

OFFICE: Personnel

BY: Mike Coffield

PHONE: 966-3222

Policy Bk

RECOMMENDED ACTION AND JUSTIFICATION:

Approve a Resolution adopting a policy regarding overtime for those members of the Sheriff's Office who engage in law enforcement activities. The Fair Labor Standards Act (FLSA) allows an alternative work schedule for those individuals employed in law enforcement activities. The work period for eligible personnel is based on a 28-day work period, instead of a 40-hour workweek, because of the nature of their work. This Resolution more specifically applies to Deputy Sheriff and Jail Officer personnel.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors adopted Resolution No. 93-506, which established a policy defining the workweek as well as allowing alternate workweeks for County employees, except for certain Sheriff personnel. Within the body of Resolution No. 93-506, it was stated that a separate Resolution would be adopted for Sheriff's Office personnel as the referenced Resolution did not apply. Adopting today's Resolution is simply a housekeeping matter as a subsequent Resolution pertaining to Sheriff's Office personnel was not adopted at the time.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? () Yes () No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Resolution
Source:		_____
Internal Transfer _____		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other		_____

CLERK'S USE ONLY:

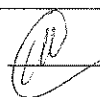
Res. No.: 06-350 Ord. No. _____
 Vote - Ayes: 5 Noes: _____
 Absent: _____
 Approved
 Minute Order Attached No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments: _____

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

CAO: 

MARIPOSA COUNTY RESOLUTION NO. 06-350
A POLICY REGARDING OVERTIME FOR
MEMBERS OF THE SHERIFF'S OFFICE

WHEREAS, all local governments must pay overtime for all hours worked by employees in excess of forty (40) hours per workweek, and

WHEREAS, Congress has adopted legislation to permit some exceptions to that rule to allow alternative work schedules, and

WHEREAS, it is the desire of the Board of supervisors to comply with all applicable sections of the Fair Labor Standards Act;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that a policy regarding overtime for certain sworn members of the Sheriff's Office shall be as follows:

1. No member of the Sheriff's Office shall earn overtime or voluntarily work overtime after the effective date of this Resolution, unless it is the judgment of the Sheriff that the overtime work is absolutely necessary to perform the functions of the office.

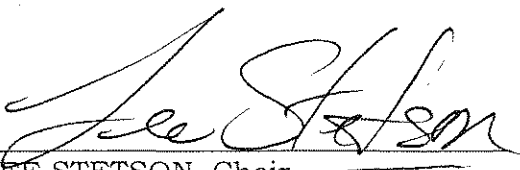
2. If, in the opinion of the Sheriff, an employee earns overtime as a result of a necessity, then in that event, the employee may, at the discretion of the employee be given compensatory time, at the rate of time and one-half in lieu of pay.

3. The sheriff shall be charged with responsibility of monitoring and regulating the provisions of this Resolution relative to County employees working under his or her supervision.

4. The work period for members of the Sheriff's Department shall be twenty-eight (28) consecutive days.

PASSED AND ADOPTED this 25th day of July, 2006 by the Board of Supervisors of Mariposa County by the following vote:

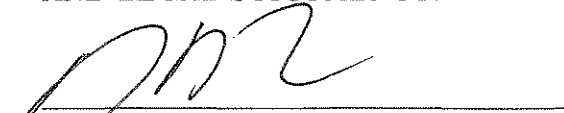
AYES:	STETSON, TURPIN, BIBBY, FRITZ, PICKARD
NOES:	NONE
ABSENT:	NONE
ABSTAINED:	NONE



LEE STETSON, Chair
Board of Supervisors

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


MARGIE WILLIAMS
Clerk of the Board
THOMAS P. GUARINO
County Counsel