



Resolution 19-03
Changes to the City's Personnel Policy: Compensatory
Time and Payment in Lieu of Annual Leave

Effective: September 19, 2018

**A RESOLUTION OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING
CITY PERSONNEL POLICIES REGARDING COMPENSATORY TIME AND
PAYMENT IN LIEU OF ANNUAL LEAVE TO LIMIT THE AMOUNT OF
COMPENSATORY TIME EMPLOYEES MAY ACCRUE AND TERMINATING THE
POLICY THAT ALLOWED FOR PAYMENT IN LIEU OF ANNUAL LEAVE**

WHEREAS, New Carrollton City Code, §23-6 “Personnel Policies” requires that the City Council adopt, by resolution, personnel policies and procedures and that it amend the policies as necessary; and

WHEREAS, the Administration reviewed the City’s Compensatory Time and Payment in Lieu of Annual Leave policies (“Policies”) and recommends the changes to the Policies contained in Exhibit A, which are, in short, limiting the amount of compensatory time that employees, other than sworn employees, may accrue to 40 hours and limiting sworn employees to 100 hours, and terminating the ability of employees to receive payment in lieu of annual leave; and

WHEREAS, these changes will clarify the Policies and provide for better administration of personnel matters; and

WHEREAS, the Administration held employee meetings to review the proposed changes to the Policies with City employees on Tuesday, September 4, 2018, at which no significant concerns were voiced; and

WHEREAS, a memorandum from the Administration outlining the proposed changes and providing further detail on the changes is attached hereto as Exhibit A.

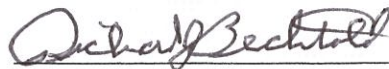
NOW, THEREFORE, BE IT HEREBY RESOLVED, by the City Council of New Carrollton, that the Policies, as set forth in Exhibit A, are hereby approved and the City Administration is hereby directed to make these changes to the City’s Personnel Policy regarding the Compensatory Time and Payment in Lieu of Annual Leave policies.

ADOPTED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF NEW CARROLLTON, MARYLAND THIS 19TH DAY OF SEPTEMBER 2018.

[SEAL]

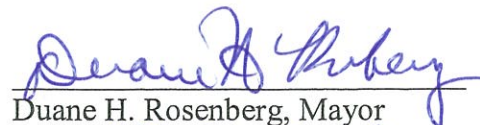
ATTEST:


Douglass A. Barber, CMC, City Clerk



Richard Bechtold, Chairman
City Council

APPROVED:


Duane H. Rosenberg, Mayor
Date: 09-20-2018



City of New Carrollton
6016 Princess Garden Parkway
New Carrollton, Maryland 20784-2898

MEMORANDUM

To: Councilmembers

From: Duane Rosenberg, Mayor
Alayna Rowlett, Human Resources Administrator

Re: Changes to the City's Personnel Policies

Date: 09.19.18

In an effort to reduce certain financial liabilities and ensure that City policies are clear and concise, the following changes are being proposed to the City's Compensatory Time and Payment in Lieu of Annual Leave Policies. The Policies will be presented to the City Council for approval at the Council's September 19 meeting. The policy changes are in bold text.

D. Compensatory Time:

Compensatory time off is leave earned by an employee when working overtime that is required by business necessity and is approved as required below. Exempt and non-exempt employees may be eligible for compensatory time off for hours worked in excess of an employee's normally scheduled work day, subject to the following provisions:

- 1. Compensatory time shall not be earned without prior written approval from the employee's immediate supervisor.**
- 2. Non-exempt employees who elect to receive compensatory time in lieu of overtime pay must submit a written request to their supervisor and the Accounting Department upon submitting their time sheet for approval.**
- 3. Compensatory time earned by employees in each Department of the City shall be reviewed at the end of each pay period by the employee's Department head as appropriate (ie. Administrative Officer, Chief of Police or the Director of Public Works), and reported to the Director of Finance and Accounting. The Director of Finance and Accounting shall maintain the official record of employees' compensatory leave balances.**

