ORDINANCE NO. 857

AN ORDINANCE AMENDING SOLANO COUNTY CODE CHAPTER 20, PERSONNEL, ARTICLE II, DIVISION 2, SECTION 20-21, RELATING TO OVERTIME; DIVISION 3, SECTION 20-28, SUB-SECTION (e), RELATING TO VACATION BENEFITS FOR DEPARTMENT HEADS

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Section 20-21 of Chapter 20, Article II, Division 2, Personnel, Solano County Code, is hereby amended to read as follows:


If, in the judgment of a department head, work beyond the normal eight-hour work day or five-day workweek is required, he may order such overtime work. This overtime work will be compensated for by equivalent time off, except as otherwise provided in this section. No overtime shall be ordered in excess of eighty hours for any one employee without specific approval by the County Administrator. The County Administrator shall report monthly to the Board all overtime work approved for an employee whose compensatory time balance exceeds eighty hours or law enforcement personnel in the Sheriff's office whose compensatory time balance exceeds one hundred twenty (120) hours. In extreme emergencies, a department head may assign overtime work to such an employee, and seek ratification from the Board of Supervisors as soon thereafter as possible. Any such compensatory time accumulation in excess of eighty hours or one hundred twenty hours respectively, must be taken off within one year from the date on which it was earned.

(a) When an employee has worked forty hours of overtime in a calendar year, he may elect to be compensated by either equivalent time off or straight time pay for any overtime worked in excess of the forty hours in that calendar year.
(b) Overtime may be credited to employees who are required to work on a paid holiday, in order that vital county services may be maintained.

(c) Off-duty time spent as a witness in court in connection with regular duties as a county employee shall be considered overtime.

(d) Any employee called back by the department during off-duty hours shall receive a minimum of two hours overtime credit for any period worked less than two hours.

(e) Time worked beyond the eight-hour day of a normal five-day workweek shall not be considered overtime unless it has been specifically ordered or authorized by the department head.

(f) Any employee separating from the county service shall be paid for accumulated overtime at the time of such separation.

(g) Payment for overtime shall be separately itemized on the attendance report. When such overtime is paid for, the rate of payment shall be at the rate at which the employee is currently employed.

(h) Time worked as overtime shall not be used to earn employee benefits or to serve out probation or merit increase periods. Compensatory time off may be used as part of the established work week to earn employee benefits and to serve out probation and merit increase periods.

(i) When any employee in a regular part-time position is required to work in excess of his regular work schedule during any week to cover seasonal peak work loads, emergency extra work loads of limited duration, necessary vacation relief and other similar situations, such work shall be considered overtime.

(j) Employees in extra-help positions are not considered to have a regular work schedule and shall not be subject
to the provisions of this section. They shall receive compensation for the actual time worked.

(k) No department head may employ a person from outside the department as a substitute for an employee who is on compensatory time off. No department head shall assign an employee within the department as a substitute for another employee who is on compensatory time off, where such employee assigned receives an increase in pay, as a result of such assignment. Within budget limitation, extra help or intermittent employees may be utilized to substitute for employees who are on compensatory time off.

(l) No regular or probationary employee may be employed in one or more positions, full or part-time, more than a total of forty hours per week, excepting authorized overtime, unless authorized by the board of supervisors. Nothing in this section is to preclude a regular or probationary employee from serving as matron or deputy sheriff in the event of an emergency, provided he has the written approval of his department head.

(m) Department heads and assistant department heads shall not be subject to this section.

(n) The board of supervisors, by minute order, shall adopt a list of employees by classification who are exempt from the provisions of this section, and a list of employees considered to be supervisory or professional and thereby ineligible to receive paid overtime.

SECTION II.

Section 20-28, Subsection (e), Article II, Division 3, Personnel, Solano County Code, is hereby amended to read as follows:


(e) Department heads and assistant department heads
shall receive vacation benefits of 13.3333 hours per month of continuous service to a maximum of three hundred twenty hours accrual.

SECTION III.

This Ordinance shall be published once before the expiration of FIFTEEN (15) DAYS after the date of its passage in the Vallejo Times Herald, a newspaper of general circulation, printed and published in the County of Solano, and shall be in full force and effect THIRTY (30) DAYS after its passage.

ATTEST:

ROBERT H. SCOFIELD, Chairman of the Solano County Board of Supervisors, State of California

NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors,

GARLAND DUNHAM, Deputy Clerk

I, NEIL CRAWFORD, County Clerk and ex officio Clerk of the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was regularly introduced, passed and adopted at a regular meeting of said Board on December 18, 1973.

AYES: SUPERVISORS: BYRON LANGSTON, ROBERT H. SCOFIELD

NOES: SUPERVISORS: 

ABSENT: SUPERVISORS:

WITNESS my hand and official seal as such Clerk this 18th day of December, 1973.

NEIL CRAWFORD, County Clerk

GARLAND DUNHAM, Deputy Clerk