

JUN 24 2013

**REQUEST FOR AGENDA PLACEMENT FORM**

Submission Deadline - Tuesday, 12:00 PM before Court Dates

**SUBMITTED BY: Don Beeson**

**TODAY'S DATE: 6/3/13**

**DEPARTMENT: Precinct #4**

**SIGNATURE OF DEPARTMENT HEAD: Don Beeson**

**REQUESTED AGENDA DATE: 6/24/13**

**SPECIFIC AGENDA WORDING: Discussion and possible action on elimination of the 171 hour rule for Sheriff Department employees effective 10/1/13.**

**PERSON(S) TO PRESENT ITEM: Don Beeson**

**SUPPORT MATERIAL: (Must enclose supporting documentation)**

**TIME: 20 minutes**

**ACTION ITEM:   X**

**WORKSHOP \_\_\_\_\_**

(Anticipated number of minutes needed to discuss item) **CONSENT: \_\_\_\_\_**

**EXECUTIVE: \_\_\_\_\_**

**STAFF NOTICE:**

**COUNTY ATTORNEY:**

**IT DEPARTMENT:**

**AUDITOR: \_\_\_\_\_**

**PURCHASING DEPARTMENT: \_\_\_\_\_**

**PERSONNEL: \_\_\_\_\_**

**PUBLIC WORKS: \_\_\_\_\_**

**BUDGET COORDINATOR: \_\_\_\_\_**

**OTHER: \_\_\_\_\_**

**\*\*\*\*\*This Section to be Completed by County Judge's Office\*\*\*\*\***

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE \_\_\_\_\_

COURT MEMBER APPROVAL \_\_\_\_\_ Date \_\_\_\_\_

## **FLSA 171 Rule**

**The oldest document I can find reference the 171 rule was adoption by the Court on March 28, 2005 of the Sheriff's Department overtime policy which references the 171 rule for overtime. There apparently has not been any action reference calculation of wages based on either the 160 or 171 work periods.**

**HR has used the hourly rate based on 160 hour work period for payment of holiday and vacation leave. Calculation of hourly wages based on the entry level pay grade of \$29,618.00 for a 160 hour work period is \$14.23 per hour. If that same wage was based on a 171 hour work period the hourly rate would be \$13.32. Apparently the County has established a practice of calculation of hourly wages based on the 160 work week.**

**I make a motion that deputies working more than 160 hours up to but not more than 171 hours be paid those hours at the same rate of pay as calculated by Human Resource's for holiday and vacation pay effective immediately. Also, that H.R. Director Randy Gillespie and County Attorney Bill Moore review the past practice of non-payment of hours worked between 160 and 171 to insure we have been in compliance with the 207 (k) exemption to the Fair Labor Standards Act and to recommend to the court what corrective action if any should be taken.**