

**MEMORANDUM
PERSONNEL DEPARTMENT
COUNTY OF PLACER**

To: Board of Supervisors
From: Nancy Nittler, Personnel Director
Date: June 13, 2006
Subject: Amend Chapter 3.04.240 - Procedure to Secure Overtime Pay

ACTION REQUESTED

Approve the attached ordinance amending Placer County Code, Chapter 3, Sections 3.04.240 C and D and delete Chapter 3 Section 3.04.240E - Procedure to Secure Overtime Pay.

BACKGROUND

When an employee has been directed to work beyond 40 hours in a work week, the overtime hours can be paid at the overtime rate or banked as hours earned for future paid time off. These hours are called compensatory time off (CTO). Currently, it is the department head's responsibility to assure that all CTO accumulated within the county's fiscal year by an employee be taken within that fiscal year. Further, current labor agreements limit the number of hours an employee may carry into the next fiscal year. For Placer Public Employee Organization represented employees that amount is 80 hours and 40 hours for Deputy Sheriff Association represented employees. The current policy allows for the Board to approve exceptions in the maximum carry over of CTO hours for medical reasons where both the employee and the department head requests such carryover of hours.

One of the proposed amendments would delegate approval for the carryover of CTO hours beyond the maximum to the County Executive Officer and would additionally allow for exceptions based upon good cause other than medical leaves of absence. Good cause would typically be tied to the county's inability to allow for employee time off prior to the end of the fiscal year due to unusual work circumstances such as weather conditions.

The remaining two amendments are clarifications of when the cash payment would be made to the employee.

The proposed language has been discussed with and is supported by the Placer Public Employee Organization and Deputy Sheriff Association.

FISCAL IMPACT

There is no fiscal impact in the carryover of hours beyond the fiscal year as it will allow the employee to use the time on payroll in lieu of being paid cash.

Before the Board Of Supervisors County of Placer, State of California

In the matter of: An ordinance amending Placer County
Code, Chapter 3, Section 3.04.240, relating to the
Procedure to secure overtime time pay.

Ordinance No.: _____

First Reading: _____

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer at
a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest:
Clerk of said Board

**THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA,
DOES HEREBY ORDAIN AS FOLLOWS:**

That Placer County Code, Chapter 3, Section 3.04.240, is hereby amended as indicated on the
attached: (Additions to ordinance shown in bold/underline, deletions shown with strike-through.)

Effective the first day of the pay period after the second reading.

Chapter 3, Section 3.04.240:

3.04.240

Procedure to secure overtime pay.

A. When overtime necessary to provide essential county service has been authorized by the department head, each employee working overtime shall submit to his or her department head a written statement within one working day, stating:

1. His or her name;
2. The date and hours overtime worked; and
3. The nature of the service performed during such overtime.

B. Overtime shall be compensated for in pay or compensatory time off at one and one-half times such employee's regular rate.

1. Deputy Sheriffs Unit--Required Overtime. Overtime required to be worked by the appointing authority or his or her authorized representative shall be compensated for at one and one-half time such employee's regular rate. The hours shall be compensated for in pay or compensatory time off at the discretion of the appointing authority.

C.1. General Unit and Professional Unit. Subject to the provisions of subsections A and B of this section, overtime earned may be paid in cash or taken in the form of compensatory time off at the option of the employee. Compensatory time off may be taken at any time with the concurrence of the department head; however, if the requested time off is denied, the employee may request payment in cash in lieu of the denied compensatory time off.

It is the department head's responsibility to assure that all CTO accumulated within the county's fiscal year by an employee shall be taken within that fiscal year. ~~and not later than the last day of the last full two week pay period of such fiscal year. Compensatory time off (CTO) earned and not used by the last day of the last full two week pay period of such fiscal year shall be carried forward into the next fiscal year up to a maximum of eighty (80) hours unless the employee requests that it be paid in cash. All accumulated CTO in excess of eighty (80) hours~~ **at the end of pay period 1 (one), after adjusting the balance for any hours earned or used during that same pay period,** shall be paid in cash.

2. Deputy Sheriffs Unit. Subject to the provisions of subsections A and B of this section, overtime earned and not used by the last day of the last full two-week pay period of such fiscal year shall be carried forward into the next fiscal year up to a maximum of forty (40) hours. All accumulated overtime in excess of forty (40) hours shall be paid in cash. No employee shall be required to accumulate more than eighty (80) hours in compensatory time off without his or her express written approval.

D. Notwithstanding the provisions of subsection (C) ~~(4)~~ of this section, an employee may request that additional compensatory time off hours be carried over into a new fiscal year, if necessary, for medical reasons. Such request may be granted if recommended by the department head and approved by the board of supervisors **County Executive Officer. The County Executive Officer may also approve such requests for good cause other than a medical leave of absence.** ~~The provisions of this subsection shall be applicable to requests made on or after June 1, 1983.~~

~~E. General and Professional Units Employees--Leaves
Extending Beyond End of Fiscal Year. An employee granted a leave of absence
which will extend beyond the last day of the last full two week pay period of such
fiscal year, shall be paid in cash for all accumulated CTO on the first pay day
following commencement of the leave of absence. (Ord. 5058 B (Attach. 13),
2000; prior code § 14.210)~~