

### 4.5.3 CITY POLICY

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all supervisors from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

### 4.5.4 WHAT TO DO IF AN IMPROPER DEDUCTION OCCURS

If you believe that an improper deduction has been made to your salary, you should immediately report this information to the department head in a written letter signed by the employee.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

## 4.6 OVERTIME ~~AND COMPENSATORY TIME~~

### 4.6.1 OVERTIME

The City will pay overtime in accordance with the Fair Labor Standards Act at one and half times the base rate or hourly rate for all hours worked in excess of the hours per week set forth in the WORK HOURS section of this Handbook.

Overtime will be permitted only with prior approval of the department head prior to the commencement of such work or when absolutely necessary due to emergency conditions. Failure to obtain prior approval before working overtime will result in disciplinary action, including but not limited to, suspension without pay.

### ~~4.6.2 COMPENSATORY TIME~~

~~Compensation for overtime may be made in the form of compensatory leave time ("comp time") to the employee. Compensatory time is accrued at a rate of time and a half for all hours worked in excess of 40 hours per workweek. No employee may accumulate more than 240 hours of compensatory time at any given time during the calendar year. Hours in excess of 240 shall be paid at the appropriate overtime rate. Upon termination of employment, any unused compensatory time is to be paid at a rate equal to the employee's then-prevailing rate of pay.~~

~~Each employee shall be responsible for maintaining accurate records of overtime and compensatory time. However, the overtime and compensatory records of the department head or Mayor shall be final with respect to the number of compensatory leave days earned of an employee. Compensatory leave must be taken during the calendar year earned and should be scheduled in the same manner required for vacation days.~~

### 4.6.3 NON-EXEMPT AND EXEMPT EMPLOYEES

Non-exempt employees are subject to the Fair Labor Standards Act (FLSA) overtime requirements and therefore are subject to the overtime policies set forth in this Handbook.

Exempt employees are not subject to the Fair Labor Standards Act overtime requirements. Certain employees are classified as exempt based upon the nature of the work, conditions of employment and by the criteria set forth in the rules and regulations of the Fair Labor Standards Act. Exempt employees shall not be eligible for overtime for hours worked in excess of the regular workweek.

Exempt employees will be allowed to take time off to offset additional hours required, but no formal accumulation of hours will be recorded in the payroll system. Exempt employees will be required to request time off in advance from the Mayor.

## 4.7 EMERGENCY SITUATIONS

It is the policy of the City to maintain hours of operation, which make the best use of employees and resources in serving the needs of the public. Emergency situations may from time to time necessitate the closure of City offices. Such situations shall be determined by the City Council after consideration of all