DODGE COUNTY
PERSONNEL POLICIES AND PROCEDURES

Policy # **119**	Approval Date: 08/05/2014
Policy Title **Overtime**	Effective Date: 08/05/2014, 01/01/27
Owner **Human Resources Committee**	Revision Date(s): 10/20/15; 04/11/23; 10/28/26

I. PURPOSE

The purpose of this policy is to clarify payment of overtime pay for non-exempt personnel for the various departments and divisions and to also ensure compliance with the varied Fair Labor Standards requirements associated with County operations.

II. POLICY

A. Payment for all approved overtime hours worked in excess of 40 hours per week will be compensated at 1½ times the employee's regular rate of pay, unless an alternative calculation under the Fair Labor Standards Act (FLSA) is applicable. . The FLSA alternative calculation varies by department and position.
B. Dodge County utilizes the 7-minute rounding rule for timekeeping. Therefore, overtime is paid in increments of 15 minutes. Any time worked less than eight (8) minutes will not be considered for overtime pay.
C. Hours worked beyond the maximum allowed under the position's designated FLSA rule will default to overtime.
D. Eligible positions may elect premium pay at one-and-one-half (1.5) times their regular rate of pay for mandated hours worked outside their regularly scheduled shift when performing required qualified safety-related services or emergency response.
    1. Eligible positions are limited to the following departments: Highway, Sheriff's Office, Physical Facilities and Clearview.
        i. Positions include but are not limited to: Correctional, 911 Communications, Nursing, Dietary, Clearview Maintenance, Physical Facilities, Highway Maintenance and Mechanics.
    2. Elections for premium pay must be communicated in writing to the supervisor prior to employee timecard approval and payroll processing.
E. Specific policies for specific departments are noted in the guidelines below. If a department is not noted, overtime is earned in accordance with the Fair Labor Standards Act (FLSA) for hours worked in excess of forty (40) hours in a defined week.
F. If this policy contradicts any provisions of the Fair Labor Standards Act (FLSA), the FLSA shall take precedence.
G. If this policy is contradicted by another Dodge County Policy, this policy shall take precedence.
H. Please see Sworn Association Agreement for Sworn Association employees.

III. GUIDELINES

A. Clearview

1. Overtime calculation for Clearview employees will be based on one of the following two assigned pay classifications under the FLSA. The FLSA designated overtime rule is identified in each position posting.
    a. 8 hours per day and 80 hours worked per pay period, defined by rule 778.601 under Sections 7 (j) of the Fair Labor Standards Act (FLSA).
        i. For purposes of calculating overtime under the over eight (8) hours provision of the 8/80 rule, a day shall be defined as the period from 12:00 a.m. through 11:59 p.m.
    b. 40 hours worked per week as defined by the provisions contained in the Fair Labor Standards Act (FLSA).
2. There will be no overtime paid for traded days requested by employees unless the time worked would otherwise qualify for overtime under the FLSA.
3. Employees who are scheduled to work holidays will be compensated at one and one-half (1½) times the normal rate of pay

B. Highway Department

1. Hours worked on holidays will be compensated at 1½ times the employee's regular rate of pay as premium pay.
2. Work performed on Christmas Day will be compensated at double time.
3. Employees who begin work prior to 7:00 a.m. (6:00 a.m. during the summer) will be paid for hours worked prior to 7:00 a.m. as a regular rate of pay plus a "shift half" rate resulting in 1 ½ times the regular rate of pay. /

C. Sheriff's Office

1. Overtime calculation for Sheriff's Office employees will be based on one of the following two assigned pay classifications under the FLSA.
    i. 40 hours worked per week as defined by the provisions contained in the Fair Labor Standards Act (FLSA).
    ii. For qualified position classifications including correctional employees, the County has declared a twenty-eight (28) days, (171 hours) "7(k)" work period which is pursuant to the provisions of the FLSA. Employees designated under 7(k) of the FLSA that work more than one hundred seventy-one (171) hours in a twenty-eight (28) day work period, shall receive overtime.

IV. PROCEDURE

A. **Overtime Default**

1. The timekeeping system will process and calculate all hours worked to the FLSA.
2. The timekeeping system will default all eligible overtime under FLSA as overtime.
    i. Employees eligible for compensatory time, must communicate, in writing, to the supervisor prior to employee timecard approval and payroll processing the request to convert overtime to compensatory time. See also Policy # 119.2 – Compensatory Time

B. **Overtime Pre-Approval**

1. Any employee overtime hours must be pre-approved by the employee's supervisor or department head. Non-exempt employees cannot authorize any overtime hours of work for themselves or any other employee.
2. Employees who request to work outside of their normal schedule will have such hours preapproved by their supervisor or department head. These hours will be considered under the defined Fair Labor Standards Act (FLSA) overtime rules based on hours worked.
3. When an unusual circumstance occurs which results in an employee performing essential work beyond his/her normal schedule without preapproval, the employee will discuss the matter with his/her Department Head as soon as possible and the

Department Head will make the determination of whether overtime payment will be approved after the fact or whether the employee will be required to adjust his/her work schedule within the balance of the current work week to accommodate the additional time worked.

4. Employees who fail to obtain required pre-approval, or who do not follow the established after-the-fact approval process in unusual circumstances, may be subject to disciplinary action.
5. Individual departments may establish overtime work conditions which may waive the preapproval rule. Such conditions will be posted by the Department Head for their employees.