



JAMES K. HAHN
MAYOR

EXECUTIVE DIRECTIVE NO. PE-5

Subject: 9/80 WORK SCHEDULES

On March 21, 2001, an Employee Relations Bulletin was issued to all Department Heads and Departmental Personnel Officers on the subject of the Fair Labor Standards Act (FLSA). Specifically, the Bulletin reiterated the City's policy pertaining to the 9/80 work schedule and compliance requirements.

The purpose of this Executive Directive is to ensure that all Departments of the City continue to adhere to the requirements pertaining to the 9/80 work schedule and enable the CAO to quickly verify that compliance. With many City employees on a 9/80 work schedule, it is critical that we comply with the FLSA record keeping requirements and avoid potential liability.

The City's policy is that employees working a 9/80 work schedule have an FLSA work week which begins and ends on the same day of the week as their regular 9/80 day off. Specifically, the work week begins four hours after the standard start time of their shift on the day opposite their regular day off. The work week ends 168 hours later. For example, an employee whose day off is every other Friday, has a work week which begins four hours into his/her Friday shift and ends at the same time on the following Friday, (a day which the employee is not scheduled to work.) This policy has been in place since 1986, modified slightly to provide departments more flexibility in scheduling.

All General Managers, Heads of Departments/Offices and Commissions of City Government are directed to ensure that the City's policy is being followed and that all Departments shall cooperate with CAO in the monitoring and enforcement of these policies.

All Department Heads shall establish in writing (in a form prescribed by the CAO) what the FLSA workweek is for all employees working a 9/80 schedule in your Department. In addition, departments must adhere to these schedules and compute overtime accordingly.



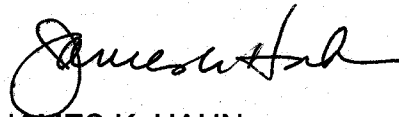
The CAO shall review compliance with this order and provide an annual report.

Finally:

1. Supervisors may not allow non-exempt employees to switch their 9/80 day off to accommodate either management or the employee. Changing the 9/80 day almost always results in unintended overtime liability; and
2. Employees are NOT permitted to change the 9/80 day off, unless the change is intended to be permanent. A change to the 9/80 day off results in a change to an employee's workweek. Any changes to an employee's workweek must be documented by completing the proper paperwork.

Deviations from these policies will require written approval from the CAO. If you have any questions regarding this Directive, contact the Office of the City Administrative Officer, Employee Relations Division.

Executed this 14th day of May, 2002



JAMES K. HAHN
Mayor

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Supersedes Executive Directive No. 2001-37-Riordon Series, dated March 21, 2001.