

RESOLUTION NO. 25-05

RESOLUTION AMENDING WORCESTER COUNTY GOVERNMENT PERSONNEL RULES AND REGULATIONS REGARDING COMPENSATORY TIME

WHEREAS, the County Commissioners are authorized to adopt a personnel system that can be amended from time to time.

WHEREAS, the County Commissioners have determined it is necessary to amend its current personnel rules so that straight compensatory time is allowed for non-classified employees.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Worcester County, Maryland that Section 3.03 and 3.04 of the Worcester County Personnel Rules and Regulations be repealed and reenacted as follows:

3.03 OVERTIME

For the purpose of determining overtime eligibility and in accordance with the Fair Labor Standards Act (FLSA) regulations, all County positions are designated as either "non-classified" (exempt) or "classified" (non-exempt).

Regular full-time classified employees except law enforcement officers and correctional officers, are entitled to overtime compensation for hours worked over 40 hours paid per week. Regular full-time, classified law enforcement officers and correctional officers are entitled to overtime compensation for hours worked over 80 hours paid in a 14-day period concurrent with the pay period. Regular part-time, part-time and temporary classified employees are entitled to overtime compensation for hours worked over 40 per week. When computing overtime, vacation, sick, holiday, personal and miscellaneous leave will count toward calculation of overtime eligibility. Compensatory time taken off will not count toward calculation of overtime eligibility.

All overtime must be authorized in advance by the employee's Department Head. Employees who work unauthorized overtime may be subject to disciplinary action. It is the Department Head's responsibility to minimize overtime by granting time off in lieu of potential overtime prior to the end of the work period defined in Subsection B. above.

Overtime compensation is calculated at one and one-half times the employee's regular rate of pay. With the approval of the Department Head, employees entitled to overtime compensation may request to receive compensatory time or overtime payment in cash subject to annual budgetary constraints. Once budgetary limits are reached, all overtime may be compensated in compensatory time unless approved in advance by the Commissioners. Any employee who is unwilling to accept compensatory time for overtime compensation shall not work overtime.

Non-classified employees and elected or appointed officials are not covered by the FLSA overtime provisions and do not receive overtime pay.

In cases only where grant funding reimburses the County at 100% of the cost for overtime paid, where the County does not incur any expense whatsoever, an employee may count

compensatory time used toward calculation of overtime. Grant-funded overtime must be paid in the pay period the overtime was earned and cannot be converted to compensatory time. It is the Department Head's responsibility to ensure that the grant funds are reimbursable at 100%, available for payment of overtime.

3.04 COMPENSATORY TIME

Classified employees entitled to overtime pay may request to receive compensatory time off instead of cash payment with the approval of the Department Head. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. Cash overtime compensation shall be paid for overtime hours that exceed the maximum limit of compensatory time allowable by law (see Subsection B. below).

Non-classified employees, except law enforcement officers and correctional officers, are eligible to receive straight compensatory time for hours worked over 40 hours paid per week. Non-classified law enforcement officers and correctional officers are eligible to receive straight compensatory time for hours worked over 80 hours in a 14-day period concurrent with the pay period. The earning of compensatory time for non-classified employees must be approved by the Department Head or Chief Administrative Officer.

Maximum accruals of compensatory time shall be limited to 240 hours for all classified and non-classified employees except law enforcement officers, correctional officers and **emergency communication specialists**, who may accrue up to 480 hours. **Part-time employees may accrue up to 120 hours.**

Requests to use compensatory time which are submitted with sufficient advanced notice shall be approved by the Department Head unless the Department Head determines that doing so would unduly disrupt the department. Department Heads may require an employee to take compensatory time off to reduce balances.

It is the responsibility of the Department Head to schedule compensatory time off, whenever the department's schedule permits, to reduce compensatory time balances by granting an employee's request to take accrued compensatory time off or by requiring compensatory time to be taken off.


Upon termination of employment, employees will be compensated for unused compensatory time at the employee's rate of pay current with the termination.

AND BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

PASSED AND ADOPTED that this 1st day of April, 2025.

Attest:

Worcester County Commissioners



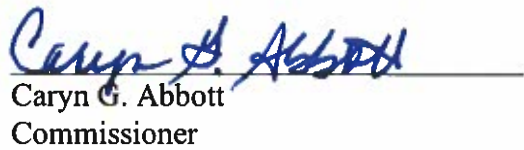
Weston S. Young
Chief Administrative Officer



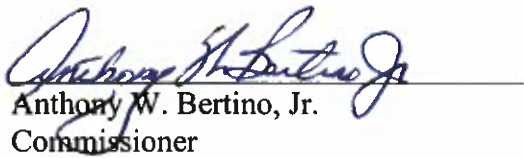
Theodore J. Elger
President



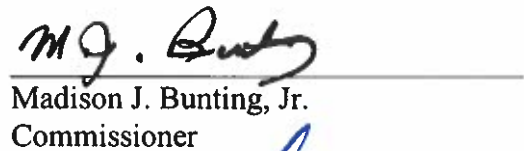
Eric J. Fiori
Vice President



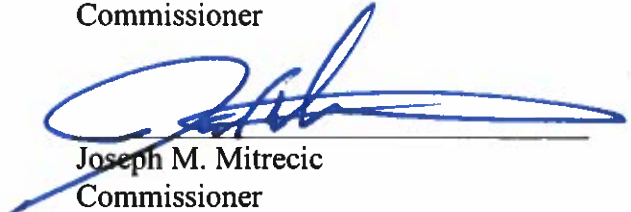
Caryn G. Abbott
Commissioner



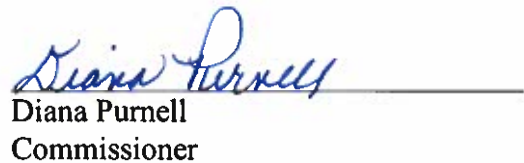
Anthony W. Bertino, Jr.
Commissioner



Madison J. Bunting, Jr.
Commissioner



Joseph M. Mitrecic
Commissioner



Diana Purnell
Commissioner