



COMPENSATION PLAN

605.16 – REIMBURSEMENT COMPENSATION FOR FLSA EXEMPT EMPLOYEES

Policy Purpose: To establish a policy that allows FLSA exempt/non-represented salaried personnel to receive straight time compensation for extraordinary time spent on emergencies, which are reimbursable under agreements and/or regulations as allowed by the Fair Labor Standard Act – Section 541.604.

Policy Coverage: This policy is applicable to all FLSA exempt/non-represented salaried employees of the East Fork Fire Protection District.

Adopted Date: 12/15/2020

Revised Date: N/A

Policy #: 605.16

1. Background:

Periodically, FLSA exempt/non-represented salaried employees are required to work and respond to emergencies/incidents either within the jurisdiction or outside the jurisdiction of the Fire District. Such responses or incident management may be for extended periods of time, often extending work hours beyond the traditional forty-hour (40) work week and requiring personnel to remain at the emergency incident, within the Emergency Operation Center, etc. with no time off. Historically, affected employees were afforded the opportunity for additional compensation beyond their regular salary, providing that the additional compensation was reimbursable by the host or requesting agency. While these reimbursements were previously addressed under a Memorandum of Understanding (MOU), it is more appropriate they be managed by established policy.

2. Policy:

Non-represented, salaried/FLSA exempt personnel are eligible for additional compensation related specifically to off-district responses in other jurisdictions, or extraordinary time spent on any other reimbursable incident/event, providing that the costs are reimbursable by the host or requesting agency and/or fall under the terms in the provisions of Emergency Management services as defined under the current Douglas County/East Fork Fire Protection District Agreement for Emergency Management Services.

A. Terms of Compensation

1. Non-represented, salaried/FLSA Exempt employees will be eligible for reimbursement by the outside agency for all hours worked during emergency operations, except those hours falling between 0800 and 1700, Monday through Friday, excluding holidays.
2. The hourly rate paid shall be paid based on the employee's annual base salary, divided by 2080 hours, which amount is in conformance with the requirement set forth in 29 CFR § 541.604 that the extra compensation be reasonably related to the employee's regular salary and therefore does not impair the employee's exempt status under the FLSA.
3. Compensation earned is considered "additional compensation" and not reportable to the Public Employees' Retirement System (PERS).
4. It is the responsibility of the employee to submit a claim for any additional hours worked under this policy.
5. Allowed additional compensation of exempt salaried personnel will be calculated as straight time compensation for incidents, which exceed an initial twenty-four (24) hours of operation and/or where services are billable under existing agreements and/or regulations and as allowed by the Fair Labor Standards Act (FLSA). The additional compensation time is retroactive to the employee's start time on the incident or event once the initial 24-hour period has been exceeded.
6. Prior to providing compensation to an exempt employee, approval must first be obtained from the Board of Directors.

RESPONSIBILITY FOR REVIEW: The District Fire Chief, or his designee and/or the Executive Office Manager, or his/her designee will review this policy every 3 years or sooner as necessary.