

WAUKESHA PUBLIC LIBRARY
HUMAN RESOURCES POLICY PROCEDURE

SUBJECT: OVERTIME PAY & COMPENSATORY TIME OFF & OUT OF CLASSIFICATION PAY	Issued: 5/12/16 11/10/16	No: C-6
	Supersedes: 12/18/14 5/12/16	Page: 1 of 7

Policy: The Waukesha Public Library desires to establish a written policy in regard to overtime pay and compensatory time off by setting forth a uniform set of procedures.

1. EXEMPT EMPLOYEES

The Library expects that employees filling exempt salaried positions may work both above and below forty (40) hours in a week. However, regular excessive work should be equal to a reasonable amount of compensatory time off. Compensatory time off must be authorized by the department director.

General Guidelines:

A. No Overtime Compensation, Exempt under Fair Labor Standards Act (FLSA):

Those 'Executive' and 'Professional' job classifications contained within Appendix A of this policy are excluded from eligibility for overtime accrual and payment. Therefore, employees filling these job classifications are not eligible for wage payment for any hours worked beyond the regular work schedule. Employees filling exempt salaried positions are compensated, not primarily on the basis of specific hours of labor, but on the basis of the duties and responsibilities required of their positions. Such employees are required to satisfactorily discharge the full duties and responsibilities of their positions, whether work is required in excess of their regular hours of work or not.

B. Reporting Hours of Work: All library employees will report all hours of work (daily starting and ending times) and all time taken off (vacation, sick leave, etc.), in the time and attendance system. This payroll must be verified and approved by the employee's supervisor and/or Library Director. Full-time exempt employees do not need to report lunch starting and ending times.

C. Workweek/Workday Defined: Employees in exempt salaried positions are expected to work a minimum of forty (40) hours weekly, normally consisting of five (5) workdays of eight (8) consecutive hours each day with a scheduled unpaid one (1) hour lunch period. The Library Director shall establish the regular hours of work (work schedule) for employees within the department based on the operational needs of the work unit. When any exempt salaried position, because of special or unique circumstances, regularly or frequently requires work in excess of the regular workweek, such circumstances and hours of work characteristics are considered as factors when the classification is established, and within the annual compensation of such positions.

D. Exempt Compensatory Time Defined: There are circumstances when exempt salaried employees need time off for personal reasons. These could be for

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emergencies, personal problems, personal matters, or many similar situations. Compensatory time off with pay and benefits (up to one day) may be approved in advance by the supervisor. If the request is for more than one eight (8) hour day, the request must be approved by the Library Director.

2. NON-EXEMPT EMPLOYEES

General Guidelines:

A. Overtime Compensation: Those job classifications contained within Appendix A and listed as “non-exempt” are eligible for overtime accrual and payment. Employees filling these job classifications are eligible for wage payment for any hours actually worked in excess of forty (40) hours per workweek or for any hours actually worked between midnight Friday and midnight Sunday provided such hours are not part of the employee’s regular schedule. Employees will be paid at a rate of one and a half (1.5) times their regular rate of pay for all hours worked in excess of forty (40) hours per week. Pyramiding of overtime is prohibited, which means that any hours worked that are paid at an overtime rate within a workweek will not be counted for the purposes of determining overtime eligibility. Approved vacation, compensatory time, personal holidays, and holidays shall be counted for the purpose of determining overtime eligibility. Supervisors are strongly encouraged to adjust work schedules to avoid incurring overtime.

Distribution of overtime opportunities: As far as practicable, departments shall equalize overtime opportunities on a calendar year basis between employees within each job classification.

B. Reporting Hours of Work: All non-exempt Library employees will report hours of work (daily starting and ending times and lunch starting and ending times) and all time taken off in the time and attendance system. This payroll record must be verified and approved by the employee’s supervisor and/or Library Director.

C. Workweek/Workday defined: Department managers shall establish the regular hours of work (work schedule) for employees within the department based on the operational needs of the work unit. The workweek for Library employees runs from 12:00 a.m. Monday through 11:59 p.m. Sunday.

Schedule changes may be made on a daily basis to meet the operational needs of the department to avoid incurring overtime. Long term changes to an employee’s regular schedule must be preceded by a two week notice to the employee unless an emergency need justifies shorter notice. Long term changes to an employee’s regular

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schedule must be reported to the Human Resources office at the time of notice is provided to the employee so that appropriate payroll changes can be made.

D. Compensatory Time Off: An employee may choose to be paid for overtime worked in a pay period, or may choose to bank the overtime hours to be used as compensatory time off. This election cannot be changed at a later date.

Employees may not exceed eighty (80) hours, pro-rated for regular part-time employees, of banked compensatory time at any given time. Use of compensatory time will be governed as follows:

- a) Compensatory time off may be taken in increments of not less than two (2) hours at a time. It must be approved by the employee's immediate supervisor, and will not be unreasonably denied.
- b) In the case of documented non-emergency legal, medical, or dental appointments, or a documented emergency, compensatory time off shall be allowed proportionate to the time necessary to be away from work for the appointment or emergency.
- c) Non-FMLA eligible compensatory time off will be scheduled and approved on a first come – first served basis.
- d) Compensatory time off will not interfere with the performance of departmental services.
- e) Accumulated compensatory hours will be transferable from one department to another, due to the transfer of an employee. Unused accumulated compensatory time will be paid out when the employee leaves Library employment.

