



**PERSONNEL ORDINANCE NO. 2021-02**  
**Village of Wagon Mound Employee Overtime Policy**

AN ORDINANCE AMENDING AND REPEALING ORDINANCE NO. 423-B TO  
REPLACE THE LANGUAGE OF SECTION 18 – OVERTIME.

**Section 18 – OVERTIME**

- A. The normal work week is forty (40) hours, which may begin on any day of the week and any hour of the day. The Mayor shall designate the normal work week or allowable work periods under the Fair Labor Standards Act (29 U.S.C. §§ 201 to 262) for each employee. The designated work week shall not be changed to avoid accrual of overtime hours.
- B. Overtime shall be compensated for hours worked in accordance with the Fair Labor Standards Act for employees covered by the Act's overtime provisions.
- C. All full-time Village employees, both exempt and non-exempt, shall be compensated for hours worked over their regularly designated 40-hour work week in the form of accruing compensatory time at a rate of one and one-half times the number of overtime hours worked, unless cash payout is approved by the Mayor.
- D. Under certain circumstances, such as emergency call-backs, the Mayor may authorize the overtime to be paid out through cash payment within the current pay period. Cash payout of overtime shall require the Mayor's signature for authorization prior to running payroll.
- E. Compensatory time shall accrue separately from any other leave accrual, and it shall be calculated and tracked by the Clerk Treasurer with each payroll period.
- F. Employees may accrue a maximum of eighty (80) hours of compensatory time within a calendar year. When approaching the 80-hour cap, the employee must take time off in order to utilize the compensatory time. Any compensatory time, up to 80 hours, shall carry over to the next calendar year. Under no circumstances shall the employee lose compensatory hours.
- G. Any compensatory hours held by an employee at time of separation shall be paid out in full to the employee.
- H. The Village Council shall inform employees as to who has authority to:
  - 1. determine the need for overtime;
  - 2. determine employees to work overtime; and
  - 3. prevent unauthorized overtime.

The Village Council shall count as time worked:

1. all time spent working on duties and tasks assigned by the Village;
2. all time spent driving or riding as a passenger in a vehicle or other conveyance on official Village business outside an employee's normal work hours.

J. The Village Council shall not count as time worked:

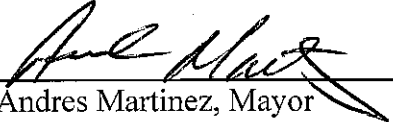
1. time required to travel to and from work;
2. meal periods and time after normal duty hours not spent in work activities;
3. any leave time including holiday, administrative, annual, sick, bereavement, compensatory, educational, military, or personal day leave

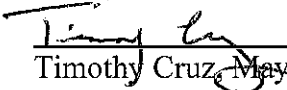
K. Village of Wagon Mound shall maintain for three years a record on each employee which includes:

1. the employee's full name and identifying symbol or number if such is used in place of name on any payroll records;
2. time of day and day of week on which employee's work week begins;
3. regular hourly rate of pay;
4. hours worked each day and total hours worked each week;
5. total overtime compensation for each work week;
6. an agreement to accept compensatory time in lieu of pay, if applicable.

**PASSED, ADOPTED, AND APPROVED AT REGULAR COUNCIL MEETING  
THIS 9<sup>th</sup> DAY OF MARCH, 2021.**

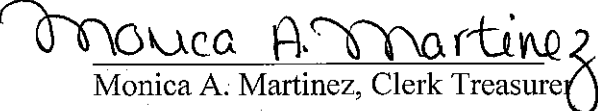
**COUNCILORS**

  
Andres Martinez, Mayor

  
Timothy Cruz, Mayor Pro Tem

**ATTEST:** (SEAL)

  
Adrian A. Clouthier, Councilor

  
Monica A. Martinez, Clerk Treasurer

  
Paul Miera, Councilor

  
Luis Lopez, Councilor

