

Resolution of the Pinal County Board of Supervisors amending Resolution No. 041486, dated April 14, 1986, relating to compensatory time and payment for compensatory time for certain Pinal County Employees.

Resolution No: 20493 – CT

WHEREAS, the Federal Fair Labor Standards Act, as amended, is applicable to county employees commencing April 15, 1986; and

WHEREAS, pursuant to 29 U.S.C. §207 (o), counties are employers entitled to provide compensatory time to employees in lieu of overtime compensation; and

WHEREAS, public safety employees covered by the 7(k) exemption may accrue not more than four hundred eighty (480) hours of compensatory time at a rate of one and one-half hours for each hour of employment for which overtime compensation would otherwise be required; and

WHEREAS, the provisions of compensatory time to the nonexempt employees of Pinal County in lieu of overtime compensation was found to be in the best interests of Pinal County and it's employees by the Pinal County Board of Supervisors in Resolution No. 041486; and

WHEREAS, 29 C.F.R. §553.26 provides that employers may substitute monetary payments in whole or part even in instances where a compensatory time agreements has been made; and

WHEREAS, the payment of both compensatory time and overtime compensation to the nonexempt employees of Pinal County appears to be in the best interests of Pinal County and it's employees.

BE IT THEREFORE RESOLVED that the Pinal County Board of Supervisors hereby amends Resolution No. 041486 and declares that, effective immediately, its regular practice shall be to provide compensatory time in lieu of overtime compensation to the nonexempt employees of Pinal County. However, in accordance with 29 C.F.R. §553.26, subject to the availability of funds, the County manager may periodically authorize the payment of overtime compensation as substitution for accrued compensatory time in whole or in part. Payment of overtime compensation on a given occasion shall not affect the subsequent granting of compensatory time in lieu of overtime compensation.

PASSED & ADOPTED THE 4th DAY OF FEBRUARY, 1993



COMPENSATORY TIME OFF AGREEMENT

In accordance with the Fair Labor Standards Act (FLSA), Pinal County has resolved to grant employees compensatory time off in lieu of compensation for hours worked in excess of 40 hours a week, or other permissible work schedules for law enforcement, firefighting, emergency management, seasonal and other employees. I understand that the compensatory time will be granted at time and one-half for all hours worked in excess of 40 hours per week or other permissible work schedules. I further understand that the compensatory time may be limited, preserved, used or cashed out consistent with the provisions of that Resolution, County policies and applicable law and regulations of the U.S. Department of Labor.

I knowing agree to the provision of time off as compensation for overtime work as a condition of my employment and consent to the use of compensatory time in accordance with the policy. I further understand that in the event any portion of the policy is interpreted to conflict with the FLSA or its regulations, that the conflicting portion shall be struck and the remainder of the policy shall continue in full force and effort.

Name (Print): _____

Employee Signature: _____

Date _____