

ADMINISTRATIVE PERSONNEL ORDER



5-2006

**RE: *Policy Statement – Use of Leave time
for Overtime Exempt employees***

Issue Date: *September 18, 2006*

WHEREAS, Administrative Order 1-92 provides for those executive, administrative, or professional employees who are identified in the County's compensation plan by footnote as not eligible for overtime or as eligible for overtime at straight-time compensation ("exempt employees"), that the County will not deduct from employee leave banks or pay for partial day absences; and

WHEREAS, the County of Wayne provides reasonable and generous provisions for sick leave, annual leave, and personal leave and has allowed employees to utilize these employment benefits at their discretion and need as balanced with the County's needs; and

WHEREAS, since the issuance of Administrative Personnel Order 1-92, the regulations of the Fair Labor Standards Act has been amended and specifically the Department of Labor issued an opinion letter dated April 11, 2005;

IT IS THEREFORE ORDERED that exempt employees shall be required to utilize time from their accrued leave banks or have their pay reduced for any part of a work day that the employee is absent for personal reasons, illness or injury;

IT IS FURTHER ORDERED that exempt employees who have exhausted their leave banks, shall have their pay reduced for any part of a work day that they are absent for personal reasons, illness or injury;

IT IS FURTHER ORDERED that the benefit programs for leave time are not amended and it shall continue to be required that a leave day be used to cover an all-day absence or, if leave time has been exhausted, then a reduction in pay equivalent to the all-day absence;

IT IS FURTHER ORDERED that Management reserves the right to determine what weekly schedule makes up a forty (40) hour work week.

IT IS FURTHER ORDERED that these changes should be implemented effective immediately upon issuance of this Personnel Order.

Timothy Taylor
Director