

## Hours of Work

### I. Purpose

To provide procedures to administer overtime pay or compensatory time in compliance with applicable federal and state wage and hour regulations.

### II. Policy

Days and hours of work will be established to provide convenient services for City customers. Employees will be assigned work hours as established by their departments and approved by the Mayor.

### III. Normal Full-Time Workday

- A. The normal full-time workday shall consist of 8 hours, excluding the normal lunch period of one hour or one-half hour. The normal full-time workweek shall consist of 40 hours in 5 days. The normal workweek begins at 12:01 a.m. Saturday and ends at midnight the following Friday.
- B. Where stipulated by contract or where approved by the Mayor, full-time work schedules may vary from the normal full-time workday. For payroll purposes, when an employee works an alternative, 9/80, work schedule, the workweek will be adjusted accordingly. The workweek will be defined in the authorizing documentation, signed by the Department Director.
- C. Part-time and Regular Part-time work schedules shall be established as may be necessary to facilitate timely service within budget limitations.
- D. The City's normal hours of operation for the public are 8:30 A.M. to 5:00 P.M. The work schedule for employees may vary due to their positions and locations. Individual schedules will be established and managed by each department supervisor.

### IV. Rest Periods

- A. Regular or temporary exempt and non-exempt employees shall receive a 15-minute rest period at approximately the midpoint of every 4 consecutive hours of time worked. Such rest periods should be taken at times approved by their Department Director, but shall not be added to the normal lunch period or taken at the end of the workday.
- B. When an employee is scheduled to work at least four consecutive hours, he/she will not be required to work more than 3 hours without a rest period. When the nature

of the work allows employees to take intermittent rest periods equivalent to 15 minutes for each 4 hours worked, scheduled periods are not required.

- C. All rest periods shall be arranged so that they do not interfere with City business or service to the public.

#### V. Meal Periods

- A. Non-exempt employees working more than five consecutive hours a day are given and are required to take an unpaid lunch break of at least 30 minutes. Meal periods will be scheduled by the employee's supervisor. Such scheduling may vary depending on department workload.
- B. If an employee is required to remain on duty on the premises during his/her meal period, the employee will be paid for the entire meal period.

#### VI. Overtime and Compensatory Time

- A. Non-exempt employees will be paid straight time for all hours worked through 40 in one week. Exempt employees are paid on a salary basis, based on a 40-hours workweek.
- B. All overtime worked by non-exempt employees must be authorized in advance by their supervisor or department head. Exceptions may be made for emergency situations.
- C. Non-Exempt employees will be paid time-and-one-half for hours in excess of 40 hours in one week. Note: police and fire employees subject to the Section 7(k) exemption are not paid on a workweek basis. Exempt employees are not eligible for overtime, except as defined below.
- D. A non-exempt employee, unless otherwise stipulated by contract, may be allowed to accrue compensatory time instead of overtime pay at the rate of one and one-half times the actual hours worked. Exempt employees are not eligible for compensatory time.
- E. The maximum amount of compensatory time that can be accrued is 60 hours (40 hours worked) unless otherwise stipulated by contract. Any comp time accrued in excess of the 60 hours must be approved in advance by the Mayor. When the maximum amount of compensatory time is reached, any subsequent overtime hours will be paid for as outlined in Section VI, Paragraph C above. If an employee has not used his/her compensatory time by December 1st of each year, the employee will be paid for the unused time unless otherwise stipulated by contract.
- F. Any accrued compensatory time not used prior to an employee's termination from service will be paid with the last paycheck, except upon retirement. All compensatory time must be used prior to retirement.

- G. Compensatory time off will generally be scheduled with due regard for the wishes of the employee, except when it unduly disrupts department operations as determined by the Department Director.
- H. Exempt employees are eligible to receive an annual payment in recognition of their efforts outside the regular workday. The amounts and other conditions shall be as stipulated in LMC Section 2.48.030.
- I. The Department Director retains the right to cash out accrued overtime at any time.

