LEWIS AND CLARK COUNTY POLICY

Subject: General Work Rules – Hours of Work, Overtime and Travel	**Policy No:** 1.2.10
Approved:	**Effective Date:** Aug. 1, 2015 **Revised Date:** 05/31/17, 7/01/2019

I. Policy Statement

Lewis and Clark County's work rules are designed to provide public access to County services and programs. The following provisions will apply to all County departments in accordance with or in addition to departmental rules and regulations.

II. Applicability

All Lewis and Clark County employees.

III. Definitions

None.

IV. Directives

A. Hours of Work Policy Statement

1. Regular hours for County employees are 8:00 a.m. to 5:00 p.m. with an hour unpaid break for lunch. All full-time Regular, Seasonal and Temporary employees will work a minimum of 40 hours per week. The work week will run from 12:00 a.m. Sunday to 11:59 p.m. Saturday. A department may adopt other work day schedules that are deemed more appropriate for a particular function.

2. Departments are responsible for administering work schedules and monitoring use of overtime according to County guidelines outlined in the Personnel Policy Manual. Departments are required to keep a copy of the County's Personnel Policy Manual and any department work rules at each work site for review and inspection by employees. Reasonable access to these materials must be granted to employees during work hours.

3. Variation from guidelines described in the Personnel Policy Manual must receive prior approval from the Human Resource Director and copies of alternate work rules must be placed on file in the Human Resource Director's office.

4. Employees should periodically review County and department guidelines to ensure that they know and understand what is expected of them while in the workplace.

B. Hours of Work Guidelines

1. Elected officials/department directors are responsible for the maintenance of daily records of employee attendance and hours of work.

2. Employees are expected to work their scheduled shifts. Employees leaving the job site during hours of work without proper authorization may be subject to disciplinary action up to and including dismissal.

3. If an employee is unable to be present at the designated working time, he/she must contact his/her supervisor as directed by departmental procedure.

4. Departments may adopt flexible scheduling plans, subject to the approval of the Chief Administrative Officer. Any flexible scheduling plan will provide citizen access to programs and facilities required by state law and resolution of the Board of County Commissioners.

5. Copies of any flexible scheduling plan will be filed with the Human Resource Department.

C. Overtime Guidelines – Non-Exempt Employees

1. Employees required to work overtime and eligible to receive overtime pursuant to the Fair Labor Standards Act must be paid at the rate of 1-1/2 times their current hourly wage for all time worked for the County in excess of 40 hours per week. Compensatory time should be administered in accordance with the provisions below.

2. Elected officials/department directors or responsible supervisor will authorize all overtime in advance of its occurrence. Unless the employee requests compensatory time in lieu of overtime, all overtime will be reported in the pay period when it is accumulated and paid accordingly.

3. Non-exempt employees entitled to overtime compensation may be given the option of earning and using compensatory time in lieu of overtime compensation. Compensatory time (comp time) granted to non-exempt employees must be granted at the rate of 1-1/2 hours for every hour of overtime worked.

4. Compensatory time should be used at the earliest possible date. Elected officials/department directors should ensure that compensatory time does not accumulate to more than twenty-four (24) hours per employee. Any deviation from the twenty-four (24) hour accumulation limit must be requested in writing and must be authorized by the Human Resource Director.

5. The use of compensatory time is subject to elected official/department director approval. Whenever possible, accumulated comp time should be used prior to termination of employment with the County. Unused accumulated comp time must be cashed out when the non-exempt employee terminates employment with the County.

D. Exempt Compensatory Time Guidelines – Exempt Employees

1. The Fair Labor Standards Act generally presumes that an exempt employee is paid a wage and has a work schedule that may vary from a standard forty (40) hour workweek. The County recognizes that the duties and responsibilities of exempt employees vary widely and require various measures to ensure the smooth operation of the County. Exempt compensatory hours for exempt employees are not intended to provide any compensation in addition to the salaries provided to these employees. Rather, it provides the elected official/department director and those affected employees greater flexibility in scheduling. All exempt employees will keep records of actual hours worked.

2. All exempt employees must have a regular work schedule and the elected official/department director must authorize all work beyond regular work hours. Elected official/department directors are responsible for defining and promulgating the terms and conditions of work outside regular work hours. Copies of these terms and conditions must be approved by the Human Resource Director and kept on file at the department office and with the Human Resource Director.

3. Exempt compensatory hours are those hours beyond the standard forty-hour work week worked by exempt employees. Departments authorizing exempt employees to work more than 40 hours in a work week may allow exempt employees to accumulate up to eighty (80) exempt compensatory hours at the rate of one (1) hour earned for one (1) hour worked. Employees must request deviation from the eighty (80) hour accumulation limit from the elected official/department director. The elected official/department director will consult with the Chief Administrative Officer before granting the request.

4. The use of accumulated exempt compensatory hours is subject to approval by the supervisor.

5. There will be no lump sum cash compensation for accrued exempt compensatory hours upon transfer or at the date of termination.

6. The County is under no obligation to extend an exempt employee's termination date to allow an exempt employee to take off or use exempt compensatory hours upon termination. However, the Chief Administrative Officer (or designee) may approve the use of exempt compensatory hours to extend an employee's termination date up to eighty (80) hours. The extension may be approved when the Chief Administrative Officer determines that:
   a. exempt compensatory hours were accrued upon the supervisor's request in order to complete projects or meet objectives; or
   b. the employee has been denied reasonable opportunity to take off exempt compensatory hours.

E. Travel and Training

1. Travel Time – Employees will be compensated for travel time when traveling on approved County-related business or to attend required training, subject to the following guidelines:
   a. Travel time that occurs within the time period that the employee is regularly scheduled to work is compensable, whether or not the travel occurs on a day that the employee would regularly work.
   b. When the employee is the driver of an automobile as part of travel for approved County-related business or to attend required training, the driver may claim all the driving hours as compensable hours.
   c. Passengers in an automobile may only claim travel time that occurs within the time period that the employee is regularly scheduled to work as compensable.

2. Travel and Training Costs - Employees will be reimbursed for transportation, lodging, meals, and certain incidental expenses while traveling on approved business for the County according to 1.1.2 Travel Policy administered by the Finance Department.

V. Closing

Provisions of this policy will be followed unless they conflict with negotiated labor contracts which will take precedence to the extent applicable.

Questions concerning this policy should be directed to the Human Resource Department.

VI. References

A. Lewis and Clark County Travel Policy

VII. Attachments

None