

ARTICLE 1.5: WORK PERIODS AND WORK ON HOLIDAYS

SECTION 1.5.1: WORK PERIODS.

(a) Work Day.

- (1) The standard work day shall be eight (8) consecutive hours of work exclusive of a lunch period in a consecutive 24-hour day.
- (2) For employees in eligible classes the work day shall generally be eight and one-half (8-1/2) hours of work (no split shifts) in twenty-four (24) hours.

Eligible Classes: Classes designated DS.

(b) Meal Periods/Lunch. For employees in eligible classes meal/lunch periods are defined as follows.

- (1) Uniformed Sworn Personnel Assignment as defined by the Sheriff. Meal periods for employees in uniform assignments shall be one-half (1/2) hour inclusive of their regular work day regardless of the length of their shift. Such paid meal periods shall generally be taken at approximately the middle of their scheduled shift as determined by supervision.

Eligible Classes: Classes designated DS and SM.

- (2) Non-Uniformed Sworn Personnel Assignment as defined By the Sheriff. Meal periods for employees in non-uniform assignments shall be one-half (1/2) hour exclusive of their regular work day regardless of the length of their shift. Such unpaid meal periods shall generally be taken at approximately the middle of their scheduled shift as determined by supervision.

Eligible Classes: Classes designated DS and SM.

- (3) The standard unpaid lunch period shall be one hour; however, alternatives to a one-hour unpaid lunch period may be allowed at the discretion of the Health & Human Services Agency when such alternatives meet operational needs.

Eligible Classes: Classes designated SW.

(c) Work Period. The standard work periods shall apply to both full-time and part-time employees as follows:

- (1) Designator "N" Classes. For classifications with an overtime designator "N" (FLSA-covered), the standard work period is seven (7) consecutive days within which is included two (2) consecutive days of rest in a seven (7) consecutive day period. This work period shall be forty (40) hours, except as provided herein.
- (2) Designator "E" Classes. For classifications with an overtime designator "E" FLSA-exempt (straight cash or comp), the standard work period is fourteen (14) consecutive days within which is included four (4) days of rest (two (2) instances of two (2) consecutive days of rest, each) in a fourteen (14) consecutive day period. This work period shall be eighty (80) hours.
- (3) For employees in eligible classes the work period consists of two (2) five-day work weeks for a total of ten (10) work days which total eighty (80) hours and includes four (4) days of rest, consisting of two (2) two-day rest periods during the payroll period.

Eligible Classes: Classes designated AM, AS, CC, CS, DA, DI, DM, PD and PM.

- (4) For employees in eligible classes the standard work period is fourteen (14) consecutive days, or eighty-five (85) hours, starting on a Friday and ending on Thursday, fourteen (14) days, or eighty-five (85) hours later. Biweekly compensation is based on a full-time schedule of eighty-five (85) working hours in each standard work period. Paid time is standard duty time worked plus any paid leave.

Eligible Classes: Classes designated DS and SM.

- (5) PO and SO Classes. For employees in classifications designated PO and SO the normal work period shall consist of fourteen (14) consecutive days within which is included four (4) days of rest in a fourteen (14) consecutive period.

(Amended 08/01/08, Ord. No. 9946)

- (a) 84 Hour Work Period. The appointing authority may assign employees in specified classes to a normal work schedule which may include seven (7) work days and seven (7) off-duty days, six (6) workdays and eight (8) off-duty days or the ten (10) workdays and four (4) off-duty days at Juvenile Institutions or when assigned to radio duty for classes designated SO per work period, in which event the

employee's compensation shall be based on a full-time schedule of eighty-four (84) working hours per work period; and

- (i) During each of the workdays the employee shall be required to work at least ten (10) hours at Juvenile Institutions or on radio duty.
- (ii) Such employee may be authorized by the appointing authority to be absent from the place of duty during the employee's non-work period, provided the employee shall complete the hours of work in (a)(i) above required at the place of duty.

(Amended 09/28/18, Ord. No. 10562)

- (b) Sick leave and vacation leave balances shall not be recalculated upon changing from an eighty-four (84) hour schedule to an eighty (80) hour schedule and vice versa.

