



EL PASO COUNTY DEPARTMENT OF HUMAN RESOURCES

Overtime Compensation

Adopted Date: December 16, 2013

Revised Date: September 11, 2023

I. Overtime General

- A. Overtime work, overtime pay, and compensatory time shall be based on policy established by the El Paso County Civil Service Commission and the El Paso County Commissioners Court in accordance with provisions of FLSA.
- B. Based on available budgeted funds allocated to a line item for overtime, specifying tasks to be accomplished, funds are available for tasks to be performed, and where compensatory time off is impractical or not authorized under FLSA, funds for overtime pay may be authorized for eligible County employees who are required to work in excess of a forty (40) hourⁱ week as approved by the Chief Administrator.
- C. Overtime must be for work definitely ordered or approved in advance by the Elected Official/Department Head, or their designee. Overtime pay is allowed only when funds are appropriated by El Paso County Commissioners Court.
- D. Employees eligible to receive overtime pay are employees classified as non-exempt as defined by the provisions of the FLSA.
- E. Employees generally ineligible to receive overtime pay are those defined by job function as exempt as defined by the provisions of the FLSA unless overtime pay is expressly approved by El Paso County Commissioners Court.

II. Emergency Overtime

- A. Only employees whose duties and responsibilities are essential, as designated by the Department Head/Elected Official, shall respond in the event of a designated period of emergency.
 - i. Emergencies, for purposes of this policy, are duties that are non-recurring, unexpected, or dangerous situations for the public requiring immediate action; such as flooding or a snow/ice storm.
 - ii. Employees who are designated to respond in periods of emergency may be compensated monetarily for any overtime worked as a result of the emergency, as approved by the Chief Administrator.
 - iii. Overtime will be accounted for in accordance with this policy and the law.
 - iv. Funds for overtime payments are to be covered by the County's overtime fund budget or other funding resources as designated by Commissioners Court. If departments have extensive overtime payments incurred during this period, and all resources have been exhausted, departments may request additional funds through Commissioner's Court.

III. Overtime Compensation

- A. Overtime pay is paid at the rate established by the FLSA, for all hours worked in excess of an eligible employee's work period. Employee work periods are defined or established per County policy with the exception to employees covered by a collective bargaining agreement.
- B. The appropriate supervisor shall keep all necessary records relating to overtime, such as each instance of overtime worked and the reason for the overtime. The supervisor will supply the

Auditor's Office with such information each pay period.

ⁱ Collectively Bargained and Deputy Constable and Sergeant Deputy Constable employees are subject to an alternatively defined work period for overtime purposes.