| | **EMPLOYEE MANUAL** | |
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| | Policy Title:    **OVERTIME POLICY** | |
| | Policy No.:    10.0 | Section Nos.:   10.0 – 10.3 |
| | Approval Date: | Effective Date:  January 2018 |
| | Approved By: Board of Directors | |

## 10.0    OVERTIME POLICY

The overtime policy shall be in compliance with the requirements of the Fair Labor Standards Act (FLSA) as those may be revised from time-to-time and with Board adopted policy and shall be applied to all employees. Because the Agency is a public entity, it is not subject to the California state overtime rules and laws.

Any employee may be requested to work in excess of the regular workday by the General Manager or his or her supervisor. The Agency will pay all non-exempt employees at the rate of one and a half times the regular rate of pay for all hours in excess of 40 in a workweek, except as otherwise provided by FLSA. Paid leave hours (vacation, holiday, sick leave, bereavement leave, jury duty, military leave, etc.) will be included in the calculation for determination of a 40-hour workweek.

In addition, the Agency pays time and a half overtime for the first 4 hours of daily overtime and 2.0 times the base hourly salary for all consecutive overtime hours worked in excess of 4 hours even when spanning more than one workday. Daily overtime is hours worked in excess of the normal workday (generally an 8-hour shift).

It will be the employee's immediate supervisor's responsibility to determine if an employee should work his or her regularly scheduled work shift after working overtime. Employees are not permitted to work overtime without the express prior approval of their supervisor. Employees in violation of this policy will be subject to discipline, up to and including termination. Nonetheless, the Agency will pay employees for all hours actually worked in a given workweek in accordance with applicable federal law. Paid holidays, as an example, do not count as "hours worked" for purposes of overtime calculations unless an employee actually worked on the holiday.

### 10.1    Scheduled Overtime

Scheduled overtime work is announced in advance and generally will involve an entire department or operation. This type of overtime becomes part of the required workweek of the people who are members of the department or operation. Employees that need to be excused from performing scheduled overtime should speak with their supervisor, who will consider each situation and the requirements of the department or operation in deciding whether an employee may be excused from performing the scheduled overtime.

### 10.2    Incidental Overtime

Incidental overtime is not scheduled; it becomes necessary in response to extenuating circumstances, such as responding to service calls or other problems that may arise in the evenings or on holidays or weekends. Extra time may be needed to complete work normally completed during regular hours. Incidental overtime may also become necessary when an illness or emergency keeps co-workers from being at work as anticipated. It may require that an employee return to the workplace for emergency work. The opportunity to work incidental overtime will be given first to the employee who normally performs the task. If that employee cannot work the overtime, the supervisor will offer the overtime to a suitably qualified person who is available to perform the overtime work. In the event that no employee voluntarily

agrees to work the necessary incidental overtime, the Agency may require an employee to work incidental overtime regardless of whether the employee volunteered. An employee's refusal to work mandatory overtime will subject an employee to discipline, up to and including termination.

### 10.3    Holiday Compensation

Full-time "non-exempt" employees who work on an Agency holiday will be paid for the holiday and two times their normal hourly rate for each hour actually worked on the holiday in accordance with Policy 13.4.