

RESOLUTION 2002-18

A RESOLUTION AMENDING TOOELE COUNTY PERSONNEL POLICIES AND PROCEDURES SECTIONS 5.B.3, 10.A., 10.F, 11.B.3, AND 15.J.4., REDEFINING "HOURS WORKED," THE WORKWEEK, OVERTIME AND COMPENSATORY TIME FOR FLSA EXEMPT EMPLOYEES, AND THE ANNUAL QUALIFYING PERIOD UNDER THE FAMILY MEDICAL LEAVE ACT

WHEREAS, the Tooele County Commission desires to amend the county's personnel policies and procedures to redefine "hours worked," the workweek, overtime and compensatory time for FLSA exempt employees, and the annual qualifying period for Family Medical Leave.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF TOOELE COUNTY AS FOLLOWS:

SECTION I - SECTION AMENDED: Section 5.B.3 of the Tooele County Personnel Policies and Procedures is hereby amended to read:

Excluded - Excluded employees are excluded from all provisions of the FLSA. Elected officials and their chief deputies, members of an office holder's personal staff, immediate legal advisors to elected officials, trainees, department directors, volunteers, independent contractors, court appointed wards, and prisoners are examples of non-covered employees. No time records are required of excluded employees.

SECTION II - SECTION AMENDED: Section 10.A. of the Tooele County Personnel Policies and Procedures is hereby amended to read:

The work week shall be 40 hours. It shall begin Sunday at 12 a.m. and continue through Saturday midnight. The work week for sworn law enforcement officers shall be 28 consecutive days.

SECTION III - SECTION AMENDED: Section 10.F of the Tooele County Personnel Policies and Procedures is hereby amended to read:

An employee unable to report for duty shall notify their supervisor of that fact not later than one hour after the beginning of the work day.

SECTION IV - SECTION AMENDED: Section 11.B.3. of the Tooele County Personnel Policies and Procedures is hereby amended to read:

“Hours worked” includes those hours on the job in productive work effort and holiday leave and jury leave. It does not include annual leave, sick leave, emergency leave, maternity leave, military leave, converted sick leave or compensatory time off.

SECTION VI- SECTION AMENDED: Section 15.J.4. of the Tooele County Personnel Policies and Procedures is hereby amended to read:

Employees who meet the applicable time of service requirements may be granted family and medical leave consisting of appropriate accrued paid leave and unpaid leave for a period of 12 weeks during the 365 days following the invocation of FMLA leave for the following reasons:

- a. the birth of the employee’s child and in order to care for the child;
- b. the placement of a child with the employee for adoption or foster care;
- c. to care for a spouse, child or parent who has a serious health condition; or
- d. a serious health condition that renders the employee incapable of performing the functions of his or her job.

EFFECTIVE DATE: This resolution shall take effect on December 29, 2002.

DATED this 10th day of December 2002.

ATTEST:

TOOELE COUNTY LEGISLATIVE BODY

DENNIS D. EWING, Clerk

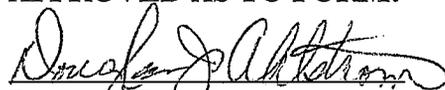


DENNIS ROCKWELL, Chairman

(S E A L)

Commissioner Rockwell voted aye
Commissioner Hunsaker voted aye
Commissioner White voted aye

APPROVED AS TO FORM:


DOUGLAS J. AHLSTROM
Tooele County Attorney