



EL PASO COUNTY DEPARTMENT OF HUMAN RESOURCES

Safe Harbor Provision for the FLSA

Adopted Date: September 23, 2013

It is the policy of the County to fully comply with the Fair Labor Standards Act. In keeping with this commitment, the County will make a good faith effort to properly classify employees and pay exempt employees their full salary for any workweek in which they perform work, regardless of the number of days or hours worked, subject only to deductions that are permitted by law. Full day deductions from pay that are permitted by law include, for example, deductions for vacation, personal time off, sick days before or after eligibility for paid sick leave, or deductions for infractions of written workplace conduct rules. Full or partial day deductions may be made from the salaries of exempt employees for infractions of safety rules of major significance or for use of intermittent leave under the Family and Medical Leave Act.

It is further the policy of the County to promptly investigate and correct any improper classifications, payroll deductions, or other payroll practices that do not comply with the Act. If an employee believes that an improper payroll practice — such as an improper classification or improper deduction from an exempt salary — has occurred, he or she may make a complaint to the Human Resources Department. Human Resources will see that the matter is appropriately reviewed; the employee will be reimbursed for the amount of any inappropriate deduction found to be taken.