

AN ORDINANCE AUTHORIZING THE ADOPTION OF AN EMPLOYEE COMPENSATORY TIME POLICY AND THE ADDITION OF THE POLICY AS DEFINED TO THE VILLAGE EMPLOYEE HANDBOOK

WHEREAS, Brewster Village Council desires to adopt an Employee Compensatory Time Policy and to modify the Village Employee Handbook to include an Employee Compensatory Time Policy.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:

SECTION 1: The Village shall adopt an Employee Compensatory Time Policy as defined below and shall add Section 3.06 - Employee Compensatory Time Pay Policy to the Village Employee Handbook as follows:

3.06 Compensatory Time Policy

A. Applicability

This provision and “compensatory time” is only applicable to non-exempt employees who are eligible for overtime compensation for more than 40 hours worked in a work week pursuant to the provisions of federal and state law.

B. Prior Authorization

1. As with overtime, all compensatory time must be authorized in advance by your supervisor and/or department head.
2. Regardless of the time at which an employee arrives for work or leaves from work, no overtime eligible employee shall begin work prior to his or her scheduled work hours or continue to work after his or her scheduled work hours or during a scheduled lunch period, without prior approval of their supervisor or department head.
3. An employee who desires to work more than 40 hours in any calendar week must have the compensatory time (overtime) work approved in advance by their supervisor or department head.
4. Employees who work compensatory time (overtime) without approval, here prior approval is possible, are subject to disciplinary action for failure to follow the approval process outlined herein.
5. An employee may be directed to work more than 40 hours in any calendar week (or more than eight (8) hours in any calendar day) by their supervisor or department head.
6. In an emergency situation, when no supervisor or department head is available to authorize the compensatory time (overtime) work, the employee may work the overtime he or she deems necessary.
7. Employees who deem it necessary to work compensatory time (overtime) when prior approval is not possible are subject to disciplinary action for abuse of discretion if it is determined that the situation was not an emergency or the employee exercised poor judgment.

C. Rate of Accrual for Compensatory Time

For eligible employees as designated by Village ordinance, compensatory time (overtime) is accrued at a rate of one and one-half (1 ½) of their regular hourly rate for hours worked or paid credited service over 40 in a week.

D. Compensatory Time Documentation

1. All compensatory time (overtime) must be reflected on the employee time sheet. Failure to do so may result in loss of compensatory time (overtime) and/or discipline.
2. The supervisor or department head shall be responsible for monitoring compensatory time (overtime) work, and for documenting and/or assuring that all compensatory time (overtime) worked is documented on the employee time sheet.
3. For computing compensatory time (overtime), the workweek begins on Sunday morning at 12:01 a.m. and runs through Saturday night at 12:00 midnight.

E. Employee Initiation for Accrual of Compensatory Time

1. Employees are responsible for initiating the process to be compensated for compensatory

time or overtime hours worked in excess of forty (40) in one (1) week.

2. Employees will be required to complete a request (either a signed form or an electronic request) to be compensated for compensatory time and/or overtime.
3. The request must receive prior approval by a Department Head, the Appointing Authority or their designee, and the Finance Director or his/her designee.

F. Maximum Compensatory Accrual

The maximum amount of compensatory time which an employee may accrue is 100 hours.

G. Compensatory Time Use

1. Compensatory time is not available for use until it appears on the employee's earnings statement and the compensation described in the earnings statement is available to the employee.
2. An employee may use earned compensatory time at a time mutually convenient to the employee and their supervisor.
3. The use of compensatory time shall be considered to be hours worked for the purposes of earning and/or computing overtime or compensatory time.
4. Earned compensatory may be required to be used within one hundred eighty (180) days after earning such compensatory time.
5. Use of compensatory time will be charged in one half (1/2) hour increments.
6. An employee shall be paid for compensatory time earned which has not been used upon separation.
7. When payment is to be made for compensatory time not used, it shall be converted back to overtime hours by applying a factor of two-thirds and making payment at the overtime rate which was effective for the employee at the time the compensatory time was earned.

SECTION 2: The above policy replaces any previous version of this policy and supersedes any current policy which may be in conflict with this policy.

SECTION 3: This ordinance shall be in full force and effect at the earliest date provided by law.

Mayor Michael E. Schwab

ATTEST:

Village Clerk Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on December 5, 2016

Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

Clerk K. Kris King