

SECTION 1.6.3: CALL-BACK.

(a) Definition.

- (1) Work required of an employee who, following the completion of the employee's work day and departure from the employee's work site, is ordered to report back to duty to perform necessary work. To qualify for this call-back provision, the employee must leave the place from which the employee is called and actually report to a work site. Neither changes in a shift or work schedule when at least fifteen (15) hours advanced notice is given, nor service performed on a regular standby shift, or from a voluntary listing on an available list shall constitute call-back work. Upon mutual agreement between the employee and the appointing authority, call-back overtime hours actually worked may be used to delay the start of the next work day.

Eligible Classes: Classes designated AE, CL, CM, CR, DI, DM, FS, HS, MM, PO, PR, PS, RN, SO and SS.

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

- (2) DS and SW Classes. The appointing authority may on occasion find it necessary to contact an employee who is off duty and order the employee to report back to the work site to perform necessary services. To qualify for regular call-back compensation, they must have left the work site and be required to physically report back to a work site. Upon mutual agreement between the employee and the appointing authority, call-back overtime hours actually worked may be used to delay the start of the next work day.

- (b) Court Call-Back. Call back shall also include an order to appear before a court where the employee is representing the County and not on his/her regular shift.

Eligible Classes: Classes designated AE, CL, CM, CR, DI, DM, FS, HS, MM, PO, PR, PS, RN, SO and SS.

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

- (1) The Court may subpoena an employee to appear in Court on official business at a time which is outside the employee's regular work schedule. In addition, the prosecuting attorney may require the employee's presence to prepare its case at a time which is

outside the employee's work schedule. To be eligible for court call-back, the employee must be required to respond to the Court's subpoena by appearing in court on County business outside the employee's regular work schedule.

Eligible Classes: Classes designated DS.

- (2) The Court may subpoena an employee to appear in Court on official business at a time which is outside the employee's regular work schedule. To be eligible for court call-back, the employee must be required to respond to the Court's subpoena by appearing in court on County business outside the employee's regular work schedule.

Eligible Classes: Classes designated SW.

(c) Compensation/Calculation of Call-Back.

- (1) An employee who is called back as defined above, shall receive a minimum of three (3) hours time-and-one-half pay or comp time at time and one-half for a minimum of three (3) hours. The decision to pay for overtime worked in cash or compensatory time off shall be the sole discretion of the appointing authority, and is non-appealable by the employee.

Eligible Classes: Classes designated AE, CL, CM, CR, FS, HS, MM, PR, PS, RN, and SS.

- (2) Actual work performed in excess of three (3) hours shall be compensated as overtime at the same rate as such employees receive for scheduled overtime compensation, not subject to Section 1.6.2(g) (Method of Calculation).

Eligible Classes: Classes designated AE, CL, CM, CR, FS, HS, MM, PR, PS, RN, and SS.

(3) DI and DM Classes.

- (a) An employee who is called back shall receive a minimum of three (3) hours time and one-half pay.
- (b) Actual work performed in excess of three (3) hours and not part of a regular work shift shall be compensated as overtime if the employee has actually worked more than eighty (80) hours inclusive of call-back work, in the work period.

(4) DS Classes.

- (a) Compensation for each call-back shall be based on a minimum of three (3) hours pay at time and one-half, even if the employee worked less than three (3) hours during the call-back.
- (b) Employees, who are called back to appear in court shall be compensated for a minimum of three (3) hours pay at time-and-one-half or time actually spent in court, whichever is greater. When the court appearance requires attendance over the lunch hour, that period shall be considered as time worked.
- (c) Changes in a shift or work schedule, when at least fifteen (15) hours advance notice is given, shall not constitute call-back work.

(5) CE and SW Classes.

- (a) Compensation for each call-back shall be based on a minimum of three (3) hours pay at time and one-half, even if the employee worked less than three (3) hours during the call-back.
- (b) Time worked in excess of three (3) hours shall be compensated in accordance with Section 1.6.2 (Overtime FLSA/NON-FLSA Compensatory Time).

(Amended 04/10/09, Ord. No. 9978)

(6) PO and SO Classes.

- (a) Employees who are called back shall be compensated at time and one-half (1½) cash for a minimum of three (3) hours when called back.
- (b) Employees who are called back are entitled to full call back compensation, irrespective of paid time off, for all hours worked outside of the normal shift.

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

(7) Medical Examiner Investigators. Medical Examiner Investigators contacted by the department during standby shifts and required to

perform services without leaving their place of contact shall receive credit for a minimum of one hour at time-and-one-half pay. Only one call-back is applicable for each standby shift.

Eligible Classes:

5740	Medical Examiner Investigator II
5741	Medical Examiner Investigator I

(d) Additional Assignment While on Call-Back.

- (1) An employee who is contacted while serving call-back work and is called to another site for additional duties, shall not be compensated for a second or subsequent call-back for this assignment. However, if the employee has left that work site, or sites, and is actually returning, or has returned, to his/her original point of contact, and is then called back again, the employee shall be compensated for an additional callback.

Eligible Classes: Classes designated AE, CL, DI, DM, FS, MM, PR, PS, and SS.

- (2) An employee called back again during the 3-hour period of an initial call-back, shall be compensated for three (3) hours of call-back duty only, except that if the second or subsequent call-back adds time worked beyond the initial three (3) hours, this time shall be compensated in accordance with Section 1.6.2 Scheduled Overtime. Upon expiration of the first three (3) hours of a call-back, and provided the employee has gone off duty and left the work site, an additional call-back shall be compensated as for the initial call-back.

Eligible Classes: Classes designated SW.

- (e) Work Performed/Overtime at Place of Contact. An employee contacted by the department during his/her off-duty hours and required to perform services without leaving the place of contact, shall receive compensation for such time worked in the same manner such employees receive scheduled overtime compensation. To be eligible for such compensation, employees must be authorized and ordered by the department to perform such services.

Eligible Classes: Classes designated AE, CL, CR, CM DI, DM, FS, HS, MM, PR, PS, RN and SS.

- (f) Employees called back to duty shall, except for emergency situations, be

given eight (8) hours rest in the 24-hour period which began at the start of their last normal shift. When an employee's next normal shift must be rescheduled to provide this eight (8) hours rest, non-routine shift change premium shall not be applicable.

Eligible Classes: Classes designated AE, CL, DI, DM, FS, HS, MM, PR, PS, RN SS and SW.

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

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

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