## VII. Alternative Work Schedules

- A. All regular non-represented full-time employees of the City are eligible to work a 9/80 alternative work schedule with the permission of their supervisor and department head. Alternative schedule requests for represented employees are governed by their respective collective bargaining agreements.
- B. Approval will generally be granted when, as determined by the appropriate supervisor and department director or his/her designee, the proposed schedule:
  - 1. does not materially interfere with regular business operations of the City;
  - 2. does not compromise the City's existing service to citizens;
  - 3. the requesting employee is working satisfactorily and maintains a satisfactory attendance record.
- C. All approved schedule changes will be implemented for a trial period, to be determined by the supervisor in consultation with the department director. Such trial periods will not exceed 6 months. At the conclusion of the trial period, the supervisor and department director will evaluate the alternative schedule and make a decision whether to continue.
- D. The supervisor and/or department director may elect to discontinue the alternative schedule at any time.
- E. Sick leave, vacation leave, and holiday pay will continue to accrue at the regular rate. When an employee takes a full day of sick or vacation leave, the time charged will be equivalent to the full number of hours the employee was scheduled to work. When a paid holiday falls on an employee's regularly scheduled workday, the employee will be paid eight hours of holiday pay. If the regularly scheduled workday is greater than 8 hours, the employee will be required to use vacation or floating holiday time to make up for the additional time the employee was scheduled to work in excess of 8 hours. In lieu of using accrued leave, the employee may elect to make up the additional hours during the same workweek as the scheduled holiday. When a paid holiday falls on an employee's regularly scheduled day off, the employee will be credited with 8 hours of holiday pay, which

may be used at a later date.

- F. Employees working an alternative work schedule will be expected to schedule personal appointments (doctor, dentist, etc.) on their scheduled days off, whenever possible.
- G. Employees may be asked to fill in on their regularly scheduled day off for employees who are absent. Supervisor and employees will provide as much advance notice as possible and will be flexible in working out an alternative schedule for the employee asked to work on their regular day off.
- H. Employees may be required to revert to a five-day/eight hour schedule in the event of lack of coverage due to leaves or other absences from work.

VIII. Record Keeping

- A. Records of overtime and compensatory time must be maintained by each department and submitted to Payroll as it is earned and/or taken. All accrual and use must be reported each pay period to Payroll on the employee's time sheets for tracking purposes to ensure compliance with FLSA reporting requirements.
- B. Employees requesting to use compensatory time must complete a Leave Request form, indicating the type of leave as compensatory time.
- C. All records documenting the accumulation, use and balances for compensatory time will be maintained as a part of the city's central payroll systems. No other records will be considered as evidence of compensatory balances owed.
- D. It shall be the responsibility of each employee to monitor the accrual, use and balances of compensatory time as reported on pay records in order to identify discrepancies. If it is felt that the accrual balances should be adjusted, employees are to work (with payroll or their own payroll contact within their department) to review the records and resolve the discrepancy.

Approved:

  
Tina Roberts-Martinez, Mayor

9-6-01  
Date

**City of Lynnwood**  
**9/80 Work Schedule Provisions and Application**

To: \_\_\_\_\_ (Name of Employee)

From: \_\_\_\_\_ (Name of Director)  
Department Director

Subject: (1) 9/80 Alternative Work Schedule Provisions  
(2) Agreement to Provisions  
(3) Application

As an employee of the City of Lynnwood and with the permission of your supervisor and department director, you may be eligible to work a 9/80 Alternative Work Schedule. This document is intended to provide you with an understanding of the provisions of the City's 9/80 Alternative Work Schedule Policy and an opportunity to apply for working a 9/80 schedule. By signing the application, it is understood that you agree to the provisions as detailed in Personnel Policy and Procedure No. 420 and as summarized herein.

Approval of your request to work a 9/80 schedule may be granted if, according to your supervisor and department director:

- the schedule does not materially interfere with regular business operations of the City
- the schedule does not compromise the City's existing service to citizens
- your current work performance is satisfactory and you have a history of satisfactory attendance

An approved schedule change will be implemented for a trial period, to be determined by your supervisor in consultation with your department director. A trial period will not exceed six months. At the conclusion of the trial period, the supervisor and department director will evaluate the alternative schedule and make a decision whether to continue.

