

(First Published in the Columbus Daily Advocate June 20, 2008)

**ORDINANCE NO. 1239**

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLUMBUS, KANSAS, AMENDING ORDINANCE NUMBER 1160, SECTION IV-10 OF THE PERSONNEL REGULATIONS FOR THE EMPLOYEES OF THE CITY OF COLUMBUS, TO INCLUDE LEGAL HOLIDAYS AS HOURS WORKED IN DEFINING OVERTIME.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLUMBUS, KANSAS.

Section 1: That Ordinance 1160 and Section IV-10 of the Personnel Regulations for the Employees of the City of Columbus, Kansas, is hereby amended.

Section 2: That the following shall be a new Section IV-10.

**SECTION IV-10 OVERTIME**

A. Overtime compensation will be paid to all employees except those probationary, regular or acting positions determined to be exempt from the overtime requirements of the Federal Fair Labor Standards Act.

1. Employees who are not exempt from the overtime requirements of the Federal Fair Labor Standards Act shall be paid at one and one-half the employees' regular rate of pay for any and all hours worked over forty (40) hours in a week.

**i. Non-exempt, full-time employees shall earn overtime, or accrue compensatory time, for hours actually worked in excess of forty (40) hours in a work week. Time in paid status, but not worked by virtue of legal holiday, shall be considered as hours worked for purposes of administering overtime entitlements.**

2. Employees who work the water and waste water treatment plants on weekends, holidays and after hours shall be paid at one and one-half the employees' regular rate of pay for a minimum of three (3) hours per day, regardless whether they have worked over forty (40) hours in the work week.

3. Employees who are called out to work for the Water and Sewer Departments during emergencies shall be paid double the employee's regular rate of pay. The City Superintendent shall maintain a daily list of employees who sign up and make themselves available for emergency calls. No minimum amount of time is guaranteed for emergency call-outs.

4. No person employed in an exempt administrative, executive or professional position shall be eligible for overtime pay. The criteria for exempt status of the Federal Fair Labor Standards Act shall be used to determine exemptions from

overtime pay requirements.

5. All overtime work must have the approval of the department head concerned prior to its performance, except in cases of emergency that preclude such prior arrangements. The department foreman or other person in charge of providing emergency service shall see that the overtime hours are properly recorded. The department head shall review the record and certify to the City Clerk any overtime approved for payment. All department heads shall have such residual management and supervisory authority over matters of personnel within their departments.

Section 3: All ordinances, resolutions or policies or parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

Section 4: This ordinance shall take effect and be in force from and after passage and publication in the official city newspaper.

PASSED and APPROVED by the Governing body this 9<sup>th</sup> day of June,  
2008.

  
HARLEY MCDANIEL, MAYOR

ATTEST:

  
JANICE BLANCETT, CITY CLERK

(SEAL)