

Chapter 18
Issue 3 03/20/2025

SUBJECT: OVERTIME AND COMPENSATORY TIME

I. PURPOSE

This policy establishes standardized procedures for the authorization, tracking, and compensation of overtime and compensatory time in accordance with City of Lompoc Personnel Rule IV, Section 4.

II. SCOPE

This policy applies to all City departments. In cases where any provision of this policy conflicts with an approved Memorandum of Understanding (MOU) or with any applicable state or federal law, the terms of the MOU or legal provisions shall take precedence.

III. AMENDMENTS

The City Manager may amend this policy as necessary.

IV. DEFINITIONS

Overtime refers to work that is authorized due to an emergency or in the City's best interest, requiring employees to work beyond their standard eight (8) hours per workday or in excess of forty (40) hours per week, except as specified for public safety personnel (police and fire).

V. GUIDELINES

A. Authorization

1. The City retains sole discretion to approve or deny overtime.
2. Non-exempt employees may only work outside their scheduled hours with prior formal authorization from their supervisor. An "Overtime Approval/Compensation" form (Attachment B) or a department/division form (Attachments D-F) for overtime must be completed [by the employee] and submitted to the employee's immediate supervisor for approval.
3. Non-exempt employees may not be present at their workstations more than fifteen (15) minutes before or after their scheduled work hours without prior approval from their supervisor. This restriction also applies to remote work, which is prohibited without prior written authorization. These provisions cannot be waived by any employee.



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4. If a non-exempt employee is required to work through their unpaid lunch break or rest period due to operational needs, the supervisor must, if feasible, provide an equivalent break later the same day. If operational constraints prevent the employee from taking their lunch break later that day, they must be compensated for the time worked.
5. All overtime work must be pre-approved by the Department/Division Head before work is performed, except in emergencies. Emergency overtime exceeding thirty (30) minutes must be reported the next business day. A Department Head may approve emergency overtime without prior authorization if the work is required to:
 - a. Prevent disruption of essential public service;
 - b. Protect City property from damage;
 - c. Mitigate safety hazards affecting the public;
 - d. Complete tasks within a legally mandated deadline; or
 - e. Safeguard public health and safety.

Additional criteria apply to police and fire personnel (Attachment A)

All overtime work shall be documented and approved on an "Overtime Approval/Compensation" form (See "Attachment B"), or a department/division form for overtime (See Attachments D-F).

6. Department managers are responsible for minimizing unnecessary overtime by proactively managing staffing, workloads, and leave schedules. When overtime is necessary, it should be distributed equitably among qualified employees.

B. ELIGIBILITY

Management, Supervisory and Confidential employees are not eligible for overtime pay but may receive compensatory time off (straight time) for overtime hours worked, subject to prior approval by the City Manager (Personnel Rule IV, Section 4).

Battalion Fire Chiefs may be required to work additional shifts to maintain operational staffing and will receive pay at straight time at the discretion of the Department Head.

Management, Supervisory and Confidential employees may be credited with four (4) additional vacation hours per month in lieu of compensatory time, in accordance with an approved Compensation Plan.

Under no circumstances will a deduction be made from the salary of an exempt employee for absences of less than one day. Such absences will normally be covered through accrued leave accounts. (This policy has been developed in view



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of *Abshire v. County of Kern* which identified certain Department of Labor regulation interpretations affecting exempt employees. To the extent that these regulations continue to require what is promulgated in the *Abshire* decision, then the stated policy will be in effect).

C. COMPENSATION

For management, supervisory, and confidential employees listed in Attachment C, overtime specially authorized by the City Manager for compensatory time will be compensated at a rate of one hour of compensatory time off for one hour of overtime worked.

Unless otherwise specified, all City employees not listed in Attachment C shall be compensated for overtime at one and a half (1.5) times their regular hourly rate. Employees may choose to receive compensatory time off in lieu of cash payment, subject to department manager approval. Per the Fair Labor Standards Act (FLSA), compensatory time off is accrued at a rate of 1.5 hours for each overtime hour worked.

D. ACCUMULATION OF COMPENSATORY TIME OFF

1. Eligible employees may accrue up to a maximum of forty (40) hours of compensatory time.
2. Fire personnel assigned on a shift basis may accrue up to fifty-six (56) hours of equivalent compensatory time off.
3. Compensatory time off will be given at the mutual convenience of the employee and the City. All management, supervisory, and confidential staff are encouraged to take compensatory time within the following pay period.
4. For all other employees, if an employee accrues more than forty (40) hours of compensatory time off, they must attempt to schedule leave and take leave in the next pay period to reduce the balance. If scheduling is not feasible, the excess hours will be paid out.

