



**CITY OF DUBLIN  
ADMINISTRATIVE ORDERS  
OF THE CITY MANAGER**

<b>ADMINISTRATIVE ORDER 2.25</b>
<b>TO:</b> All "Exempt" Personnel
<b>FROM:</b> Terry Foegler, City Manager
<b>SUBJECT:</b> Informal Compensatory Time for Exempt Personnel
<b>DATE:</b> September 17, 2009
<b>Supersedes and Replaces Administrative Order 2.25 dated 11/01/93 Regarding Same Subject.</b>

**I. PURPOSE**

The purpose of this Administrative Order is to establish administrative guidelines governing the usage of informal compensatory time by "Exempt" personnel and to provide guidance and direction to Department/Division Heads regarding the enforcement of these administrative guidelines.

**II. LEGAL REQUIREMENTS/CITY POLICY**

Pursuant to provisions of the Fair Labor Standards Act and the City Compensation Plan, "Exempt" personnel are not entitled to overtime pay or formal compensatory time. However, the policy of the City is to allow Exempt personnel to take a limited amount of time off from their duties if they are required to work significant additional time in excess of what would be the normally required or expected time commitment associated with their positions, provided that they comply with the administrative guidelines of the City Manager regarding taking such time off.

**III. ADMINISTRATIVE GUIDELINES**

- A. Exempt personnel shall be permitted a limited amount of time off during normal business hours if:
  - 1. they have truly been required to devote considerable time in excess of the normally required time commitment (not just time beyond a 40 hour work week) associated with the professional, administrative, or managerial nature of their positions, (nature and requirements of a professional, administrative,

managerial-level position is not tied to the concept of a 40 hour work week), and

2. approval is obtained from their Department/Division Head and such time off does not, in the opinion of their manager, adversely affect their ability to effectively perform their duties, effectively manage their responsibilities/priorities, effectively achieve City objectives, and does not adversely impact the over-all effectiveness of their work units.

“Limited amount of time” as used in this policy shall be defined as a timeframe usually constituting several consecutive hours in duration during the course of a single business day. Informal compensatory time shall not be used to span one or several consecutive business days in duration except in the case of time off due to more extreme or unusual circumstances where extensive extra hours are required to staff, for example, special events (e.g. Irish Festival, July 4<sup>th</sup> celebration), disasters, etc. Informal Compensatory Time shall not be used in place of formal Vacation Leave.

- B. Exempt personnel shall not, nor should they expect to, accrue, bank, or use compensatory time on a formal basis in a manner similar to that which is mandated by the Fair Labor Standards Act for Non-Exempt personnel. In addition, Exempt personnel shall not, nor should they expect to, receive one hour of time off for each hour worked in excess of 40 hours in the workweek. This Administrative Order is intended to allow the use of informal compensatory time when significant additional work time is required due to either regular ongoing commitments (i.e. night meetings) or conditions associated with unusual, sporadic or occasional spikes in time worked which warrant special consideration by the Department or Division Head.
- C. The use of informal compensatory time by Exempt personnel should occur in close proximity to the additional time worked (within several days to two weeks) if feasible. It should not be “stored” or “banked” by the employee to use at a later time at the employee’s discretion. In addition, no formulas should be used to determine time off in relation to additional time worked. The intent is to provide some modest level of relief in close time frames with such sporadic or occasional spikes in work time activity. Likewise, informal compensatory time shall not be recorded or tracked on City computers or in City recordkeeping systems.
- D. It shall be the responsibility of each Department/Division Head to effectively manage and monitor the use of informal compensatory time by their "Exempt" personnel to ensure that the amount of time taken off is within reasonable parameters and to guard against potential abuses. Each Department/Division Head shall ultimately be accountable to the City

Manager regarding the usage of such informal compensatory time by their "Exempt" personnel. Each Department/Division Head shall likewise be accountable directly to the City Manager for his/her own use of informal compensatory time.

**IV. EFFECTIVE DATE**

This Administrative Order shall be effective immediately.