

Discussion and possible to approve a classification change for Slot # 1716 (Court Administrator—Justice of the Peace, Pct. 1, Place 1), from Non-Exempt to Exempt, and further applying Section 6.05(Overtime and Compensatory Time), and instructing that the employee take off the accrued Comp Time “prior” to classification taking place, or in the alternative, pay out the accrued hours (228.50), at rate of \$30.71/hr. for a total pay out of \$7,017.24; and any other matters incident thereto.

Issue: A request was submitted for this slot to be moved from hourly to salary. Careful and thorough evaluation was done by applying the Fair Labor Standards Act (FLSA) and Wage and Hour (DOL) federal guidelines and requirements. Having done this, the issue of accrued comp time by the employee was also reviewed and discussed with the department. The department stated that they could not afford for the employee to be out for that amount of time (228.50 hours).

Solution: a) approve the classification change (hourly to salary); and

b) court to mandate that the employee take time off, or approve the pay out

Result: follow court order and move forward on the classification.