given closer scrutiny to determine why the overtime was greater than other work units and what can be done to reduce the amount of overtime worked in the future.