

City of Hickory
Overtime/Compensatory Time Policy and Procedure

1. Policy

Department heads and supervisors shall arrange the work schedules of their coworkers so as to accomplish the required work within the appropriate work periods. Coworkers shall be required to work overtime only in emergencies, and the department head may order extensive overtime only with the prior approval of the manager. All overtime practices shall comply with the Federal Fair Labor Standards Act of 1938 as amended.

2. Procedures

A. The following work periods are established for the purpose of calculating overtime earned:

1. Sworn police personnel working on a shift basis shall be assigned a 14-day work period with a maximum of 86 work hours before accruing overtime.
2. Firefighting personnel shall be assigned to a 27-day work period with a maximum of 204 work hours before accruing overtime. Hours spent during a bona fide sleep or meal period as outlined in the requirements of the U. S. Department of Labor shall not be counted as hours worked for firefighting coworkers on duty for more than 24 hours.
3. All other nonexempt city coworkers shall be assigned to a 7-day work period with a maximum of 40 work hours before accruing overtime.

B. Coworkers required to work hours over the maximum allowed in the assigned work period shall be compensated for such overtime hours worked subject to the following provisions:

1. The position does not involve administrative, professional, managerial, or other types of work exempted by the Fair Labor Standards Act.
2. All compensatory time or overtime payments shall be earned at a rate of one and one-half hours for each hour of overtime worked.
3. Compensatory time shall be the preferred method of recognizing overtime worked. However, the maximum compensatory time that may be accrued by any affected coworker shall be 90 hours (i.e., not more than 60 hours of actual overtime hours worked). A coworker who has accrued up to the maximum number of compensatory hours shall be paid for any additional overtime hours of work until the coworker's balance of compensatory hours earned falls below 90 hours. Department heads may, with the prior approval of the City Manager, authorize non-exempt coworkers in positions requiring longer work weeks due to the seasonal nature of the job, to accumulate up to 480 hours of compensatory time, (i.e. not more than 320 hours of actual overtime worked), provided there is prior written approval by the City Manager, consented to by the coworker. A coworker who has accumulated compensatory time and requests use of the time will be permitted to use the time off within a reasonable period after making the request, so long as it does not unduly disrupt the operations of the department.

4. Department heads may, with the prior approval of the city manager, pay coworkers for overtime work when it is not feasible to permit their absence for the purpose of taking compensatory time off.
 5. Vacation, compensatory, sick, and other types of leave made available by the city shall not be counted as hours worked during a work period.
 6. Coworkers called back to work outside of normal duty hours to perform tasks of an emergency and essential nature and coworkers who are required by their supervisors to remain at work to perform unscheduled and essential tasks beyond normal duty hours shall receive compensatory time regardless of approved leave taken during the work period. This applies only to emergency situations and not to work that is pre-scheduled or foreseeable.
 7. Approved requests for compensatory time earned and taken must be forwarded to the Human Resources Department in a timely manner for proper posting.
 8. A coworker whose employment is terminated shall receive pay for all compensatory time earned, but not taken
- C. Department heads shall be responsible for maintaining the appropriate records detailing hours worked each workday and total hours worked each work period.


Mick Berry, City Manager