

Resolution No. R25-3

January 8, 2025

RESOLUTION TO AMEND PERSONNEL POLICY 3-200
(OVERTIME AND COMPENSATORY TIME) AND 4-100
(PAID HOLIDAYS)

WHEREAS, the County Commission has the responsibility to set policies for county employment; and

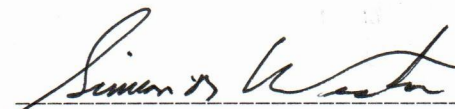
WHEREAS, the Commission finds that amending its policies on holiday pay and accrual and use of compensatory time would be in the County's best interest;

NOW, THEREFORE, the Rich County Board of Commissioners resolves as follows:

1. County personnel policy 3-200 (Overtime and compensatory time) is amended as attached.
2. County personnel policy 4-100 (Paid holidays) is amended as attached.
3. The Commission directs that the amended policies be updated in the County's Personnel Policy Manual and on the county website. The Commission directs supervisors and department heads to provide a copy of the amended policies to their employees.
4. This resolution shall take effect without publication immediately upon its adoption by the Commission.

APPROVED and ADOPTED this 8th day of January, 2025.

BOARD OF RICH COUNTY COMMISSIONERS



Chairman

Attachment
(amended policies)

Policy 3-200 Overtime.

Section 1. Purpose.

This policy governs overtime work for all non-exempt County employees.

Section 2. "Non-exempt" employees entitled to overtime pay.

Some jobs are considered "exempt" for purposes of the Fair Labor Standards Act ("FLSA") overtime rules. "Exempt" employees are not entitled to overtime pay. "Non-exempt" employees are entitled to overtime pay under the FLSA. The County's policy is to provide overtime pay to "non-exempt" employees in accordance with the rules contained in the FLSA.

Under the FLSA, an employee is generally considered "exempt" when (1) the employee is paid at least \$23,600 per year, (2) the employee is salaried, and (3) the employee's job duties are considered supervisory, executive, or professional. Please contact your department supervisor or the Board of County Commissioners for further clarification of a specific employee's FLSA status.

Section 3. Overtime.

- A. A supervisor may require a county employee to work overtime.
- B. It is the policy of Rich County to comply with the (FLSA). Each department head is responsible for ensuring compliance with the FLSA in their department.
- C. Except as otherwise provided in this policy, any non-exempt employee who works in excess of 40 hours in a work week will be paid one and a half (1.5) times their regular rate of pay for each hour actually worked in excess of 40.
- D. Holiday, vacation, sick leave, compensatory time used, and other paid leave such as jury duty, funeral leave, and administrative leave will not be counted as time worked when calculating the number of hours worked for over-time purposes.
- E. It is the County's policy to discourage the use of overtime and to keep overtime to the bare minimum commensurate with the County's best interests. Supervisors and department heads should organize their department workloads to minimize overtime.
- F. All overtime worked must be specifically assigned, and approved in advance, by an employee's supervisor or department head. The only exception allowed is for Sheriff's deputies and public safety employees in emergency situations when overtime is unavoidable and supervisors cannot

Policy 4-100 Paid Holidays.

Section 1. Purpose.

This policy addresses the County's provision of paid holiday time off.

Section 2. Paid holidays.

The following holidays are observed by Rich County. County offices will be closed where possible, except as otherwise provided by law. Employees will be paid for their regular scheduled hours of work on each of the following:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (January)
- President's Day (February)
- Memorial Day (May)
- Juneteenth (June 19)
- Fourth of July
- Pioneer Day, 24th of July
- ~~Fair Friday (August)~~ COLUMBUS DAY (OCTOBER)
- Labor Day (September)
- Veteran's Day (November)
- Thanksgiving (November)
- Christmas Day (December 25)

If a holiday falls on a Saturday, it will be observed on the Friday before. If a holiday falls on a Sunday, it will be observed on the following Monday.

Section 3. Employees required to work holiday.

- A. Any non-exempt employee required to work on one of the above holidays will receive their regular holiday pay (as if they did not work) and also be paid their regular rate for any hours actually worked; resulting in double pay for any hours worked on a holiday. If the holiday hours worked are also overtime hours, the employee will receive their regular holiday pay (as if they did not work) and also be paid their regular overtime rate for any hours actually worked; resulting in two and half times pay for any hours worked on a holiday.

be reasonably contacted for prior approval, in which case overtime compensation may be authorized after the fact.

Section 4. Compensatory time.

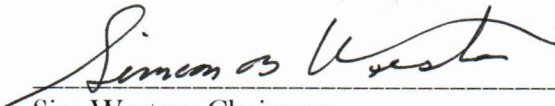
- A. The County does not offer compensatory time in lieu of overtime pay.
- B. Compensatory time earned before the adoption of this amended policy must still be used within four months, unless specifically approved by the Board of Commissioners.

Section 5. Work period for FLSA non-exempt employees.

For FLSA purposes, a work week begins and at midnight between Saturday and Sunday.

Dated this 8th day of January, 2025.

Board of County Commissioners:



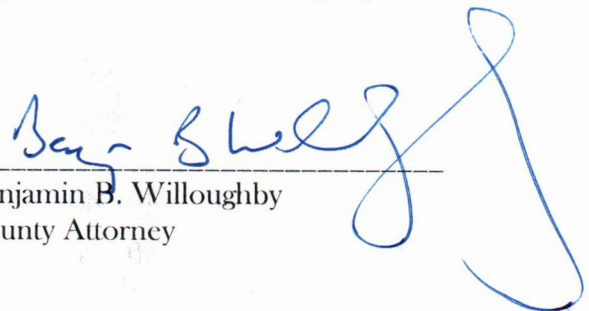
Sim Weston, Chairman

Attest:

Approved as to form and legality:



Rebecca Peart, Clerk
Anneliesa

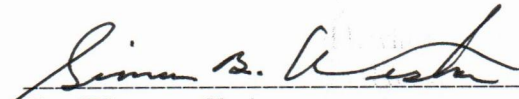


Benjamin B. Willoughby
County Attorney

- B. The County's policy is to provide all County employees with an equal number of holidays. Therefore, full-time employees who are scheduled on rotating shifts shall have an equal number of holidays provided as those who work regular full-time work weeks.
- C. Supervisors in departments where employees are required to work holiday shifts shall manage schedules to ensure that the burden is fairly distributed over the course of the year.
- D. Supervisors and department heads should avoid having overtime employees work holidays whenever possible, except as needed to meet the County's interests.
- E. A paid holiday that falls during a period where sick or annual leave has been granted to an employee will be calculated as holiday paid leave and not sick or annual/vacation leave.

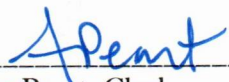
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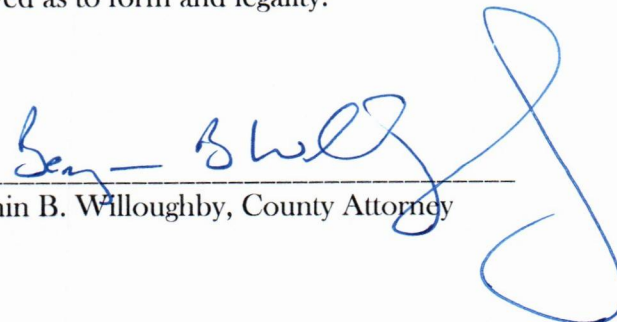
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Benjamin B. Willoughby, County Attorney