

	<b>LANE COUNTY SHERIFF'S OFFICE POLICY</b>	Number: <b>G.O. 6.10</b>
		Issue Date: March 21, 2005
		Revision Date: November 2, 2005; March 28, 2019
<b>CHAPTER:</b> Human Resources		Related Policy: Lane County Administrative Procedures Manual, Chapter 3, Section 42 - Hours Worked, Overtime, and Compensatory Time
<b>SUBJECT:</b> Assignment of Overtime		Related Laws: Fair Labor Standards Act

**POLICY:** Personnel may be required to work overtime. Assignment to and payment for such overtime shall be in accord with County procedures and applicable labor agreements, to provide systematic, equitable, and uniform principles governing matters pertaining to wages, hours, benefits, and other employee relations matters to all employees of this Sheriff's Office.

**RULE:**

1. Employees will be paid in accordance with State and Federal regulations, applicable labor contracts, and the policies and procedures as set forth in the Lane County Administrative Manual.
2. Any over time voluntarily worked is not considered recalled.
3. Unanticipated or short notice overtime is considered to be an emergency in nature.

**PROCEDURE:**

- I. Non-Represented/Non-Exempt Supervisors of LCPOA Members
  - A. A supervisor held over within four (4) hours at the end of his or her regular shift is not considered recalled. If the court appearance or preparation time is less than four (4) hours, the supervisor will be paid only from the end of the supervisor's regular shift until released from duty or end of court appearance. Supervisors recalled less than four (4) hours prior to the start of his/her regular shift shall be paid only from the beginning of their recall period until the beginning of their regular shift.
  - B. A supervisor recalled on a day off shall be guaranteed a minimum of four (4) hours of pay at the appropriate regular or overtime rate. If a supervisor is recalled a second time on the same day off within two and one half hours after the expiration of the first four hours of recall, hours paid shall be from the end of the first four hours recall until released from duty, less normal court noon recess. If a supervisor is recalled a second time on the same day off more than two and one half hours after the expiration of the first four (4) hours of recall, the supervisor shall be guaranteed a minimum four (4) hours pay at the appropriate regular or

overtime rate. If the supervisor is recalled a second time on the same day off within the first four (4) hour recall period, hours paid will only be for actual hours worked after the expiration of the first four (4) hours of recall until released from duty.

- C. Overtime shall be paid for all hours in excess of forty (40) hours in a seven (7) day work cycle, eighty (80) hours in a fourteen (14) day work cycle (as applied to the eleven (11) hours and twenty-five (25) minute schedule) or any work performed in excess of the supervisor's regular scheduled shift.

## II. Non-Represented/Non-Exempt Employees

- A. An employee held over within four (4) hours at the end of his or her regular shift is not considered recalled. If the court appearance or preparation time is less than four (4) hours, the employee will be paid only from the end of the employee's regular shift until released from duty or end of court appearance. Employees recalled less than four (4) hours prior to the start of his/her regular shift shall be paid only from the beginning of their recall period until the beginning of their regular shift.
- B. An employee recalled on a day off shall be guaranteed a minimum of four (4) hours of pay at the appropriate regular or overtime rate. If an employee is recalled a second time on the same day off within two and one half hours after the expiration of the first four hours of recall, hours paid shall be from the end of the first four hours recall until released from duty, less normal court noon recess. If an employee is recalled a second time on the same day off more than two and one half hours after the expiration of the first four (4) hours of recall, the employee shall be guaranteed a minimum four (4) hours pay at the appropriate regular or overtime rate. If the employee is recalled a second time on the same day off within the first four (4) hour recall period, hours paid will only be for actual hours worked after the expiration of the first four (4) hours of recall until released from duty.

## III. Represented Employees

- A. Voluntary Overtime - Anticipated
  - 1. Anticipated overtime will be posted or offered as far in advance as possible. Opportunities for overtime will be posted on the respective program's briefing board, posted at another centrally located place, and/or offered during briefing periods.
  - 2. Anticipated overtime that is to occur seven or more days from the date of posting will remain posted for at least twenty-four hours. The most senior qualified employee who has volunteered will be assigned the overtime.
  - 3. Anticipated overtime that is to occur within less than seven days will be offered on a first come, first served basis.

B. Voluntary Overtime - Unanticipated

1. Volunteers for that overtime will be solicited from on duty staff and staff anticipated to be on duty.
2. Overtime hours in these situations will normally be offered in blocks of four hours or less and consecutive with the beginning or the end of a normal assigned shift.

C. Involuntary Overtime

1. In the event that there are no volunteers to work overtime, overtime will be assigned.
2. Generally, the selection of personnel for assignment to work overtime will be based upon the Mandatory List.
3. Whenever practical, extending the hours of people scheduled to work on the respective date will take precedence over interfering with days off.

D. Special Considerations

1. Where special skills or qualifications are required, involuntary overtime will be assigned following the same selection process as listed in III C to the first person on the list who possesses the required special skills or qualifications.
2. Except in emergencies, involuntary overtime will not be assigned to employees from other divisions although qualified volunteers may be sought from other divisions.
3. Supervisors have the discretion on whether to assign involuntary overtime that extends an employee's regular shift (a "hold over") to an employee who is scheduled on the following day to work overtime prior to the start of their regular shift (a "come in early"), even if the employee is at the top of the Mandatory List. If need be, the "come in early" can be reassigned to another staff member.

E. Documentation

1. It will be the responsibility of shift supervisors to maintain a Mandatory List of personnel for their section who have been assigned to work overtime hours and the date when those hours were worked.
2. The overtime worked by employees will be entered on the Mandatory List by the date the overtime was worked only after the overtime is completed.

3. A new Mandatory List, based upon seniority, will be created yearly or after each rotation based upon each division's needs.
4. To be moved on the Mandatory List, the overtime must be to cover a staff shortage in the employee's section and the duration of the overtime must be a minimum of thirty minutes.