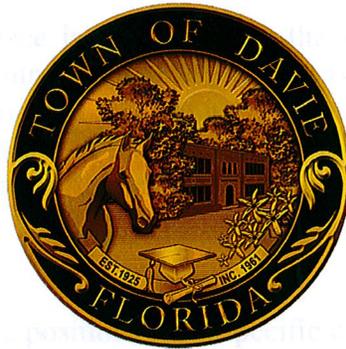


**TOWN OF DAVIE  
HUMAN RESOURCES DEPARTMENT**



**HOURS OF WORK  
SOP #22-001**

**September 19, 2012**

**SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL**

This operating procedure shall replace the Personnel Rules and Regulations and Policies enacted prior to the effective date of this Operating Procedure.

Revision	Date	Responsible Department	Description of Change
1	May 6, 2009	Human Resources	Initial Release
2	September 19, 2012	Human Resources	Revision

**APPROVALS:**

*Steve H. J. Hays*  
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Author

*Steve Hays*  
\_\_\_\_\_  
Town Administrator

*9/24/12*  
\_\_\_\_\_  
Date

*9-24-12*  
\_\_\_\_\_  
Date

## **1-1. POLICY.**

It is the policy of the Town of Davie to pay employees within the funds available in an equitable manner both internally and externally while complying with all applied laws and regulations.

The pay policy and guidance is developed by the Human Resources Department and approved by the Town Administrator. The pay plan is further approved by Town Council each year during the adoption of the Annual Budget. This policy will be in accordance with the Fair Labor Standards Act, Florida Statutes Chapter 119, and the General Records Schedule for local Government Agencies issued by the State of Florida.

## **1-2. DEFINITIONS.**

- a. Exempt - Employees whose positions meet specific criteria established by the FLSA and who are exempt from overtime pay requirements shall be classified as exempt.
- b. Fair Labor Standards Act (FLSA) - the federal labor law that covers minimum wage provisions, overtime pay, the Equal Pay Act, child labor laws, and other employment laws. For further information, you are directed to <http://www.dol.gov/dol/asp/public/programs/handbook/minwage.htm>.
- c. Non-exempt - Employees whose positions do not meet FLSA criteria and who are paid one and one-half their regular rate of pay for hours worked in excess of 40 hours per week. Nothing in this section shall prohibit a supplement to overtime rate of pay pursuant to a collective bargaining agreement.

## **1-3. SCOPE.**

This operating procedure applies to all employees of the Town of Davie (Town) in the Regular Service (regardless of probationary or other status), as well as all Executive, Part-Time, and Seasonal employees.

## **1-4. PROCEDURE.**

- a. Work Hours and Compensation
    - 1. In order to be compensated for hours worked, employees must report all hours worked.
    - 2. “Normal work hours” are those hours which the employee is regularly scheduled to work.
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3. Employees are classified as being part-time when normal work hours are less than 35 hours a work week. Employees are classified as being full-time when normal work hours are 35 hours or greater a work week.
4. All employees may be called out beyond their normal work hours.
5. It is the responsibility of management to notify employees as soon as possible of any permanent scheduling change.

**b. Scheduling of Hours**

1. The work week will begin at 12AM on Thursday and end at 11:59PM the following Wednesday. Those employees who are normally scheduled to work hours that are split between Wednesday and Thursday will split their hours between workweeks accordingly.
2. Employees must take a one half hour unpaid lunch each day, which shall be scheduled by the department. In addition, employees will be allowed two (2) fifteen (15) minute paid breaks to be scheduled by the department generally one in the morning and one in the afternoon. At the discretion of department directors, employees may be eligible to take one (1) hour paid lunches by forgoing the two 15 minute paid breaks.
3. Department Directors may authorize the use of flextime. Flextime allows departments to select from a range of starting and ending times for the work day. Flextime must account hour for hour of the normal amount of work hours within the standard 40 hour work week.
4. Department Directors may authorize a compressed work week (IE four (4) ten-hour days) that includes the normal hours worked in the regularly scheduled work week.
5. Compensatory Time or "Comp-time" is not authorized unless approved in writing by the Town Administrator or designee.
6. The scheduling of work is the responsibility of the department, division, or area in which the employee works.

**c. Regular Pay**

1. Regular pay is received for scheduled hours worked when an employee actually works those hours. Pursuant to the Fair Labor Standards Act (FLSA), bona fide meal periods are not considered work time.
  2. The Pay Plan, including regular rate of pay, will be prepared by the Human Resources Department, and approved by the Town Administrator.
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**d. Fair Labor Standards Act Status**

1. Employees in positions that are classified as being exempt according to Fair Labor Standards Act will be compensated on a salary basis and are therefore not entitled to call-out or overtime pay. This does not preclude employees from being called-out.
2. Employees in positions that are classified as being non-exempt according to the Fair Labor Standards Act are compensated on an hourly basis and are therefore subject to call-out, and overtime pay. Such pay will be paid in addition to the employee's base wage/pay rate and must be authorized by the Department Director.

**e. Call Out Pay**

1. Due to the nature of the services provided by the Town of Davie it may be necessary to call-out employees.
2. Types of call-out:
  - (i) For non-exempt employees, regular pay will be received for a minimum of three (3) hours or for actual hours worked, whichever is greater, when an employee is called out. Overtime will be applied when hours worked are greater than forty (40) per work week.
  - (ii) For non-exempt employees called-out to work during an official holiday, pay will be calculated at the rate of time and one-half for the number of hours worked, in addition to their earned holiday pay.
  - (iii) If an emergency requires an employee to be called into work during a pre-approved leave request (vacation, funeral, FMLA), pay will be calculated at the regular straight time and/or appropriate overtime rate and leave will be adjusted accordingly.
  - (iv) Call-out pay is not authorized if an employee is not called-out or approved by the proper authority.

**f. Shift Assignment/Rotation**

Whenever a shift rotation occurs, no employee shall be forced to work a double shift unless, in the sole discretion of the Department Director or designee, it is deemed absolutely necessary. If the employee is forced to work a double shift, compensation shall be at the rate of one and one half (1.5) his/her base hourly pay rate for all hours in excess of his/her regularly scheduled work week. Employees rotating from one shift to another shall be entitled to at least eight (8) hours of off duty time before returning to work.

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**g. Tardiness**

Employees are expected to faithfully observe their working hours, report for work on time, and be regular in attendance. However, each employee shall be allowed up to two occurrences of tardiness of no longer than six (6) minutes per occurrence, during a twelve (12) month period with no disciplinary action.

**h. Inclement Weather Pay -** If there is an inclement weather day which interferes with operations of a department/division or unit, the supervisor will determine if employees:

1. Remain at the work site, reassigned to other duties/functions and receive the appropriate compensation; or
  2. Are allowed to go home, utilize vacation leave or other paid leave, and receive the appropriate compensation and adjustment to leave balance; or
  3. Are allowed to go home and take leave without pay.
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