4. The employee may use accumulated compensatory time in the same manner as accumulated leave.
5. With the exception of sworn personnel, employees may accumulate a maximum of forty (40) hours of compensatory time. However, once this amount has been accumulated, employees will no longer earn additional compensatory time until the employee's use of such compensatory time reduces his/her accumulated balance to an amount below the maximum, except as provided hereinbelow. Accordingly, non-exempt (hourly) employees reaching this level will receive overtime pay. Exempt employees who have accumulated the maximum compensatory time permissible, will be required to flex their work hours within two pay periods of working the additional hours, upon their supervisor's approval.
6. Sworn personnel may accumulate a maximum of one hundred (100) hours of compensatory time. However, once this amount has been accumulated, an employee will no longer earn additional compensatory time until the employee's use of such compensatory time reduces his/her accumulated balance to an amount below the maximum, except as provided hereinbelow. Accordingly, non-exempt (hourly) sworn personnel reaching this level will receive overtime pay. Exempt, sworn personnel who have accumulated the maximum compensatory time permissible, will be required to flex their work hours within two pay periods of working the additional hours, upon their supervisor's approval.
7. All non-exempt employees will be paid their accumulated compensatory time balances upon leaving employment with the City. Exempt employees will not receive payment for compensatory time. In addition, compensatory time will not be transferred to Annual or Sick Leave balances.
8. Exempt employees who are required to attend evening meetings that begin after their normal work day ends are free to leave at the end of their normal work day, but must report back to work for the scheduled meeting. Employees will only accumulate compensatory time for actual hours worked from the end of the employee's normal work day until the meeting that are approved in accordance with this Policy.

Employees who, at the time of adoption of this amended Policy, have a compensatory time balance over forty (40) hours and sworn personnel with a balance over one hundred (100) hours must reduce their compensatory balances to the new maximum amounts by 11:59 p.m.

on January 4, 2020. As of January 5, 2020, no City employee shall have a compensatory leave balance that exceeds the amount established herein.

The Compensatory Time policy currently states the following:

Exempt and non-exempt employees may be eligible for compensatory time off after working abnormally long hours, subject to the following provisions:

1. Compensatory time shall not be earned without prior written approval from the employee's immediate supervisor.
2. Compensatory time earned shall be reviewed at the end of each pay period by the Administrative Officer, Chief of Police and the Director of Public Works, as appropriate, and reported to the Financial Officer.
3. The employee may use accumulated compensatory time in the same manner as accumulated leave.
4. Payment for accumulated compensatory time shall not be made without approval by the Mayor; compensatory time may be transferred to Annual Leave or Sick Leave.
5. A maximum of thirty days compensatory time may be accumulated by administrative and public works personnel, and once this amount has been accumulated, the employee will cease to earn additional compensatory time until the use of such compensatory time reduces his/her accumulated balance to an amount below this maximum. For non-exempt (hourly) employees reaching this level, overtime pay requirements will be reinstated.
6. Public Safety personnel may accumulate a maximum of sixty days compensatory time, at which time the employee will cease to earn additional compensatory time until the use of such compensatory time reduces his/her accumulated balance to an amount below this maximum. For non-exempt employees reaching this level, overtime pay requirements will be reinstated.

Payment in Lieu of Annual Leave

As of the date of adoption of this Policy, the City will no longer allow payment in lieu of annual leave. Employees will only be paid their accumulated vacation balances upon leaving employment with the City. Employees must use their vacation leave throughout the year and are only permitted to rollover a maximum of two hundred and forty (240) hours. Employees that do not use vacation leave in excess of 240 hours before the end of the last pay period of the fiscal year will lose the accumulated leave.

All leave balances will be adjusted on the beginning of the first full pay period of the fiscal year.

The Payment in Lieu of Annual Leave policy currently states the following:

Payment in lieu of annual leave is to be permitted only in extreme and unusual circumstances. However, at the option of the City, and when it is advantageous to the City, Payment in Lieu of Annual Leave may be granted, but not to exceed two weeks. The City Administrative Officer, the Chief of Police, or the Director of Public Works, as appropriate, may approve payment in lieu of Annual Leave, provided the employee has the accrued leave on their record.