



RESOLUTION NO. 006-2010

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

WHEREAS, the Board of Supervisors has previously established and amended the Salary and Benefits Resolution for Unrepresented Employees; and

WHEREAS, Section 1804 defines overtime for unrepresented employees considered non-exempt from overtime provisions for the Fair Labor Standards Act; and

WHEREAS, economic conditions necessitate the County identify cost savings measures; and

WHEREAS, the overtime provisions in the Salary and Benefits Resolution provide overtime benefits which exceed the minimum requirements as set forth in the Fair Labor Standards Act; and

WHEREAS, the definition of overtime has been modified for non-exempt employees covered by bargaining units as a cost savings measure.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of El Dorado approves the addition to Section 1804 and incorporates such changes into the Salary and Benefits Resolution, No. 323-2001, as amended, to become effective upon adoption of the Board.

1804. OVERTIME DEFINED – NON EXEMPT EMPLOYEES

Overtime for non-exempt employees shall be defined as any authorized time worked beyond forty (40) hours in one work week. "Time worked" shall not be defined to include holidays, administrative leave, vacation, authorized compensatory time off, sick leave for work related illness or injury and sick leave.

Notwithstanding other provisions of this Section 1804, Extra Help employees assigned to positions requiring continuous coverage on a twenty-four (24) hour per day, seven (7) days per week basis who are held over at the conclusion of their shift for more than thirty (30) minutes without twenty-four (24) hours advance notice will be paid time and one half from the time they are required/ordered to remain at work regardless of the number of hours actually worked during the work week.

All overtime shall be earned at the rate of one and one-half (1-1/2) hours for each one (1) overtime hour worked. Non-exempt regular employees shall be paid for overtime earned either in cash, or upon the employee's request and with the department's approval, as compensatory time off which is earned at the overtime rate. Non-exempt Extra Help employees shall be paid for overtime in cash. Overtime shall be paid at the employee's base hourly rate of pay or in accordance with the Fair Labor Standards Act.

Time worked as overtime shall not be used to earn fringe benefits or to serve out probation or merit increase periods.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 26 day of January, 2010, by the following vote of said Board:

Attest:
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

Ayes: Nutting, Knight, Sweeney, Briggs, Santiago
Noes: None
Absent: None

By: Marcie MacFarland
Deputy Clerk

Ray Nutting
Vice-Chairman, Board of Supervisors
Ray Nutting

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____ Date: _____
Deputy Clerk