

**Rule 309 Re-employment:** If a full-time or part-time regular employee who has completed his/her probationary period:

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- (a) Separates from the County service in good standing,
- (b) Is subsequently re-employed as a full-time or part-time regular employee within eighteen (18) months from the date of his/her separation, and
- (c) Is hired into a vacant full-time or part-time regular position that has been advertised,

The separation shall not constitute a break in service except that the period during which the employee was separated shall not be counted as creditable service.

Service time for annual leave accrual rate, stability pay, and other purposes specified in these rules shall be made on the basis of such employee's adjusted service date.

The provisions of this rule will be applied to a returning employee only one time during his/her employment with the County. This rule does not apply to employees who have retired from the County.

HISTORY: APPROVED 2/19/68; AMENDED 5/14/79; AMENDED 2/06/90; AMENDED 9/4/90; AMENDED 5/16/94; AMENDED 8/1/06; AMENDED 5/5/09; **AMENDED 7/7/**

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**Rule 311.2 Non-Exempt Employees Overtime Compensation:**

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Non-exempt employees are compensated at one and one-half times their straight time hourly rate for all required overtime hours of their regularly scheduled work period or as a result of call-out as defined in Rule 313. Overtime compensation is based on straight time hourly pay, not on cumulative pay. Any work an employee performs outside their normal work period must be pre-approved prior to the work being commenced.

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The accrual of compensatory time in lieu of overtime pay must be requested by the employee and approved by the Department Director or designee before the work commences. A non-exempt employee may not accrue in his/her banks more than one-hundred twenty (120) compensatory time hours or, in the case of police officer and firefighter non-exempt employees, two-hundred forty (240) compensatory time hours. Compensatory time may be accrued at the rate of one and one-half times the actual overtime hours worked, provided all other overtime requirements outlined in these Rules are met. Compensatory time is to be paid at the straight time hourly rate. Regardless of the Firefighter work schedule the dollar value of the compensatory bank will remain the same.

Only full-time regular non-exempt employees are eligible under this rule to accrue compensatory time in lieu of overtime pay. Temporary, casual and part-time regular employees are not eligible to accrue compensatory time.

One employee may not substitute for another in working overtime without supervisory approval.

HISTORY: AMENDED 3/20/90; AMENDED 5/16/94; AMENDED 2/11/03; AMENDED 9/10/13; AMENDED 7/7/17

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**Rule 312 Exempt Employees Overtime Payment Compensation:**

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Exempt employees are paid salaries at biweekly rates and may be required to work occasional overtime without extra or premium pay. Exempt employees assigned to extended overtime may be paid for ~~scheduled-pre-approved~~ hours in excess of forty-five (45) hours per week, or for exempt shift fire personnel, in excess of scheduled hours per normal work period, ~~or for exempt shift detention personnel, in excess of 86 hours per normal work period,~~ but only with written approval of the County Manager ~~or Utilities Manager~~. When payment for overtime work is authorized, exempt employees shall be paid at straight-time rates computed on an hourly basis for those hours worked in excess of forty-five (45) hours per week, or for exempt shift fire personnel, in excess of scheduled hours per normal work period.

In recognition of the requirement that exempt employees work occasional overtime, some flexibility is allowed for authorized time off with pay during the normal work day or normal work period as compensatory time. However, it is not intended that compensatory time be granted in an amount to equal overtime worked in a non-pay status, and exempt employees are expected to use compensatory time with discretion. Compensatory time may not be used to engage in outside employment without prior approval of the County Manager ~~or Utilities Manager~~. It is not intended that an exempt employee's status will change to non-exempt status by virtue of accruing compensatory time.

- (a) Exempt employees may accrue compensatory time with the prior approval of their supervisors for those hours worked in excess of forty-five (45) hours ~~in~~ per week, or for exempt shift fire personnel, in excess of scheduled hours per normal work periodthe employee's normal identified work week to a maximum of sixty (60) hours that can be accrued in their compensatory time banks [eighty-four (84) hours for exempt shift fire department personnel].
- (b) Upon separation of employment with the County, an exempt employee shall not be paid for any unused compensatory time, and compensatory time shall not be used to extend the date of the employee's separation from employment.

