

## Change to Personnel Rule 3. Compensation

### Summary

- Added language to Rule 3.D.6. which will allow each Appointing Authority the discretion to award additional compensation to exempt employees that work during declared emergencies when regular County operations have been suspended.
- Update approved by the Unified Personnel Board on June 3, 2021 to be effective immediately.

### Background

Previously exempt personnel performing emergency duties were required to perform their tasks without additional compensation regardless of the number of hours worked during a pay period. Their classified counterparts received pay at the overtime rate regardless of the number of hours worked in the workweek if they were directed to report to work when regular County operations had been suspended because of an emergency situation. During emergencies, classified and exempt workers provide critical services, often side by side. This could result in the classified employee receiving pay at one and a half times their regular pay rate for all hours worked, while the exempt employee received straight salary.

A 2017 survey of local governments in Florida showed that 90% of survey respondents had an established policy to compensate exempt staff for excess hours during an emergency. This included Citrus, Hernando, Hillsborough, Lee, Manatee, Orange, Palm Beach, Polk and Sarasota Counties.

### Update

Add the following text to Section D.6. Declared Emergencies and Other Emergency or Disaster Situations:

- f. An Appointing Authority may elect to compensate exempt employees directed to report to work in any capacity during a declared local state of emergency after the Appointing Authority has closed his or her operations at one and one half times that rate for any hours worked in the workweek over 40.