

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

5-26
attn 8

DATE: 5/19/92

AGENDA ITEM NO.: Policy A

DEPARTMENT: Administration BY: John W. McCamman PHONE: 966-4744

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes: No X)

Approval of Resolution Relative to Policy Regarding Overtime of County Employees.

The Department of Labor's Fair Labor and Standards Act (FLSA) requires legislative bodies to define workweeks.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors has previously defined workweeks and overtime policies in Resolutions 85-387 and 85-377

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Mariposa County may be found to be out of compliance regarding the Department of Labor's Fair Labor Standards Act.

COSTS: () Not Applicable

- A. Budgeted current FY \$ _____
- B. Total anticipated costs \$ _____
- C. Required Add'l funding \$ _____
- D. Source: _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

SOURCE: () 4/5ths Vote Required

- A. Internal transfers \$ _____
- B. Unanticipated revenues \$ _____
- C. Reserve for contingency \$ _____
- D. Description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:

Res. No.: 92-279
 Ord. No.: _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____ Abstained: _____
 Approved () Denied
 () Minute Order Attached

ADMINISTRATIVE OFFICER'S

RECOMMENDATION:

This item on agenda as:

- X Recommended
- Not Recommended
- For Policy Determination
- Submitted with Comment
- Returned for Further correct copy of

The foregoing instrument is a the original on Action file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS
 Clerk of the Board of Supervisors
 County of Mariposa, State of CA
 By: _____
 Deputy

Comment: _____

A.O. Initials: 

MARIPOSA COUNTY RESOLUTION NO. 92-279
RELATIVE TO POLICY REGARDING WORK WEEKS AND OVERTIME OF COUNTY
EMPLOYEES

A RESOLUTION RESCINDING RESOLUTION NO. 85-387
RELATIVE TO POLICY REGARDING
OVERTIME OF COUNTY EMPLOYEES

WHEREAS, the United States Supreme Court has dictated to all local governments, pursuant to Garcia vs. San Antonio Metropolitan Authority, that all local governments must pay overtime for all hours worked by employees in excess of forty (40) hours per work week, and

WHEREAS, Congress has adopted legislation to relieve County governments from some of the requirements of the Garcia decision, and

WHEREAS, it is the desire of the Board of Supervisors to avoid any and all unnecessary charges and/or claims against the County which comes within its jurisdiction;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Mariposa County that a policy regarding overtime of County employees shall be as follows:

1. No employee of the County shall earn overtime after the effective date of this Resolution, unless it is the judgment of the Department Head that the overtime work is absolutely necessary to perform the functions of the Department.

2. No employee of the County shall voluntarily work overtime commencing July 23, 1985.

3. If, in the opinion of the Department Head, an employee earns overtime as a result of necessity, then in that event, the employee may, at the discretion of the employee, be

given comp time, at the rate of time and one-half in lieu of pay.

4. Department Heads shall be charged with the responsibility of monitoring and regulating the provisions of this Resolution relative to all County employees working under their supervision.

5. The County employee's work week is hereby established to commence at 12:01 a.m., Monday and end at 12:00 (midnight) Sunday of each week during the year.

6. Notwithstanding Paragraph 5 above, the Human Services Department Head, with prior approval of the Board of Supervisors, may allow an alternative work schedule to be assigned to certain employees within the Human Services Department. The following alternative work weeks may be noticed through and with payroll:

Alternate Work Week #1 - Work week begins at 12:00 noon each Monday and ends at 11:59 a.m. the following Monday. The first Monday of each two week period is a flex day off.

Alternate Work Week #2 - Work week begins at 12:00 noon each Monday and ends at 11:59 a.m. the following Monday. The second Monday of each two week period is a flex day off.

Alternate Work Week #3 - Work week begins at 12:00 noon each Friday and ends at 11:59 a.m. the following Friday. The first Friday of each two week period is a flex day off.

Alternate Work Week #4 - Work week begins at 12:00 noon each Friday and ends at 11:59 a.m. the following Friday. The second Friday of each two week period is a flex day off.

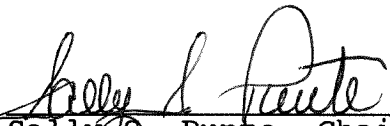
7. The above-mentioned work weeks shall not apply to the Sheriff's Office, which shall be adopted by separate resolution.

8. All sworn Peace Officers of the County shall be permitted to accumulate no more than four hundred eighty (480) hours of comp time. All other County employees shall be permitted to accumulate no more than two hundred forty (240) hours of comp time.

9. Resolution No. 85-387, which was adopted by the Board of Supervisors on December 3, 1985 as a result of the Garcia decision, is hereby rescinded and replaced in its entirety by this Resolution.

PASSED AND ADOPTED this 26th day of May, 1992, by the Board of Supervisors of Mariposa County by the following vote:

ABSENT:	NONE
AYES:	BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER
NOES:	NONE
ABSTAINED:	NONE



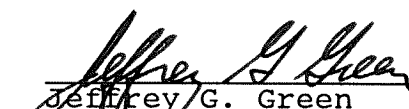
Sally S. Punte, Chair
Board of Supervisors

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



Margie Williams
Clerk of the Board



Jeffrey G. Green
County Counsel