

219. Hours of Work and FLSA Overtime

- .1 The City of Tulsa will comply with all provisions of the Fair Labor Standards Act (FLSA), including hours of work, overtime, exempt and non-exempt position classifications and other related FLSA issues.
- .2 The standard workweek is 40 hours and the standard workday is eight hours for non-exempt employees, unless otherwise provided for in an applicable collective bargaining agreement or the employee is approved to work an Alternate Work Schedule or shift variation by their department head or designee. The workweek begins on Sunday morning at 12:01 am and ends the following Saturday evening at midnight. General work hours are from 8:00 am to 5:00 pm Monday through Friday, although starting and ending times and work days may vary within departments, office locations, and shifts. Department heads will determine the schedule for his/her department. The department head or designee may establish special hours and tours of duty for the department as necessary to provide adequate service.
- .3 Each employee is responsible for accurately tracking, reporting and submitting allof his or her time worked and any leave. Non-exempt employees are not to perform any work that is not reported as worked, nor are they to report as worked any timethat was not in fact worked. All employees, both exempt and non-exempt, are responsible for approving their time worked and/or leave taken within the appropriate time and attendance system utilized by the City. Such approval is theattestation by the employee that the information is a true and correct representation of all hours to be paid. When an exempt employee approves their timesheet, it is verification the employee worked on workdays for which there is no leave indicated. Employees violating any part of this directive are subject to disciplinary action up to and including termination, and supervisors who instruct or knowingly allow employees to violate any part of this directive are also subject to disciplinary action, up to and including termination.
- .4 Non-exempt employees are paid on an hourly basis. They are not to begin work prior to the work shift or continue to work after the work shift, except in an emergency, without approval of the department head or designee. Employees violating this directive are subject to disciplinary action, up to and including termination. It is the responsibility of the department head or their designee to ensure employees work their approved schedule without incurring overtime, unless approved in advance, and to ensure appropriate staffing levels are maintained during core business hours. Departments should verify hours worked within the payroll system as prescribed by the applicable procedure.

.5 An unpaid meal period must be taken by any non-exempt employee who works a minimum of six hours per day, unless otherwise provided for in an applicable collective bargaining agreement. The normal meal period should occur approximately halfway through the workday, but the department head or designee may set the meal period at different times according to the needs of the department. The length of the meal period may vary from a minimum of 30 minutes to a maximum of 90 minutes, in 15 minute increments, according to the needs of the department. Non-exempt employees are required to clock in and out for meal periods. If a non-exempt employee performs any work during their meal period, the employee must report the time worked to his/her direct supervisor. Employees without access to a time clock at lunch will document the time spent on the lunch break and report it to their supervisor for proper recording in the payroll system. Employees are encouraged to leave their workstations during meal periods in order to receive the full benefit and to minimize the possibility of being inadvertently asked to work during a meal period.

.6 Unless otherwise required by law, non-exempt employees may be allowed a paid 15 minute break period during each one-half work shift of each day. The supervisor will try to plan work so as to permit such breaks but breaks are not guaranteed and depend on the workload and staffing levels. Breaks are not to be taken contiguous to the meal period or at the start or end of the workday. Employees are not required to clock in and out for breaks. Employees abusing this privilege are subject to disciplinary action, including loss of break privileges.

.7 For purposes of employee safety and work effectiveness, supervisors are responsible to ensure that employees should not work in excess of sixteen (16) straight hours or be assigned to more than sixteen (16) hours of work within any twenty-four (24) hour period. Extended work hours in excess of sixteen (16) hours during emergency conditions, as determined by the employee's department head, their designee, or the Mayor, should be permitted only in rare and exceptional circumstances where operational necessity demands it and no reasonable alternative exists. In such cases, supervisors must document the justification for the extended hours and notify the appropriate department head or designee.

~~.6.8~~ There may be instances where an employee is relieved from duty before completing their regularly scheduled shift or is directed to report later than their usual start time due to overtime assignments. An employee shall receive compensation ("fatigue pay") at their straight-time hourly rate for the regularly scheduled hours missed. Based on these considerations, supervisors should make reasonable efforts to limit overtime scheduling which results in the loss of an employee's availability to work their normal work hours.

.7.9 It is expected that exempt employees regularly work extra hours by arriving early, working late, working on weekends or attending scheduled evening events as necessary to adequately perform their job responsibilities, without receiving additional pay or leave benefits. In consideration of these extra hours, exempt employees may occasionally report to work late, leave work earlier than their normal work schedule or take an extended lunch break. Exempt employees are responsible for keeping their supervisor/manager informed of these variances and getting approval for the variance. Variances of this nature are not intended to be an hour for hour exchange for extra hours worked by an exempt employee and shouldn't exceed a half day.

.8.10 Any exempt employee away from work for half a work day or more, regardless of any other hours worked within that workweek or pay period, should submit the appropriate leave for their absence. If the need to be gone from work, as illustrated in .7 above, becomes frequent in nature, managers should address the pattern and frequency of such absences with the employee. The manager may require the exempt employee submit leave for all time away from work. The department head or employee's supervisor should confer with Human Resources for direction on whether such leave is excessive to ensure consistent application across departments.