E. On-call/Standby:

- a) A department may designate an employee to be "on call" or in a "standby" status as required by the operational needs of the department.
- b) An employee is considered to be on-call and subject to all provisions referring to on-call when that employee is scheduled to be on-call, is receiving on-call premium pay, and is required to carry the remote interface device during the hours designated by the Library Director.
- c) Designated employees are responsible for coverage during hours which have been designated. If an employee cannot comply with this requirement due to an emergency situation the employee must notify his/her supervisor immediately.
- d) On-call employees must be ready and able to respond to alarms or emergencies or

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as otherwise directed within an established response time. Failure to respond within the established time may lead to disciplinary action.

- e) Only time spent responding to a call will count as hours worked. On-call time itself will not count as hours worked.
- f) On-call pay shall be \$1.50 per hour.

F. Callback pay: Employees called into work outside of their regular work schedule and not contiguous to the beginning or end of their assigned hours of work (shift) shall be entitled to a minimum of two (2) hours work, or pay therefore, at the applicable rate. Employees must travel to the work site in order to be eligible for callback pay. Employees are not entitled to additional pay for travel (commute) time to and from their residence.

3. REPRESENTED EMPLOYEES

Overtime and compensatory time for represented employees will be governed by the provisions of applicable labor agreements.

4. AUTHORIZATION OF OVERTIME WORK

It is the policy of the Library to provide sufficient staffing to permit work hours to be as close to a regular schedule insofar as may be practical and consistent with efficient operations. Therefore, department managers and supervisors may authorize overtime work when required. However, it is their responsibility to keep overtime work to a minimum by adjusting the work schedule (e.g. flex hours) as necessary and appropriate, and yet fulfill the assigned duties and responsibilities of each employee and the department.

5. OUT OF CLASS PAY/TEMPORARY ASSIGNMENT

It is the policy of the Library to provide compensation to qualified employees temporarily performing work of a higher level job classification. Out of class pay is intended to apply only to short term assignments of less than six months. Additional time may be authorized only in exigent circumstances.

Approval is required for temporary assignment of an employee to a position in a higher salary grade. Advance application by the Department in writing is required as set forth below. The application shall be submitted to the Library Director (or Library Board if position under consideration is the Library Director) and shall include the following information:

1. Reason for the assignment (how and why it is absolutely essential and/or critical to the continued operation of the organizational unit;

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2. Anticipated length of the temporary assignment;
3. Explanation as to why alternative assignments are not being used; and,
4. Plan for resolving the out-of-class situation including what action will be taken at the conclusion of the assignment.

Out of class assignment applications will be approved only under the following circumstances:

- It is not practical or feasible due to time constraints to establish, recruit, fill, and train for a temporary position;
- There exists an urgent and/or critical need to have duties and responsibilities performed during the absence of another employee;
- The department is in the process of recruiting to fill a permanent position; or
- Pending reorganizational changes within the department or changes in its leadership may impede or delay the department's ability to fill the permanent position.

In order to be eligible for out of class pay, the following must occur:

- A.** The Library Director: The Library Board must assign the employee to perform the duties and responsibilities of the Library Director;
- B.** The Library Director must assign the employee to perform the duties and responsibilities of a different job classification in a higher salary grade;
- C.** The employee must perform all, or substantially all, of the duties and responsibilities which distinguish the temporary assignment from the class in which the employee is currently classified;
- D.** The employee must perform the temporary assignment for a qualifying period of more than fifteen (15) consecutive full work days; and
- E.** The employee must possess the state or federal licensure, registration or certification requirements as may be stated on the job description of the vacant position.

Pay Differential:

The pay differential shall be recommended by the Library Director, approved by the Library Board in consultation with the City Human Resources Manager. The rate of pay for the temporary assignment will take into consideration the experience of the

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employee, years of service with the Library, and the salary level of the previous incumbent. The pay differential shall be limited by the salary grade of the vacant position.

Eligible employees shall receive pay differential for the time worked in a temporary assignment in a classification having a higher salary grade than the employee's permanent classification. Vacation, sick leave, or other non-work shall be compensated at the employee's regular rate.

The pay differential shall not be part of an employee's base for the purposes of salary adjustment's or other salary transactions related to their regular appointment or subsequent appointments.

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APPENDIX A
JOB CLASSIFICATIONS
Overtime Exempt

Executive:

Library Director

Professional:

~~Deputy Library Director~~
Assistant Library Director
~~Head of Program Development & Community Engagement~~
Manager, Children's Services
Manager, Information Services
Manager, Technical Services
~~Head of Building & Operations Supervisor~~
Supervisor, Circulation Services
Information Technology Technician II
CAFÉ Systems Manager
Librarian I

Overtime Eligible, Non-Exempt:

~~Administrative Assistant~~ Special Projects Coordinator
~~Confidential Bookkeeper~~ Financial Planning Analyst
~~Library Associate II~~
Library Associate
Library Assistant
Custodian II
Custodian I
Page/Shelver

Adopted by the Library Board
~~May 12, 2016~~ November 10, 2016