

California City
City Council
Staff Report
City Manager, William W. Way, Jr.

Status: X Routine

Meeting Date: May 1, 2007

ITEM: Change to Personnel Manual to meet FLSA requirements with new 9/80 work
Schedule

BACKGROUND:

Pursuant to the City Hall Flex 9/80 schedule implemented April 3, 2007, it has been determined through FLSA guidelines that the work week definition needs to be revised to accommodate the 9/80 schedule. What this definition revision or addition will do is keep The City of California City from incurring four hours of overtime liability the second week of the employees schedule. Using workweek concepts, employers can legally implement a 9/80 schedule without incurring overtime. Employees on a 9/80 schedule are scheduled to work 8 nine hour days, 1 eight hour day, and one day off every two weeks. The problem generally with a 9/80 schedule is that an employee may work for four days /36 hours in workweek 1 and, 5 days / 44 hours in workweek 2, thus incurring 4 hours of overtime. This problem can be avoided by designating an employee's workweek to begin in the middle of the employee's 8 hour day, and designating the employees day off on the same day of the week in the following week. The Pay periods remain the same, the only change is an addition to the Personnel Manual VII-B. in a workweek definition as follows:

1. VII-B. WORKWEEK

The normal workweek shall be forty (40) hours consisting of:

1. Employees on an Eight Hour Shift. Five (5) consecutive work days of eight (8) hours each within a period of seven (7) consecutive days starting at 12:01 a.m. on Tuesday and ending at 12:00 a.m. on the following Monday.
2. Employees on a 9/80 Schedule and have every other Monday off, the workweek shall begin at 11:31 am on Monday and shall end at 11:30 am the following Monday that the employee is off.
3. Employees on a 9/80 Schedule and have every other Friday off, their workweek shall begin on Friday at 11:31am and shall end at 11:30 am the following Friday that the employee is off.
4. Fire Suppression Personnel. Fire Department suppression personnel shall work a fifty-six (56) hour workweek, which will normally include eight (8) hours of sleep time per any assigned 24-hour shift. See MOU for further definition.
5. Part-time personnel. With the approval of the Personnel Officer, Department Heads shall schedule the work day and workweek for part-time employees.

Recommendation: Approve change to the Personnel Manual section VII-B .

Fiscal Impact:
Not Applicable

Environmental Impact:
Not Applicable