

## **PROCEDURE 301-4**

### **SHIFT DIFFERENTIALS, CALL-BACK, ON-CALL, AND PREMIUM PAY**

**Effective 07-29-2022, Resolution No. 014-21**

Departments/agencies/offices may develop written plans to provide additional compensation for nonexempt employees who work non-standard shifts or who are subject to call back. Such plans may include shift differentials, on-call pay, call-back pay, and/or premium pay.

#### **Shift Differential**

A shift differential is a fixed amount of money expressed on a cents per hour basis. Shift differentials are provided for each hour actually worked to supplement base pay. Shift differentials apply only to hours actually worked and are included in the regular rate of pay in the calculation of overtime. Pay rate increases are not applied to shift differentials. The shift differential may cause the hourly base pay rate to exceed the pay range maximum of the salary range without violating applicable Human Resources Policies and Procedures on wage and salary administration.

#### **On-Call Pay**

Employees are on call when they are scheduled to respond if called back to perform work. Unless another amount is approved in accordance with this procedure, employees on call are paid one hour of straight time for each on-call period up to 24 hours. Such pay is for the inconvenience of being on call and is not for actual hours worked.

On-call pay is included in the computation of the employee's regular rate of pay, but is not considered hours worked for the purpose of calculating overtime. Employees scheduled to be on call should be given advance notice when practical.

Regardless of whether a written plan is in place, all employees entitled to on-call pay under federal or state law will be compensated for such time. Supervisors must notify the Department of Human Resources if employees not covered by a written plan are required to be on-call.

#### **Call-Back Pay**

Call-back pay is to compensate employees for the interruption and inconvenience when they are required to report to work at an unexpected time or day. Employees who are called back to work will be paid for a minimum of three hours, regardless of the number of hours worked. An employee who works more than three hours when called back will be paid based on actual hours worked. Travel time is not considered hours worked. Overtime pay will be based solely on actual hours worked.

Call-back pay does not apply to scheduled work hours. Employees who are required to return to work two hours or less before their normal shift time and who continue working into the normal shift or who are held over beyond their normal shift are not considered called back and will be paid only for actual hours worked.

Each employee is required to report to work when called back unless excused by the supervisor on duty. Employees may not evade contact or fail to respond when contacted.

#### **Premium Pay**

Departments/agencies/offices may develop premium pay plans to provide additional compensation for nonexempt employees to ensure continuity of services during emergency or unusual circumstances. Premium pay is at the rate of at least one and one-half times the employee's regular rate of pay. Employees will not receive both premium pay and overtime pay for the same hours of work regardless of the total number of hours the employee works during the week.

### **Plan Development and Approval**

Additional compensation plans must include the following:

- Type(s) and amount of additional compensation offered.
- Business necessity for the additional compensation.
- Effective date of the plan.
- If a differential is offered, it must be expressed in dollars or cents per hour.
- Positions eligible for the additional compensation.
- Work schedules or shifts for which the differential will be paid.
- The conditions under which employees will and will not receive the additional compensation.
- A statement that the plan does not change any employee's at-will employment status.

To ensure that plans are consistent with the Compensation Policy and applicable laws, additional compensation plans must be approved by the Department of Human Resources after consultation with the County Manager before they are implemented. Plans must be on file with the Department of Human Resources.