**Rule 315 Night Differential Pay:** A ~~non-exempt~~ employee assigned to work between the hours of 6:00 p.m. and 6:00 a.m. shall be paid for those hours worked between such times, in addition to all other compensation for which he/she is otherwise eligible, premium or "night differential" pay at the rate of ten percent (10%) of the basic rate of pay computed on an hourly basis, subject to the following exceptions:

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- (a) Night differential shall not be paid for standby as defined in Rule 314 except as a part of call-out pay.
- (b) Exempt employees shall not be paid night differential.
- (c) Night differential shall not be paid to a ~~non-exempt~~ employee regularly assigned to night work when he/she is absent from his/her regularly assigned shift because of a holiday, annual leave, sick leave, or in the event of any other authorized or unauthorized absence from duty.
- (d) Night differential shall not be paid to an employee in travel status.
- (e) Night differential shall not be paid to the firefighter job family, including Fire Cadets.

HISTORY: APPROVED 7/4/71; AMENDED 9/18/78;  
AMENDED 9/4/90; AMENDED 12/20/16; ~~AMENDED???~~

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**Rule 703 Annual Leave:** It is the policy of the County to promote employee efficiency, health, and morale through periodic rest from duties by means of paid annual leave. Regular or limited-term employees with less than five (5) years continuous service shall normally accrue and be credited (bi-weekly) with annual leave on the basis of 4.61 hours per completed pay period; regular or limited-term employees with more than five (5) years continuous service but less than ten (10) years continuous service shall normally accrue and be credited (bi-weekly) with annual leave on the basis of 6.46 hours per completed pay period; regular or limited-term employees with more than ten (10) years continuous service shall normally accrue and be credited (bi-weekly) 7.38 hours per completed pay period.

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Shift firefighter personnel shall normally receive 6.45 hours in lieu of 4.61 hours, 9.04 hours in lieu of 6.46 hours, and 10.33 hours in lieu of 7.3 hours of annual leave as specified above. Regardless of the Firefighter work schedule the dollar value of the annual leave bank will remain the same.

In the event an employee is in a non-paid status, for a portion of their normal work day for any given pay period, their leave accrual shall be prorated based on the number of hours they were in a paid status for that pay period.

In the event an employee is using donated leave, the hours used will not be counted towards annual leave accruals.

Part-time employees shall normally accrue annual leave based on a pro-rated basis. For example: A half-time employee shall normally accrue annual leave at a rate of 2.31 hours per pay period for the first five (5) years of employment.

HISTORY: APPROVED 8/5/65; AMENDED 6/20/66; AMENDED 9/1/72; AMENDED 1/24/77; AMENDED 2/06/90; AMENDED 3/13/90; AMENDED 9/17/91; AMENDED 5/16/94; AMENDED 2/13/95; AMENDED 9/10/13; **AMENDED 3/3/**

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**Rule 709 Sick Leave Accruals:** Full-time regular or limited-term employees eligible for fringe benefits shall normally accrue and be credited 3.69 hours of sick leave per pay period. Unused sick leave may be accumulated from fiscal year to fiscal year without limit.

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Shift firefighter personnel shall normally be credited 5.169 hours of sick leave per pay period. Regardless of the Firefighter work schedule the dollar value of the sick bank will remain the same.

Part-time employees shall normally accrue sick leave based upon a pro-rated basis.

In the event an employee is in a non-paid status for a portion of their normal work day for any given pay period, their leave accrual shall be prorated based on the number of hours they were in a paid status for that pay period.

In the event an employee is using donated leave, the hours used will not be counted towards sick leave accruals.

HISTORY: APPROVED 8/5/65; AMENDED 6/20/66; AMENDED  
12/16/75; AMENDED 1/24/77; AMENDED 2/13/95; AMENDED  
9/10/13: AMENDED ???

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