E. TERMINATION AND TRANSFER

Any unused accumulated compensatory time of management, supervisory, and confidential employees shall be paid at the time of the employee's termination.

When an employee is promoted from a non-supervisory or non-exempt classification to a supervisory exempt classification, any accumulated compensatory time should be used prior to the appointment if possible. If this is not feasible, the compensatory time shall be paid out during the first pay period following the promotion or transfer.

Upon termination, all other employees shall be compensated for any unused accumulated FLSA compensatory time at their regular rate of pay at the time of



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termination.

F. HOLIDAYS

Employees in continuous 24-hour operations (Fire, Water Treatment Plant, Police, and Wastewater Treatment Plant) shall be entitled to equivalent time off at straight time.

Employees not normally scheduled to work holidays but required to do so for public health, safety, or welfare reasons, shall be granted equivalent time off at the discretion of the Department Head.

G. FAIR LABOR STANDARDS ACT (FLSA) CONSIDERATIONS

1. **Exempt Employees:** Executive, administrative, and professional employees are exempt from FLSA overtime provisions. The City determines exempt classifications based on job duties and responsibilities.
2. **Overtime Calculation:** Under the FLSA, overtime is calculated based on "hours worked," excluding paid leave such as sick leave, holidays, vacation, or jury duty. However, the City includes these paid leave hours when determining overtime eligibility. "Hours worked" refers to all time an employee is required to be on duty, on the employer's premises, or at a designated worksite.

Duty-free meal periods, commute time, and voluntary activities do **not** count as "hours worked."

3. **Work Periods:**

- The standard workweek for general employees begins at **12:01 a.m. Saturday and ends at 12:00 a.m. (midnight) the following Saturday.**
- For Senior Sanitation Workers and Sanitation Workers, the workweek will begin **12:01 a.m. Sunday and run until the following 12:00 a.m. (midnight) Sunday.**
- For police and fire personnel, the City applies the FLSA **7K exemption**, allowing extended work periods:
 - a. The City has elected a twenty-four (24) day work period for all non-exempt fire protection classifications in the Fire Department. Non-voluntary training, that is training mandated by the Fire Department, directly related to an employee's position will be considered hours worked. Training related to a higher rank does not fall into this category. Time spent in training or class will be considered hours worked for FLSA overtime eligibility.



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- b. In the Police Department, the City has elected a 28-day work period for the non-exempt classifications of Police Sergeant, Police Agent, and Police Officer. All overtime, including special details such as firing range and court time, will be taken in either compensatory time off or overtime at the discretion of the employee.
- c. Voluntary details for other entities, such as football games and dances will not be considered as hours worked for FLSA purposes, and these details will be paid at straight time.

VI. PROCEDURE

- A. Overtime work must be recorded on the employee's timesheet [or time entry on the *Employee Self Service (ESS)*] for the corresponding pay period, signed by the employee and the division manager or supervisor [or approved on ESS].

The overtime work shall also be documented on the *Overtime Approval/Compensation* form [or a department/division form for overtime] and must be approved by the supervisor or the division manager.

- B. Employees must indicate whether they elect cash payment or compensatory time for overtime worked.
- C. Payroll will deduct compensatory time off usage from the employee's accrued balance when time off is taken.

VII. INTERPRETATION AND IMPLEMENTATION

Any questions related to the intent or application of this policy should be directed to the Human Resources Director.

Authorized: _____
Dean Albro, City Manager

Date



Authorization of Overtime Without Advance Department Head Approval

I. Fire Department Criteria

Under certain circumstances, the obtaining of advance approval for overtime work is impractical. This is particularly true in the case of Fire Department emergency situations. In such identified situations, the Fire Company officer in charge or a chief officer may at their discretion approve overtime work without advance approval. It is expected that proper discretion will be utilized at all times. Listed below are examples of circumstances which would justify not obtaining advance approval.

- a. To supplement and back up the on-duty forces on all structure fire alarms or other serious emergencies.
- b. To replace emergency personnel sent on automatic/mutual aid calls to nearby jurisdictions such as Santa Barbara County, Vandenberg Air Force Base, etc.
- c. To replace emergency personnel sent to mutual aid fires in other areas of the state.
- d. When emergency personnel are needed for service or standby during major disasters such as floods, earthquakes, etc.
- e. To maintain constant staffing levels of operation at all times.