(d) Non-Standard Work Period/Irregular and Fluctuating Work Schedules. For employees in eligible classes, non-standard work periods, irregular and fluctuating schedules are defined below:

- (1) The appointing authority shall have the discretion to authorize employees to work a non-standard work period. The decision by the appointing authority to approve a non-standard work period shall be on a case-by-case basis, and such non-standard work period shall further the interests of the County to provide available, timely, and quality services.

Eligible Classes: Classes designated CC and CS.

- (2) The Appointing Authority may, in its sole discretion, implement and/or grant alternative work schedules. Employees, with the Appointing Authorities approval, may choose to work an alternate work schedule which would result in an eighty-five (85) hour work period as outlined in the DA Alternate Work Schedule Policy. The decision to continue such alternative work schedule shall be based on operational necessity and may be cancelled by the Appointing Authority at any time. This provision shall not be subject to the grievance procedure. In the event the Department decides to abolish, establish, or change alternate work schedule programs, the Department shall inform the affected employees at least ten (10) calendar days prior to taking such action.

Eligible Classes: Classes designated DI and DM

(Amended 09/28/18, Ord. No. 10560)

- (3) For employees in exempt classes, overtime designator "E", when a mutually-agreeable irregular work schedule is adopted as the employee's routine work schedule, and such schedule results in the employee working more, or less, than forty (40) hours in a week, but which schedule totals eighty (80) hours in a biweekly pay period, the hours worked in the weeks which exceed forty (40) hours shall not be considered overtime.
- (4) Fluctuating Schedules. This provision shall apply to Class 5790, Sheriff's Sergeant, and Class 5780, Sheriff's Lieutenant, only. A schedule other than the normal eight and one-half (8-1/2) hours a day in a fourteen (14) day work period may be established provided that the schedule does not exceed eighty-five (85) hours in the fourteen (14) day work period with approval of the schedule by the Chief Administrative Officer. In those cases where the employee and the department agree to a routinely scheduled, flexible work schedule which results in more than forty-two and one-half (42-1/2) hours being worked in one week and less than forty-two and one-half (42-1/2) hours being worked in the subsequent work period, the hours in the week forty-two and one half (42-1/2) shall not be eligible for compensatory time off compensation unless the total number of hours worked in the work period exceed eighty-five (85). The provisions of subsection (c)(4) (Work Period) above shall not apply to changes made to mutually agreed to irregular schedules and shift assignments where the change has also been agreed to.

(Amended 06/28/13, Ord. No. 10263)

- (e) Payroll Period. The payroll period begins on the Friday which is the first day of the pay period and ends on a Thursday which is the last day of the pay period, and consists of ten (10) standard work days and four (4) days of rest during the fourteen (14) consecutive day payroll period.
- (f) Twenty-Four (24) Hour Operations. Employees who report to work on shifts which begin in one calendar day and end in the next shall be compensated for the entire shift for the date the shift begins.
- (g) Rest Periods.
 - (1) Wherever rest periods are allowed within working hours it is the policy to restrict them to not more than fifteen (15) minutes in midmorning and fifteen (15) minutes in mid-afternoon, or at

corresponding times during the night shift.

- (2) Employees are normally allowed rest periods within working hours restricted to fifteen (15) minutes during each four (4) hours worked. Rest periods shall be taken in accordance with the needs of the Department.

Eligible Classes: Classes designated PO and SO.

(Amended 06/20/08, Ord. No. 9943)

- (3) Employees work schedules shall provide for a rest period not to exceed fifteen minutes during each half-work day. The rest period is to be taken at approximately the midpoint of each half-work day, if work and coverage do not reasonably so permit then the period is to be taken as time is available, but not so as to shorten the work day or lengthen the lunch break. Rest areas shall be open to employees for use as such during regular work hours except when conferences have been scheduled for their use.

Eligible Classes: Classes designated HS, RN, or SW.

(Amended 10/13/17, Ord. No. 10499)

- (h) Emergency Assignments. Nothing contained in this section shall be construed to affect in any manner whatsoever existing irregular work day or work week assignments required for necessary operations, nor shall it be construed to limit the authority of the department to make temporary assignments to different or additional locations, shifts or work duties for the purpose of meeting emergency situations over which the department has no control. However, such emergency assignments shall not extend beyond the period of such emergency.

(Repealed 01/18/08, Ord. No. 9912)

(Added 01/18/08, Ord. No. 9912)

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