

**Policy No. 2.16**                      **Compensatory Time, Overtime and Holiday Pay**  
**Date of Issuance:**                **May 17, 2012**  
**Revision Date:**                    **September 5, 2024**

Description: This policy defines overtime and compensatory time and explains how it applies to different categories of employees.

1.     Policy

A.     Overtime

- (1)     Overtime shall be paid to non-exempt employees pursuant to state and federal law.
- (2)     Overtime will not be authorized unless the Immediate Supervisor determines it is necessary and funds are available for payment.
- (3)     If an employee covered by the Fair Labor Standards Act works in excess of their regular scheduled week of 40 hours, she/he is entitled to either payment at one and one-half times her/his regular pay for all overtime worked or it will be credited to comp time. Payment shall be made not later than the pay period immediately following the pay period in which the overtime work was performed.
- (4)     Paid time off shall not be considered as hours worked for purposes of computing overtime.

B.     Call-in Pay

- (1)     Call time is defined as a request to return to work for full time employees at some time other than the regularly scheduled starting time unless the work is scheduled prior to departure from the employee's last scheduled shift. The pay for call time shall be two (2) hours pay at the regular rate, plus time and one-half (1½) pay for actual hours worked, with a one (1) hour minimum. An employee called at home and offered overtime but who refuses the overtime will not be entitled to call time.

C.     Holiday Pay

- (1)     Employees who are called on duty because of emergency conditions by the Immediate Supervisor or those employees whose normal schedule or job requires him/her to perform work on an official Town holiday or Easter Sunday shall receive compensation as follows:

- (a) They shall receive compensation in the form of either salary or compensatory hours equal to two (2) times their actual or computed hourly rate.
- (b) Authorization for payment shall be made a part of record on the employee's time sheet with a description of the job(s) performed and shall be submitted to the Town Clerk/Treasurer by the individual(s) who made the determination to call the aforementioned employee.

D. Compensatory Time: Applicable to all staff including general, Library and Rome Water Utility.

- (1) Compensatory time can only be earned for hours worked in excess of 40 hours in a week. Compensatory time may be earned taken by hourly employees.
- (2) Compensatory time for employee's covered under the FLSA is computed on a straight time basis for those hours worked which are in excess of the employee's regular work schedule, but which do not cause the employee to work over 40 hours a week. Hours worked in excess of 40 hours a week will be compensated at the rate of time-and-a-half. The maximum accumulation of compensatory time shall not exceed 100 hours.
- (3) Requests for use of compensatory time shall be approved by the employee's immediate supervisor. The Town reserves the right to schedule an employee's compensatory time in the interests of the Town.
- (4) All unused compensatory time will be paid to the employee on the last payday in December of each year. Compensatory time may not be carried over year to year effective the last pay day in December of 2025.