

**Oshkosh Public Library**  
**Proposed Personnel Policy Revision**  
**February 25, 2021**

**REASON FOR REVISION**

The City of Oshkosh is engaged in a major overhaul of its payroll processes as it plans to begin using a new automated platform for this function in April 2021. All policies pertaining to payroll categories such as hours worked, overtime, and the various kinds of paid leave must be translated into algorithmic “rules” within the new ExecuTime payroll automation system. As intensive work on this policy translation process has proceeded, it has become clear that several Library policies must be amended and/or clarified in order to result in correct payment of employees. Section 111 of the Library Employee Handbook, pertaining to Scheduled hours, overtime, compensatory time, and extra pay is a key policy section that requires amendment. Details of proposed changes are below.

**REVISED POLICY**

6. **Overtime** – Overtime is time worked in excess of forty (40) hours in a workweek. Holiday, vacation and floating holiday leave time are counted toward the calculation of time worked. Substitution of these forms of leave for other forms of leave will not be counted toward the calculation of time worked. Whenever practicable, overtime shall be approved in advance by an employee’s Supervisor. It shall be the responsibility of every Supervisor to assign overtime work only when emergencies or other compelling circumstances prevent the reasonable accommodation of additional work through the reassignment of work priorities or through the rescheduling of hours within the same workweek.

Eligibility for overtime compensation shall be determined in accordance with the Fair Labor Standards Act. Exempt employees shall be ineligible for any form of additional compensation for overtime hours worked.

Non-exempt employees eligible for overtime pay will be compensated at the rate of time and one-half (1.5) for the time worked in excess of forty (40) hours in a workweek.

Where staffing levels are judged sufficient by the department Supervisor and the Director, the Library will allow compensatory time in lieu of cash payment for overtime. Compensatory time may be earned at a rate of one and one-half (1.5) hours for each hour of overtime. An employee may request to use compensatory time off within a reasonable time period of the request. Compensatory time will accumulate on a standard calendar year basis (January to December). All accumulated compensatory time balances must be used by the first week of December in order to be paid out in the last paycheck of the year. Employees who transition to a new position may be required to take a compensatory time payout at the time of transfer. Employees are not allowed to accumulate more than the statutory limit. Compensatory time will not be counted toward the calculation of time worked for overtime purposes.

7. Call In –If a non exempt employee is called back into work at other than his or her regular schedule of hours, he or she will receive a minimum of two (2) hour’s pay for such work. All time worked as a result of the call in will be paid at the rate of one and one half (1.5) times their hourly rate of pay. This provision will not apply to hours worked consecutively prior to or subsequent to the employee’s regular schedule of hours.
8. Bookdrop Pay – If a non-exempt employee is assigned to empty the library bookdrop(s) and discharge materials when the library is closed, the employee shall receive two (2) times their hourly rate of pay for doing so.
9. Holiday Pay –Non exempt employees required to work on a recognized holiday shall receive two (2) times their hourly rate of pay for hours worked in addition to the holiday pay. As a condition for payment of holiday pay, every employee shall report for work on the scheduled work day before and after the recognized holiday unless such employee is on an approved form of leave.

[Section 111 Revised 25 February 2021]

### **MARK-UP OF CURRENT POLICY**

6. Overtime – Overtime is time worked in excess of forty (40) hours in a workweek. ~~Full days of holiday~~ Holiday, vacation and floating holiday leave time are counted toward the calculation of time worked. ~~Other forms of leave will not be counted toward the calculation of time worked. Non exempt employees shall not be allowed to perform any work prior to or after their assigned work hours without authorization of the department head or supervisor. Substitution of these forms of leave for other forms of leave will not be counted toward the calculation of time worked. Whenever practicable, overtime shall be approved in advance by an employee’s Supervisor. It shall be the responsibility of every Supervisor to assign overtime work only when emergencies or other compelling circumstances prevent the reasonable accommodation of additional work through the reassignment of work priorities or through the rescheduling of hours within the same work week. In the event of an emergency requiring the non exempt employee to continue to work without prior authorization, the Supervisor, Department Head, Assistant Director, or Library Director is to be informed of the situation as soon as is safe or practical. Any of those persons may authorize the additional time. [Section 111 (6) was revised 27 July 2017]~~

Eligibility for overtime compensation shall be determined in accordance with the Fair Labor Standards Act. Exempt employees shall be ineligible for any form of additional compensation for overtime hours worked.

Non-exempt employees eligible for overtime pay will be compensated at the rate of time and one-half (1.5) for the time worked in excess of forty (40) hours in a workweek.

Where staffing levels are judged sufficient by the department Supervisor and the Director, the Library will allow compensatory time in lieu of cash payment for overtime. Compensatory time may be earned at a rate of one and one-half (1.5) hours for each

hour of overtime. An employee may request to use compensatory time off within a reasonable time period of the request. Compensatory time will accumulate on a standard calendar year basis (January to December). All accumulated compensatory time balances must be used by the first week of December in order to be paid out in the last paycheck of the year. Employees who transition to a new position may be required to take a compensatory time payout at the time of transfer. Employees are not allowed to accumulate more than the statutory limit. Compensatory time will not be counted toward the calculation of time worked for overtime purposes.

- ~~7. Compensatory Time — Where sufficient staff exist by determination of the respective Department Head and the Library Director, the Library allows compensatory time, or the accumulation of a specified amount of compensatory time, in lieu of cash payment for overtime or Sunday hours at a rate of one and one half (1.5) hours of compensatory time for each hour of overtime earned.~~

~~The use of compensatory time must be authorized by the Department Head or Supervisor before the hours (overtime or Sunday) are worked for which compensatory time is to be given. It is highly recommended that compensatory time be kept to a minimum.~~

~~All employees must use the compensatory time within the same or next two pay periods after it was earned. If the department head determines that staffing does not permit it to be taken within that time, the use of the compensatory time may be deferred up to two additional pay periods. If this cannot be accomplished, the employee should be paid for the time. The department head should keep a record of time earned and taken.~~

~~Employee's compensatory time accumulates on a calendar basis with all end of year balances paid out in cash the first paycheck in February following prior calendar year accumulation. Employees are not allowed to accumulate more than the statutory limits. Compensatory time taken will not be counted toward the calculation of time worked for overtime purposes.~~

78. Call In –If a non exempt employee is called back into work at other than his or her regular schedule of hours, he or she will receive a minimum of two (2) hour's pay for such work. All time worked as a result of the call in will be paid at the rate of one and one half (1.5) times their hourly rate of pay. This provision will not apply to hours worked consecutively prior to or subsequent to the employee's regular schedule of hours.

89. Bookdrop Pay – If a non-exempt employee is assigned to empty the library bookdrop(s) and discharge materials when the library is closed, the employee shall receive two (2) times their hourly rate of pay for doing so.

910. Holiday Pay –Non exempt employees required to work on a recognized holiday shall receive two (2) times their hourly rate of pay for hours worked in addition to the holiday pay. As a condition for payment of holiday pay, every employee shall report for work on the scheduled work day before and after the recognized holiday unless such employee is on an approved form of leave.