ADMINISTRATIVE DIRECTIVE

CALL – OUT POLICY	NUMBER 2.01-3	PAGE 1 of 5
	EFFECTIVE DATE July 1, 2011	

I. PURPOSE

The intent of this directive is to establish administrative procedures and controls related to call-out pay.

II. POLICY

A. Except for commissioned Police personnel, work that is assigned on an emergency basis to an employee after the employee's scheduled duty day has ended and he or she is called back to work is considered a call-out. Call-out work does not include any planned overtime work. Commissioned Police personnel are covered in Subsection IV, C.

B. Non-exempt employees called back to work during an off-duty period shall be compensated with a minimum of two hours call-out pay. Time worked in excess of the two hours will be compensated as actual time worked. Depending on the situation, call-out pay will either be compensated as straight time or at the overtime rate of pay (see section IV A).

1. **12-Hour Policy** – Employees shall receive the minimum two hours Call-Out pay only once in a 12-hour period starting at the time of the Call-Out. For any subsequent Call-Out during the 12-hour period, the employee will be paid for the actual time worked.

   Example - An employee is called back to work after leaving the work site. The employee works for 30 minutes and is given the minimum two hours Call-Out. The employee is called back to work again several hours later. The employee works for one hour and is compensated for the one hour. The total number of hours compensated in this 12-hour period is three hours.

2. **Extended Workday** – Additional work assigned beyond the workday while an employee is still at the work site is not a call-out, but is considered an extension of the workday. Although the minimum two hours call-out pay is not applicable, the employee is compensated for the actual hours worked beyond the schedule workday.

   If the employee is no longer at the work site or on the premises and is called back to work, it will be considered a call-out and the employee will be given the minimum two hours call-out pay.

   Example - An employee is in the process of leaving work and is asked to stay at work for an emergency. The employee will be compensated for the actual time worked during the emergency but will not receive the minimum two hours call-out pay.

Another employee leaves the work site and is enroute home. The employee is notified to report back to work for an emergency. The employee will receive the minimum two hours call-out pay or will be compensated for the actual hours worked during the emergency, whichever is greater.

3. **Portal to Portal** – Call-out shall begin at the time the employee begins transit to report to work. The employee shall be paid for reasonable travel time both to and from the job site. Travel time is only allowed for call outs and is not authorized for planned overtime.

   Example - An employee is called back to work for an emergency. The call-out begins when the employee leaves for work and ends when the employee returns home.

   Note - Supervisors shall ensure the travel time both to and from the job site is reasonable when approving the overtime slip.

III. DEFINITIONS

A. **Call Out** – Work assigned on an emergency basis to an employee after the employee has already left the work site and is called back to work. Phone calls not requiring employees to return to work are not considered a call-out.

B. **Call-Out Pay** – A minimum two hours at the employee's hourly rate of pay or compensation for the actual hours worked during the emergency over two hours, whichever is greater.

C. **Exempt Employees** – Employees in salaried positions, classified as executive, administrative or professional, who are not eligible to receive overtime pay under the Fair Labor Standards Act (FLSA).

D. **Non-Exempt Employees** - (overtime eligible employees) Hourly employees who are eligible to receive overtime under the provision of the federal Fair Labor Standards Act (FLSA).

E. **Overtime** - Time worked by a non-exempt employee that exceeds the employee's normal 40 hour work week and is compensated at the rate of time and a half of the employee's regular hourly rate for hours worked as noted below.

F. **Time Worked** – The actual hours worked during a workweek, plus any paid leave time used. In most instances, time off for holidays will also be considered time worked.

IV. COMPENSATION

A. Non-Public Safety Compensation for Call Out

Call-out pay shall be compensated at the overtime rate **if** the non-exempt employee has accumulated 40 hours of time worked in the workweek. If the employee has less than 40 hours of time worked during a workweek, the call-out pay will be at the employee's hourly rate of pay.

Example - An employee works 38 hours during the workweek. The employee is then called back to work for one hour. The employee is given the minimum two hours call-out pay at the employee's regular hourly rate of pay because the employee has not completed the 40-hour minimum to be eligible for the overtime rate.

B. Commissioned Fire Personnel

Fire personnel assigned to 24–hour duty who are called out for extra duty shall receive the minimum two hours pay at the overtime rate or will be compensated at the overtime rate for the actual hours worked if they are called out for a period of more than two hours, except for a call-out during the regularly scheduled shift on a holiday (see Section D below for applicable holiday call-out).

C. Commissioned Police Personnel

1. Call-out for commissioned Police personnel eligible for overtime are defined as: an emergency call back to work, investigative personnel called back to conduct immediate specialized or follow-up investigations, annual physical examinations, instructor assignments, speaking engagements, and required off-duty meetings, including interviews by Internal Affairs.

2. Non-holiday call-out shall be compensated at the overtime rate of pay **if** the employee has completed 40 hours time worked in the workweek (see Section D below for applicable holiday call-out). Commissioned Police personnel called out within 60 minutes of their regular shift or previous call-out shall be compensated for the actual time worked including the period of time between the call-out and their regular shift or previous call out. The minimum three hours call-out pay does not apply in these situations.

3. A three-hour call-out for court appearances will be allowed when Commissioned Police personnel eligible for overtime are on an approved leave.

D. Holiday Call-Out

1. Holiday call-out pay will be in effect on the day an employee observes the holiday. Staff with a normal Monday through Friday schedule will observe a Saturday holiday on the preceding Friday and a Sunday holiday on the following Monday. Staff normally scheduled to work on a Saturday or Sunday which is a holiday will observe the holiday on the actual Saturday or Sunday.

2. Employees called back to work on a holiday during the employee's regularly scheduled shift shall be compensated for the minimum two hours call-out, or for the actual hours worked if more than two hours, at the employee's regular hourly rate of pay.

3. Employees called back to work on a holiday outside of the regularly scheduled shift shall be compensated at the overtime rate of pay for the minimum two hours call-out, or for the actual hours worked if greater than two hours.

   However, all employees, except shift workers and 24 hour commissioned Fire personnel, must complete 40 hours in any workweek before they are eligible for the overtime rate.

   Example - An employee is called back to work on a holiday during the employee's regularly scheduled shift. The employee works a total of ten (10) hours on the holiday: three hours during the regular shift and seven hours outside the regularly scheduled shift. The employee receives three hours pay at the straight time rate and seven hours pay at the overtime rate. In this instance the minimum two hours call-out pay does not apply because the employee worked more than the two-hour minimum.

   Note - Employees also receive holiday pay for the holiday (see Administrative Directive 2.01 Holiday Policy for more information).

E. Approved Leave Call Out

Employees on an approved paid leave status who are called back to work for an emergency shall be compensated with two hours Call-Out pay and must adjust their leave cards by the number of hours compensated for the Call-Out.

V. DEPARTMENTAL RESPONSIBILITY

A. All department directors shall be responsible for the administration of this directive, and for ensuring that call-out expenditures are within budget allocations.

B. Departments are encouraged to: 1) assign an individual to periodically review call-out usage for the purpose of spotting trends, and 2) use temporary or intermittent on-call personnel to assist with departmental workload, rather than paying overtime to permanent staff.

C. The Office of Budget and Internal Audit is charged with the responsibility of continually monitoring call-out to ensure that overtime expenditures incurred do not exceed the budgeted funds available for this purpose.

Appendices None

References 2.01-6 Holiday Policy

Review Responsibility and Frequency The Director of Human Resources will review this directive annually, based on date of publication.

Authorized

City Manager

1-25-11
Date