



DATE: August 6, 2026

MEMO TO: Gina Roberts, Chair
Finance Committee

FROM: Mary E. Kann
Director of Administration

RECOMMENDATION: Approve an amendment to the Procedures Section of Personnel Policy 3.2 – Overtime.

STRATEGIC DIRECTION SUPPORTED: Leadership

FINANCIAL DATA: There is no immediate direct financial impact.

BACKGROUND: A Sergeant within the Police Department filed a grievance under the District's Grievance Policy. The Sergeant's grievance stemmed from a pay period in April 2026 in which he was required to work a double shift, but, since he had not worked the legally required hours to receive overtime under the Fair Labor Standards Act (FLSA), these additional hours were compensated at his regular rate of pay, rather than at a premium or overtime rate.

As a potential settlement of this grievance, a change to the Procedures section of Personnel Policy 3.2 is being recommended to allow full-time sworn Police Department staff that are also non-exempt and non-union employees to earn overtime pay at 1.5 times their regular base rate of pay for hours worked in excess of their scheduled 8- or 8.5-hour shift, as applicable to the position, within the same calendar day.

The amended Procedures will be more generous than is required by law under the FLSA. However, if a non-exempt, non-union sworn law enforcement employee exceeds 86 hours worked in a pay period, then any hours for which the premium or overtime compensation exceeds the FLSA-required amount will be credited towards any required payment of overtime.

If the Finance Committee concurs with the recommendation, then the Procedures Section of Personnel Policy 3.2 – Overtime should be amended accordingly.

REVIEW BY OTHERS: Chief Operations Officer, Director of Finance, Deputy Director of Human Resources & Risk, Manager of Board Operations, Corporate Counsel.

MOTION: Motion to approve an amendment to the Procedures Section of Personnel Policy 3.2 – Overtime in the form attached to staff's memo dated August 6, 2026.

APPROVAL:

Date: _____ ☐ Roll Call Vote: Ayes: _____ Nay: _____
☐ Voice Vote Majority Ayes; Nay: _____



3.2 Overtime

Effective Date: August 15, 1980

Revision Date: February 20, 1981, October 16, 1981, June 19, 1987, May 27, 1994, August 14, 1998, December 14, 2001, June 21, 2002, December 12, 2003, October 14, 2005, November 12, 2013, March 5, 2026, [August 6, 2026](#)

Procedure

The Administration Department will determine the exempt and non-exempt status of District positions and their eligibility for overtime payment consistent with the federal and state wage and hour laws.

Non-exempt employees required to work beyond forty (40) hours per week will receive either monetary compensation at one and one-half times their regular rate of pay or compensatory time at one and one-half hours for every hour worked in excess of forty. This will be provided after forty (40) hours worked in a week, regardless of the hours worked in one (1) day. Only hours worked will be used to determine eligibility for overtime compensation. Any absence with pay shall not be considered as time worked. Overtime shall be authorized in advance by the Department Director.

Non-exempt, non-union Police staff earn qualified overtime under the Fair Labor Standards Act for hours worked over 86 hours in a 14-day pay period. In addition, the District will provide a more generous overtime benefit by paying these employees 1.5 times their regular base rate for hours worked beyond their scheduled 8.5-hour shift or 8-hour shift in a calendar day, as applicable. If an employee works more than 86 hours in a pay period, any premium or overtime compensation paid under this more generous policy will be credited toward any legally required overtime payment.

~~Non-exempt, non-union Public Safety Police staff earn qualified overtime based on the Fair Labor Standards Act guidelines of time worked over 86 hours in a 14-day pay period.~~

Compensatory time is only earned in legally required overtime situations and not when a District policy or rule is more generous than the Fair Labor Standards Act.

The smallest increment of working time that may be credited as overtime is one-quarter hour.

Compensatory time shall not be accrued beyond forty hours. Because of the seasonal operational needs of various Departments, the Executive Director may authorize accruing additional compensatory time, however, compensatory time for those employees shall be reduced to under 40 hours by March 15 of each year.

Consistent with the federal and state wage and hour laws, employees may accrue up to 240 (480 for law enforcement) compensatory time hours in a calendar year. Once an employee has accrued 240 (480 for law enforcement) compensatory hours, regardless of deletions, no further accrual may be made to the compensatory time balance. All hours in excess of the above maximums will be paid at their regular rate of pay.



When authorizing compensatory time off, the Department Director shall consider when the employee desires the time off. The decision of the Department Director shall be final.

Those employees who are members of a collective bargaining unit shall follow that unit's contract as it relates to overtime.