II. Police Department Criteria

Under certain circumstances, the obtaining of advance approval for overtime work is impractical. This is particularly true in the case of Police Department emergency situations. In such identified situations the supervisor in charge may at their discretion approve overtime work without advance approval. It is expected that proper discretion will be utilized at all times. Listed below are examples of circumstances which would justify not obtaining advance approval.

- a. When responding to a criminal subpoena.
- b. When an officer is conducting a preliminary investigation and the successful completion thereof requires the officer to work beyond their regular tour of duty.
- c. When an officer is making an arrest prior to the end of their regular tour of duty and the processing of the arrestee requires him/her to work beyond the regular tour of duty.
- d. When an officer is investigating an incident, and the successful completion thereof requires them to work beyond the regular tour of duty.



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- e. When an investigator must work beyond their regular tour of duty to complete an essential phase of an investigation where time is of the essence and deferment would adversely affect the case being investigated.
- f. When an officer is fulfilling an assignment involving the safety of persons or property, such as a fire, accident, or other disaster, and they must remain on duty until relieved by competent authority.
- g. When an officer is preparing written reports of activities completed during assigned shift.
- h. To ensure appropriate manning requirements are met.
- i. When the amount of activity exceeds the capability of the on-duty staff to effectively meet current service needs.



SAMPLE FORM

OVERTIME APPROVAL/COMPENSATION FORM

EMPLOYEE INFORMATION

Employee ID: _____ Employee Name: _____

Job Title: _____ Department/Division: _____

OVERTIME DETAILS

Date(s) of Overtime Worked: _____

Start Time: _____ End Time: _____ Total Overtime Hours: _____

ATO PAY

Type of Overtime: Emergency (explain below) Pre-Approved Scheduled Work

Required for Deadline/Project Completion Other (explain below)

DESCRIPTION OF WORK PERFORMED

(Briefly describe the reason for overtime, specific tasks completed, and any emergency conditions that required overtime.)

EMPLOYEE ACKNOWLEDGMENT:

I understand that overtime work must be pre-approved unless it is an emergency, and I agree that the information provided is accurate.

(Employee Signature)

(Date)

AUTHORIZATION *(To be completed by Supervisor or Division Head)*

Approved Denied

(Supervisor/Division Head Printed Name)

(Signature)

(Date)



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ATTACHMENT C

Personnel in the following classifications shall not be entitled to receive pay for overtime worked, but may receive equivalent time off for overtime worked subject to prior approval by the City Administrator. (Per Personnel Rule IV, Section 4)

Accountant	Management Services Director/ Finance Director/City Treasurer
Accounting & Revenue Manager	Park Maintenance Supervisor (*)
Accounting Supervisor	Parks & Recreation Manager
Administrative Analyst	Parks & Recreation Project Coordinator
Assistant City Manager	Paralegal
Assistant Public Works Director/ City Engineer	PEG Station Manager
Associate Planner	Planning Manager
Battalion Fire Chief	Police Administrative Aide
Building & Safety Service Manager	Police Captain
Budget Analyst	Police Dispatch Supervisor (*)
Chemist	Police Jail Supervisor (*)
Chief of Police	Police Lieutenant
City Attorney	Police Records Property Supv (*)
City Clerk	Police Systems Administrator
City Councilmember	Principal Planner
City Engineer	Programmer-Network Analyst
City Manager	Public Works Director
City Treasurer	Purchasing & Materials Manager
Civil Engineer II / III	Recreation Coordinator
Communications Supervisor	Recreation Supervisor
Community Development Director	Senior Administrative Analyst
Community Relations Mgr/Public Information Officer (PIO)	Senior Civil Engineer
Deputy City Clerk	Senior Environmental Coordinator
Electric Regulatory Compliance Coordinator	Senior Human Resources Analyst
Electrical Estimator	Senior Human Resources Tech
Electrical Supervisor	Solid Waste Manager
Electrical Utility Engineer	Solid Waste Supervisor
Electrical Utility Manager	Street Maintenance Supv. (*)
Executive Assistant	Systems Administrator
Facilities Maintenance Supv-Bldg (*)	Systems Analyst