Either your supervisor and/or your department director may elect to discontinue the alternative schedule at any time. You, as well, may elect to return to a standard eight hour day, five days a week schedule, but you will need to work with your supervisor in ensuring that overall employee schedules maintain proper coverage of service functions.

Your sick leave, vacation leave, and holiday pay will continue to accrue at regular rates. When you take a full day of sick or vacation leave, the time charged is equivalent to the full number of hours that you were scheduled to work. When a paid holiday falls on a regularly scheduled workday, you will be paid eight hours of holiday pay. If a regularly scheduled workday is greater than eight hours, you will be required to use vacation or floating holiday time to make up for the additional time you were scheduled to work in excess of eight hours. In lieu of using accrued leave, you may elect to make up the additional hours during the same workweek as the scheduled holiday. When a paid holiday falls on a regularly scheduled day off, you will be credited with eight hours of holiday pay, which may be used at a later date. You will be expected to schedule personal appointments (doctor, dentist, etc.) on your scheduled days off, whenever possible.

You may be asked to fill in on your regularly scheduled day off for an employee who is or is expected to be absent. You also may be required to revert to a five-day/eight hour schedule in the event of lack of coverage due to leaves or other absences from work. Your supervisor is responsible for providing you as much advance notice as possible and will be flexible in working out an alternative schedule for you if and when you are asked to work on your regular day off.

Federal and State law require that for non-exempt employees, any hours worked over 40 in one week be considered as overtime. To stay within the 40-hours-per-week standard, you will be required to split your workweeks, designating specifically which 40-hours make up the first week and which 40-hours make up the second in an 80-hour (two weeks) period. The workweek begins at 12:01 p.m. on a given day and ends at noon the same day one week later. On a schedule for every other Friday being off, this means that when you work the first week of a two-week period, Monday through Thursday for 9-hours each day, you must indicate on your timecard that the workweek ends at noon on Friday. Thus, your first 40-hour week consists of 36-hours on Monday through Thursday and the first 4-hours of the day on Friday. Then, your second 40-hour week consists of the last four hours on Friday and 36-hours work on the following Monday through Thursday. Your second Friday in the two-week period is off. See the first table below. The second table shows a schedule with Wednesdays being the day off. A similar schedule could be created for any day of the week.

<u>Table 1</u>	Mon	Tue	Wed	Thu	Fri	
Week 1	9 hours	9 hours	9 hours	9 hours	4 hours Week 1	4 hours Week 2
Week 2	9 hours	9 hours	9 hours	9 hours	Off	

<u>Table 2</u>	Thu	Fri	Mon	Tue	Wed	
Week 1	9 hours	9 hours	9 hours	9 hours	4 hours Week 1	4 hours Week 2
Week 2	9 hours	9 hours	9 hours	9 hours	Off	

I agree to the provisions outlined above and hereby apply for the 9/80 Work Schedule with a \_\_\_\_\_ to \_\_\_\_\_ work week:

Employee Name \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

The 9/80 Work Schedule is approved and will begin (date) \_\_\_\_\_ with a \_\_\_\_\_ to \_\_\_\_\_ work week.

Supervisor \_\_\_\_\_

Department Director \_\_\_\_\_

Please send original to Human Resources for placement in employee personnel file. HR will then provide a copy to Payroll.

**DEPARTMENT OVERTIME REQUEST FORM**  
**City of Lynnwood**

Employee Name: \_\_\_\_\_ Date Requested: \_\_\_\_\_  
Employee Number: \_\_\_\_\_ Department: \_\_\_\_\_

**OVERTIME REQUESTED:**

Number of Hours Worked: \_\_\_\_\_

Actual Time Worked From: \_\_\_\_\_ To: \_\_\_\_\_

Compensatory Time Requested?  Yes  No

Reason for Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SUPERVISOR APPROVAL:**

Check below.

Approved  Disapproved

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Director Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Attach completed form to the time sheet and submit to Department designee.

