

RESOLUTION 23-259

A RESOLUTION TO MODIFY PERSONNEL POLICY 4.10 – OVERTIME AND COMPENSATORY TIME; EMERGENCY CALLOUT; STEP-UP PAY

WHEREAS, the City of Spring Hill recognizes the importance of maintaining up-to-date and comprehensive personnel policies to guide our organization's human resources practices; and

WHEREAS, the City modified Ordinance 11-02 to adopt the Employee Handbook by Resolution; and

WHEREAS, future amendments or revisions to the personnel policies shall be considered for adoption by Resolution; and

WHEREAS, Personnel Policy 4.10 – Overtime and Compensatory Time; Emergency Callout; Step-up Pay was initially established to among other things to establish the number of working hours for firefighters per pay period; and

WHEREAS, the City Fire Department has moved from a 24hours on/48hours off schedule to a 48hours on/96 hours off and the need for Kelly Days has been diminished; and

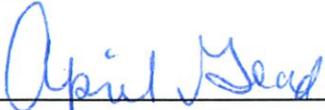
WHEREAS, the revised policy establishes that the standard pay period will be comprised of one-hundred and six (106) hours as opposed to two hundred-sixteen (216) hours.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee, that Personnel Policy 4.10 – OVERTIME AND COMPENSATORY TIME; EMERGENCY CALLOUT; STEP-UP PAY, is hereby revised to reflect the changes in hours for the City of Spring Hill Fire Department.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 18th day of December 2023.

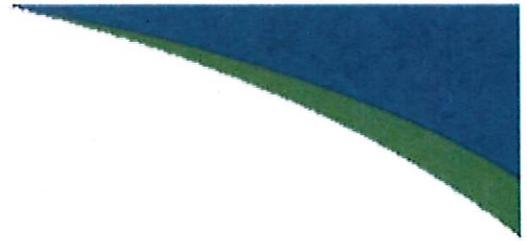

Jim Hagaman, Mayor

ATTEST:


April Goad, City Recorder

LEGAL FORM APPROVED:


Patrick Carter, City Attorney



MEMORANDUM

TO: Board Of Mayor And Aldermen

FROM: Richard L. Stokes, HR Director, City of Spring Hill

RE: Memo Regarding Personnel Policy 4.10 Overtime and Compensatory Time; Emergency Callouts; Step-up Pay

DATE: 12/11/2023

Under the Fair Labor Standards Act (FLSA), the maximum allowable non-overtime hours for firefighters are 212 hours per 28-day period. This regulation applies to work periods of not less than seven nor more than 28 days for public safety personnel. The FLSA authorizes the establishment of work periods for public safety personnel. These work periods can be between 7 to 28 days.

The decision to change from a 212-hour pay period to a 106-hour pay period for firefighters can have several reasons:

1. Operational Efficiency - Shorter shifts (106 hours in a 14-day period) may allow for better rotation of personnel, ensuring that firefighters remain fresh and alert during emergencies.
2. Health and Well-Being - Shorter shifts provide more rest between workdays, reducing the risk of burnout and improving overall health.
3. Financial Considerations- While pay may be lower, the focus shifts to well-being and work-life balance.
4. Community Needs - Allows flexibility to adjust staffing based on community needs and incident severity.
5. Regulatory Compliance - Still complies with FLSA rules while prioritizing shorter shifts.

Additionally, changing to a 14 day (106 hour) pay period coincides with the city pay periods. This would eliminate a number of issues surrounding firefighter pay.

This action is cost neutral.



CITY OF SPRING HILL

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4.10 Overtime and Compensatory Time; Emergency Callouts; Step-up Pay

Overtime is computed and paid according to current Federal Fair Labor Standards Act criteria and regulations. Overtime must be authorized by prior approval of the department head, other authorized department designee, or the City Administrator, except in the case of an emergency.

Non-exempt employees required to work overtime may be compensated with time off (compensatory time) or paid for such overtime. Except for shift personnel of the Fire Department, overtime, whether paid or exchanged for compensatory time, will be computed on the basis of one and one-half times the regular rate of pay for the hours worked in excess of forty (40) hours per week; eighty-six (86) hours per two weeks for sworn police officers. Overtime for shift personnel of the Fire Department will be computed on the basis of one and one-half times the regular rate of pay for hours worked in excess of 216 hours per twenty-eight (28) day pay period.

The forty (40), eighty-six (86) or Two Hundred Sixteen (216) hours, as the case may be, must be actual hours worked. Time off for sick, holiday or vacation will not be considered hours worked for the purposes of calculating overtime. Non-exempt employees may accumulate up to a maximum of forty (40) hours of compensatory time. If an employee who has reached the maximum compensatory time accrual of forty (40) hours earns additional overtime before any of the accrued compensatory time can be used, said additional overtime will be paid in cash at the rate of time and one-half. All non-exempt employees called in for overtime will be guaranteed pay or compensatory time for a minimum of two (2) hours.

If a non-exempt employee is called back to work for an emergency after the normal work shift has ended and after the employee has left the work premises, then compensation for the extra hours worked will be at a rate of one and one-half times the regular rate of pay, including a reasonable length of time to travel to work. The department head will determine whether the work is of an emergency nature and will determine whether the travel time is reasonable.

Regular full-time and regular part-time employees who are in executive, administrative, or professional positions as defined by the Fair Labor Standards Act are exempt from the overtime provisions of the Act. Therefore, the City is not legally required to compensate these employees, either through overtime pay or compensatory time, for extra hours worked.

During times an employee is asked to fill a position different from the one in which they are employed, the employee's compensation shall be temporarily adjusted to reflect the change in assignment. The adjustment shall be one half (50%) of the difference between the employee's assigned compensation level and the compensation level for which the employee has been temporarily reassigned. In the discretion of the City Administrator, the adjustment may be up to but not exceed three fourths (75%) of the difference between the employee's assigned compensation level and the compensation level for which the employee has been temporarily assigned. This temporary compensation change shall occur regardless of the length of time of the temporary reassignment.

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The forty (40), eighty-six (86) or one-hundred and six (106) hours, as the case may be, must be actual hours worked. Time off for sick, holiday or vacation will not be considered hours worked for the purposes of calculating overtime. Non-exempt employees may accumulate up to a maximum of forty (40) hours of compensatory time. If an employee who has reached the maximum compensatory time accrual of forty (40) hours earns additional overtime before any of the accrued compensatory time can be used, said additional overtime will be paid in cash at the rate of time and one-half. All non-exempt employees called in for overtime will be guaranteed pay or compensatory time for a minimum of two (2) hours.

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The Fire Department may use step-up pay as an incentive to encourage employees to work extra shift hours due to staffing shortages. A staff member would indicate on their timesheet that the hours between 96 and 106 were for staffing shortages/additional shift and they would be compensated at that step-up rate for the 10 hours between their normal time and when their time and one-half pay begins. At hour 107+ their normal overtime rate would kick in. Overtime (>106) would be documented as either Over Time and One-Half or Step-Up OT if they remained acting in a higher class. Timecard Note should indicate at a minimum the station worked, position worked, and who approved the overtime.