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Facilities Maintenance Supv (Water)	Transit/Airport Administrator
Facilities Maintenance Supv (WW)	Transit/Airport Analyst I / II
Facilities & Fleet Maintenance Manager	Treasury/Utility Billing Supervisor
Finance Service Manager	Urban Forestry Supervisor (*)
Fire Administrative Aide	Utility Accountant
Fire Chief	Utility Conservation Coordinator
Fire Marshal Battalion Chief	Utility Director
Fleet Maintenance Supervisor (*)	Utility Engineer
GIS Analyst	Utility SCADA Network Analyst
Human Resources Analyst	Wastewater Collection Supv. (*)
Human Resources Director	Wastewater Manager
Human Resources Manager	Wastewater Plant Operations Supervisor (*)
Human Resources Technician	Water Distribution Supervisor
Human Resources Staff Assistant	Water Plant Operations Supv.
Information Technology Manager	Water Resources Engineer
Landfill Supervisor (*)	Water Utility Manager
Librarian I / II / III	
Library Administrative Aide	
Library Director	

(*) May be eligible for overtime based on the Fair Labor Standards Act



SAMPLE FORM

CITY OF LOMPOC OVERTIME APPROVAL/COMPENSATION		
NAME _____	DEPT/DIVISION _____	
Date Worked: _____	Address: _____	
Date Reported: _____	Meter # _____	
Hours Worked From: _____ a.m./p.m.	Reason: _____	
To: _____ a.m./p.m.	Correction: _____	
Total Hours: _____	Call Out By: _____	
<input type="checkbox"/> ATO <input type="checkbox"/> PAY	Customer Charge: Yes _____ No _____	
EMPLOYEE'S SIGNATURE: _____		DATE: _____
SUPERVISOR APPROVAL: _____		DATE: _____
WHITE - Department	YELLOW - Supervisor	PINK - Employee/Billing Supervisor



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ATTACHMENT E

SAMPLE FORMS

LOMPOC POLICE DEPARTMENT OVERTIME REPORT

Name Division

Supervisor's Name

<input type="checkbox"/> 02 - Held over/Called Out/Late Arrest (Circle one)	<input type="checkbox"/> 28 - Explorers and PAL	<input type="checkbox"/> 36 - Citizens Academy
<input type="checkbox"/> 06 - Court (case#)	<input type="checkbox"/> 29 - LompoC Police Beat	<input type="checkbox"/> 37 - DET (Case Load Work)
<input type="checkbox"/> 08 - CMI or Natural Disaster (Describe)	<input type="checkbox"/> 30 - DOR/FTO Training	<input type="checkbox"/> 38 - Investigation (case# and Crime)
<input type="checkbox"/> 11 - Contract Patrol	<input type="checkbox"/> 31 - Search Arrest Warrant (case #)	<input type="checkbox"/> 39 - Medical Clearance/Transport
<input type="checkbox"/> 13 - Assist Other Agency (Name Event)	<input type="checkbox"/> 32 - Training (Describe STC or POST)	<input type="checkbox"/> 40 - Community Talks and Events (Describe)
<input type="checkbox"/> 19 - Meetings (Describe)	<input type="checkbox"/> 33 - LPD Meetings (Describe)	<input type="checkbox"/> 41 - Other (Reason)
<input type="checkbox"/> 25 - Constant Staffing	<input type="checkbox"/> 34 - Dictation/Report Writing (case#)	<input type="checkbox"/> 42 - GNET/SBRNET Investigation
<input type="checkbox"/> 26 - SRO/School Resource Officer	<input type="checkbox"/> 35 - S.W.A.T. (Training, Called Out, Etc.)	

Date Worked:

Hours Worked From: To:
 Use a separate Overtime slip for each type of Overtime

Total Hours:
 Clearly state the reason for and who's shift you are covering:

Case Number:

I respectfully request:

Pay ATO

Employee Signature Date

Approved Posted

Supervisor Date

Division Commander Date

LPD Form 354 Rev. 03/25

LOMPOC POLICE DEPARTMENT
GRANT RELATED OVERTIME REPORT

• LPD DUI Awareness • LPD DUI Checkpoint Mini Grant

• Seatbelt Grant • Gang Grant

• ABC Grant • SBSO Avoid the 12 DUI Grant

Date Worked:

Hours Worked From: To:

Total Hours:

Reason:

Case Number(s)

Name:

Division:

I respectfully request:

- PAY ATO

Employee Signature Date

Approved Posted

Supervisor

Division Commander

LPD 123 (Rev. 3/2025)



SAMPLE FORM

Urban Forestry Monthly Overtime Work/Standby Log

Date	Name	Work Description	Hours Worked	Compensation: Paid/ATO	LOGGED