	<p>City of Albany Administrative Policy Benefits & Compensation Policy #: HR-BC-12-006 Title: Overtime Pay</p>	<p>Human Resources</p>
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Purpose The City of Albany acknowledges that job responsibilities may require a workweek in excess of 40 hours. Non-exempt employees as defined by the Fair Labor Standards Act (FLSA) are eligible for overtime or compensatory time off when they have exceeded 40 hours in a workweek.

Policy A position’s FLSA status will be determined by Human Resources when the position is established. Human Resources will review the FLSA status whenever there are changes to the job description.

FLSA Non-Exempt Employees:
FLSA non-exempt employees shall be compensated at the rate of one and one-half (1.5) times the regular rate of pay for the overtime hours worked. Compensation for overtime hours can be in the form of cash payment at time and one-half or the employee can receive compensatory time off earned at time and one-half hour for every hour worked in excess of 40 hours in a workweek. Overtime pay shall be based on the actual number of hours worked.

Paid absences during the workweek shall be considered as time worked for the purpose of computing weekly overtime for regular status employees.

Union Represented FLSA Non-exempt Employees – Rules for hours of work and overtime for any represented FLSA employee will be administered according to the Collective Bargaining Agreement.

FLSA Exempt Status Employees:
Compensation for hours worked beyond 40 in a workweek is not authorized for employees who qualify for exemption as defined by the Fair Labor Standards Act (FLSA). Acceptance of an exempt position with the City of Albany constitutes acknowledgement that job responsibilities may require excess of 40 hours in a workweek.

- Exceptions**
1. Exempt fire suppression employees working 56-hour shifts are eligible for:
 - a) Straight time pay for duties above and beyond expected normal duties, such as:
 - Additional shift coverage
 - Callback during emergencies
 - Specific training functions
 - b) Time-and-one-half pay for State reimbursed emergencies, such as:
 - Conflagrations
 - State Haz Mat Team responses



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2. With the exception of the Police Chief, all FLSA exempt Police personnel may receive up to 100 hours of straight time pay in a fiscal year for excess hours over 40 hours worked in a workweek for:
 - a) Training
 - b) Court
 - c) Unplanned callback for major incidents
 - d) Reimbursed hours from grants or other agencies

The maximum number of hours under this subsection may be increased by the Police Chief, in consultation with the Human Resources Director, if an employee has exhausted their hours due to unplanned callback for major incidents. The Human Resources Director will notify Payroll when this occurs.

Authorization of Overtime:


Overtime must be preauthorized by the employee's supervisor. Unauthorized overtime hours worked by FLSA non-exempt employees will be paid; however, such unauthorized work may subject the employee to disciplinary action.

Compensatory Time Off Guidelines:

1. Non-exempt, regular status employees will have the option to receive compensatory time in lieu of overtime pay.
2. An employee's supervisor cannot require that an employee take compensatory time in lieu of overtime compensation.
3. Compensatory Accrual
The accrual of compensatory time shall be as follows:

Represented Group	Accrual Rate	Maximum Accrual
Nonbargaining	1.5 for every 1 hour O.T.	80 hours
AFSCME	1.5 for every 1 hour O.T.	80 hours
APA	1.5 for every 1 hour O.T.	72 hours
IAFF	1.5 for every 1 hour O.T.	100 hours *

4. *Compensatory time must be paid out prior to any rate increase.

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Definitions **FLSA Non-Exempt-** employees eligible for overtime
FLSA Exempt- employees not eligible for overtime

References Refer to specific Collective Bargaining Agreements.

Review and Authorization

Supersedes: HR-BC-12-005	Created/Amended by/date: HR; 4/4/2022	Effective Date: 4/4/2022
HR Director: <i>Signature on File</i>		City Manager: <i>Signature on File</i>

1. Form or worksheet revision related to this document? No Yes

If yes, attach a copy of the revised form or worksheet.

2. Training required? No Yes