

OBJECTIVE

To establish a policy defining the work week and overtime within the requirements of the Fair Labor Standards Act (FLSA) and other pertinent laws and regulations. This policy applies to all non-exempt Aviation Authority employees, except as otherwise provided in a collective bargaining agreement, which shall prevail.

POLICY

Definitions

Hours Payable. The hours an employee is credited as being in a pay status, as recorded on the time card. Hours Payable excludes:

- Excused Absence without Pay;
- FMLA without Pay;
- Unauthorized Absence without Pay; or
- Workers' Compensation without Pay

Note: Excluded hours are recorded, but not paid.

Hours Actually Worked. The hours an employee actually performed the job assigned, including, but not limited to, Regular pay status (including shift differentials), Overtime (including shift differentials), Holidays, and Travel/Training.

Bargaining Unit Employees. Employees occupying the job classifications defined under a collective bargaining agreement with the Aviation Authority.

Work Week

The Aviation Authority's work week for non-bargaining/non-ARFF combat employees begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 p.m.

The work week for Bargaining Unit Employees begins on Saturday at 11:00 p.m. and ends on Saturday at 10:59 p.m.

The work week for ARFF combat employees begins on Saturday at 7:00 a.m. and ends on Saturday at 6:59 a.m.

An Aviation Authority employee's regular work week, except for ARFF combat employees, is normally forty hours and may begin on any day of the week and at any hour of the day as designated by the department vice president. The day and hour need not be the same for all employees of a department.

ARFF combat employees average 100 hours bi-weekly, beginning at 7:00 a.m., with 24 hours on duty and 48 hours off duty and a regular day off (RDO) every ninth shift, on a rotating three shift operation.

Overtime

Staffing should be planned so that most jobs require minimal overtime. Other alternatives should be considered when significant and recurring overtime is required. Overtime pay should not be used as a means to supplement pay to an employee.

Non-exempt employees must not be permitted to perform overtime without proper authorization or remuneration. Departments should give as much advance notice as possible when overtime is required. All qualified employees within a work area must be given an opportunity for overtime and each department must equitably allocate overtime. Department vice presidents, managers and supervisors must comply with the FLSA by prohibiting non-exempt employees from working unpaid overtime.

Unauthorized overtime worked will be paid in accordance with the FLSA however the employee may be subject to disciplinary action.

Straight Overtime. Overtime shall be calculated at an employee's base rate if Hours Actually Worked in a work week are no more than 40, but combined Hours Actually Worked and paid leave hours (Hours Payable) exceed 40 (except ARFF combat employees).

The following example illustrates Straight Overtime:

S	M	T	W	T	F	S
RDO	8S	8	8	8	8	4 (worked on RDO)

Regular	32
Sick	8
Straight OT	4
Total Hours	44

Premium Overtime. Premium overtime is paid to an employee who is required by the demands of their assignment and who is requested by the appropriate department vice president or designated supervisor to perform work in excess of 40 hours in a work week (except ARFF combat employees). Premium overtime is paid only when the Hours Actually Worked exceeds 40 hours in a work week.

For purposes of computing premium overtime, bereavement leave, jury duty, military leave, personal leave, sick leave, vacation leave, absences without pay and other time not worked are not used in determining Hours Actually Worked. For all Pay Codes of premium

overtime (see Section 425.02, Payroll Reporting), an employee is paid one and one-half times the employee's average regular hourly rate of pay (defined by the FLSA regulations) for all time that is considered premium overtime.

For ARFF combat employees, only those hours required to be considered as premium overtime by applicable law or regulation shall be considered as premium overtime. If ARFF combat employees are scheduled for mandatory overtime, regardless of Hours Actually Worked, the mandatory overtime hours will be paid at Premium Overtime.

**Record Keeping
(Audit of
Records)** See Section 425.02, Payroll Reporting.

APPROVAL AND UPDATE HISTORY

**Format and
Re-Numbering
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Aviation Authority Board: January 18, 2023

Supersedes All Previous
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