6.04 HOURS (SHIFTS, LUNCH/BREAKS, ON-CALL, OVERTIME AND COMPENSATORY TIME)

A. Typical Shift Hours

The typical daily shift consists of eight (8) consecutive hours. The typical workweek schedule consists of five (5) consecutive workdays, Monday through Friday. Departments may alter work schedules to meet departmental needs. When a change of schedule is decided, management will make every reasonable effort to inform employees with reasonable advance notice. Employees are expected to work all hours as scheduled and/or directed.

B. Lunch and Break Periods

1. Lunch

Full-Time Employees are permitted a paid lunch period of up to one (1) hour scheduled consistent with departmental needs and advance approval of management. This lunch period is considered a "use it or lose it" benefit.

2. Breaks

Break periods may be scheduled at management discretion but shall not exceed two (2) fifteen (15) minute breaks per eight (8) hour shift.

C. On-Call Duties

Certain positions may require on-call duties. When on-call, the employee is free to pursue his/her own activities with the only restriction being that he/she must be available when called. If an on-call employee is needed to perform work, he/she will be compensated for all time spent performing such needed work from the time the employee leaves his/her residence or other location, until his/her return. On-call time during which the employee is not performing work will not be compensated and/or counted as time worked.

D. Overtime

Overtime is to be avoided wherever possible. Management must approve all overtime and in advance where circumstances permit. Employees are expected to work all overtime hours as directed. Management will make reasonable efforts to distribute the opportunity for overtime equitably among employees qualified to perform the available work

1. Non-Exempt Employees

Non-exempt employees are paid one-and-one-half (1 ½) times their regular rate of pay for all hours *actually worked* (including recognized paid holidays) in excess of forty (40) hours per workweek. *Vacation, sick leave and compensatory time will not be counted as time worked in the calculation of overtime.*

2. Exempt Employees

Exempt employees do not receive overtime pay.

E. Compensatory Time (Comp Time)

With management approval, employees may earn compensatory time only for work hours which are *immediately necessary to the operation of the office/department*. The terms of accrual and usage are as follows:

1. **Non-Exempt Employees**
In lieu of overtime pay, non-exempt employees may accrue and use compensatory time according to the following guidelines:

   a. Compensatory time is accrued at a rate of one-and-one-half (1 ½) times *actual time worked* in excess of forty (40) hours per week. *Vacation and sick leave will not be counted as actual time worked for purposes of calculating compensatory time*;
   b. The maximum amount of compensatory time which a non-exempt employee may accrue is 240 hours; any additional time worked shall be paid as overtime compensation if:
      i. The time is not used within 365 days of being granted, or
      ii. A change in status exempts the employee from the payment of overtime compensation.
   c. Compensatory time must be used prior to any available vacation time;
   d. Use of compensatory time requires prior approval by a supervisor and must be taken at a mutually convenient time;
   e. Compensatory time use must be documented on a leave form signed by the employee and the employee's supervisor prior to the leave being taken;
   f. Upon termination, a non-exempt employee will be paid for unused compensatory time accrued at the rate that is the greater of:
      i. Employee's final regular rate of pay, or
      ii. Employee's average regular rate of pay during the last three years of employment with the County.

   Reference: Ohio Revised Code, Section 124.18.

2. **Exempt Employees**
The Ohio Department of Administrative Services' (DAS) Directive HR-D-08 encourages all agencies to adopt a compensatory time policy which complies with the Fair Labor Standards Act, Ohio Revised Code (Section 124.18) and the Ohio Administrative Code (Chapter 123:1-43) for employees who are exempt from collective and overtime pay.

   Exempt employees under the hiring authority of the Board of Commissioners work a standard forty (40) hour work week. Any exempt employee who is required by a supervisor to perform work duties for more than forty (40) hours in any calendar week may accrue and use compensatory time according to the following guidelines:

   a. Compensatory time accrues on an hour-for-hour basis and may be accrued in one-fourth of one hour (15 minutes) increments;
   b. No compensatory time can accrue during an employee's lunch hour, or for work completed at home;
   c. Use of compensatory time requires prior approval by a supervisor and must be taken at a mutually convenient time. Compensatory time may be used in intervals of one-fourth of one hour (15 minutes);
   d. Compensatory time must be used prior to any available vacation time;
   e. Compensatory time use must be documented on a leave form signed by the employee and the employee's supervisor prior to the leave being taken;
   f. The maximum amount of compensatory time, which an exempt employee may accrue, is 120 hours. Any compensatory time accrued must be used within 180

days after accrual. Any compensatory time not used within 180 days after accrued will be forfeited;

g. Cash payment for accrued compensatory time is not permitted. Employees may not convert compensatory time to any other form of leave. All compensatory time balances will be forfeited upon termination of employment. Compensatory time may not be used to extend an employee's date of resignation, or date of retirement;

h. Compensatory time accrued in another County department or agency is not transferable.