



MEMO TO: Mayor and Commissioners

FROM: Jennifer Eakes, Human Resources Director

SUBJECT: Amended On-call/Call-back and Stand-by Pay Policy, ARTICLE III.
Section 13

Date: January 9, 2023

Purpose: To approve the amended On-call/Call-back and Stand-by Pay Policy

Proposal:

Human Resources is proposing that the On-call/Call-back and Stand-by Pay Policy be amended to clarify how employees are compensated for on-call/call-back time.

Currently the On-call/Call-back and Standby-by Pay Policy reads that “non-exempt employees will be guaranteed a minimum payment of two hour’s wages for being called back to work outside of normal working hours. “On-call/Call-back” provisions do not apply to previously scheduled overtime work. Standy-by time is not currently calculated in the policy.

The Policy has been amended to read:

On-call/Call-back. Non-exempt employees will be guaranteed receipt of two hours of compensatory time or paid time for being called back to work outside of normal working hours. Non-exempt employees will be compensated with compensatory time or paid time for hours worked outside their normal schedule if they are actually required to return to work and will receive compensatory time/pay at the overtime rate for eligible overtime hours. A minimum of two hours of compensatory time or paid time is guaranteed for the first call-back for non-exempt employees, and actual hours worked for each subsequent call. Hours actually worked while on “on-call/call-back are calculated beginning when the employee leaves home to respond to the worksite and includes travel time returning home from the worksite. “On-call/Call-back” provisions do not apply to previously scheduled overtime work (scheduled one or more days in advance).

Stand-by calculations have been included in the amended policy:

Stand-by time is calculated as follows:

| | |
|----------|-----------|
| 1 Day = | .75 Hrs. |
| 2 Days = | 1.25 Hrs. |
| 3 Days = | 2.0 Hrs. |
| 4 Days = | 2.5 Hrs. |
| 5 Days = | 3.25 Hrs. |
| 6 Days = | 4.0 Hrs. |
| 7 Days = | 5.0 Hrs. |

Recommendation:

- Approve the amended On-call/Call-back and Stand-by Pay Policy.

Attachments:

- Amended On-call/Call-back and Stand-by Pay Policy.

ARTICLE III. THE PAY PLAN

Section 13: On-call/Call-back and Stand-by Pay (Amended 01/09/2023)

The Town provides a continuous twenty-four hour a day, seven day a week service to its customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the Town is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal.

On-call/Call-back. Non-exempt employees will be guaranteed receipt of two hours of compensatory time or paid time for being called back to work outside of normal working hours. Non-exempt employees will be compensated with compensatory time or paid time for hours worked outside their normal schedule if they are actually required to return to work and will receive compensatory time/pay at the overtime rate for eligible overtime hours. A minimum of two hours of compensatory time or paid time is guaranteed for the first call-back for non-exempt employees, and actual hours worked for each subsequent call. Hours actually worked while on "on-call/call-back are calculated beginning when the employee leaves home to respond to the worksite and includes travel time returning home from the worksite. "On-call/Call-back" provisions do not apply to previously scheduled overtime work (scheduled one or more days in advance).

Stand-by. Stand-by ("on-call") time is defined as that time when an employee must remain near an established telephone or otherwise substantially restrict personal activities in order to be ready to respond when called. The Town Manager will establish a procedure for compensation for stand-by time consistent with the market rates used by other organizations. Hours actually worked while on stand-by are calculated beginning when the employee leaves home to respond to the worksite and includes travel time returning home from the worksite.

Stand-by time is calculated as follows:

| | |
|----------|-----------|
| 1 Day = | .75 Hrs. |
| 2 Days = | 1.25 Hrs. |
| 3 Days = | 2.0 Hrs. |
| 4 Days = | 2.5 Hrs. |
| 5 Days = | 3.25 Hrs. |
| 6 Days = | 4.0 Hrs. |
| 7 Days = | 5.0 Hrs. |

The stand-by person taking duty during established holidays by the Town of Pittsboro will receive four (4) hours off with pay for each day of duty. The schedule for time taken off will be arranged

through the employee's supervisor. This time off, if possible, shall be taken within one (1) work week.

Standby time requiring an employee to remain at a designated location or otherwise substantially restricts personal activities in order to be ready to respond when called is considered work time under the provisions of the FLSA.

This policy shall be effective immediately upon adoption

Policy adopted by the Town of Pittsboro Board of Commissioners on January 9, 2023.