

**MIDWAY SEWER DISTRICT
RESOLUTION NO. 2022-04**

RESOLUTION AMENDING EMPLOYEE HANDBOOK

Background: The Midway Sewer District Employee Handbook establishes the basic terms and conditions of employment for Employees employed at the District.

District staff has identified a need to clarify overtime pay for extended shifts.

Resolution: NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Midway Sewer District approves the following Revisions to Sections 404 and 502 of the Midway Sewer District Employee Handbook:

Sec. 404 OVERTIME

Overtime work may occur in either of the following situations:

1. Any scheduled work in excess of forty hours in any workweek. A “workweek” is defined as a period of 168 consecutive hours. Employees will be assigned to either a traditional workweek of Sunday through Saturday or to a 9/80 workweek that begins begins at 11:01 AM on a specified day and ends at 11:00 AM seven calendar days later.

2. Any non-scheduled or emergency work that requires an employee to work over 8 consecutive hours in a twenty-four hour period beginning from the start of the employees regular shift or over 40 hours in a workweek. Any non-exempt employee called in to work during their off-hours shall receive a minimum of two hours overtime pay. Work hours shall be deemed consecutive provided that employee does not have at least a four hour break from performing employee’s job duties.

Overtime pay is one and one-half times the regular wage. In lieu of overtime pay an employee may elect to take compensatory time-off, provided it is in the same pay period as the time when the overtime work was performed and is taken at a time approved by the Manager. Failure to work required overtime or on a revised schedule, or overtime worked without prior authorization from the supervisor, may result in Disciplinary Action (see Sec. 010).

Sec. 502 WORK SCHEDULES, REST/MEAL PERIODS & ATTENDANCE

Nonexempt employees are those who fall under the provisions of FLSA while exempt employees are those executive, administrative and professional employees who are exempt from the overtime requirements of FLSA.

Supervisors will advise all employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Unless directed otherwise by the Manager or a supervisor, non-exempt employees shall work traditional workweek of Sunday through Saturday and shall be scheduled to work eight hours per day Monday through Friday.

In the sole discretion of the Manager and supervisor, nonexempt employees may, be approved to work a 9/80 shift consistent with the following scheduling:

Under the 9/80 shift, each work week begins at 11:01 AM on a specified day and ends at 11:00 AM seven calendar days later. During Week One, employee will work nine hour days followed by an eight-hour day on the specified day. During Week Two, employee will work 4 nine hour days and take the 5th day off. Under this schedule employees will not work in excess of 40 hours in any given workweek unless Employee is scheduled for additional hours. This alternative work schedule is intended to comply with a definition of a workweek under the Fair Labor Standards Act.

Each workday, full-time employees are provided with two rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

Employees are also provided with one meal period of 30 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will normally be relieved of all active responsibilities during meal periods and will not be compensated for that time. Office staff employees, as designated by the General Manager, will receive one paid 30 minute meal period each work day and may be required to perform limited duties during the meal period.

To maintain a safe and productive work environment, the District expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the District. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, the employee should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to Disciplinary Action (see Sec.010).

The changes shall become effective June 1, 2022.

Adoption: ADOPTED at a regular meeting of the Board of Commissioners of Midway Sewer District on May 11, 2022 the following Commissioners being present and voting:

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner