




**CITY OF DUBLIN**  
**ADMINISTRATIVE ORDERS**  
**OF THE CITY MANAGER**

<b>ADMINISTRATIVE ORDER 2.25</b>
<b>TO:</b> All "Exempt" Personnel
<b>FROM:</b> Dana McDaniel, City Manager 
<b>SUBJECT:</b> Informal Compensatory Time for Exempt Personnel
<b>DATE:</b> July 25, 2022
<i>Supersedes and replaces Administrative Order 2.25 dated September 17, 2009, regarding same subject.</i>
<b>PROPONENT:</b> Division of Human Resources

**1. PURPOSE**

The purpose of this Administrative Order is to establish administrative guidelines governing the usage of informal compensatory time by "Exempt" personnel and to provide guidance and direction to Department/Division Heads regarding the enforcement of these administrative guidelines.

**2. LEGAL REQUIREMENTS/CITY POLICY**

Pursuant to provisions of the Fair Labor Standards Act and the City Compensation Plan, "Exempt" personnel are not entitled to overtime pay or formal compensatory time. However, the policy of the City is to allow "Exempt" personnel to take a limited amount of paid time off from their duties if they are required to work significant additional time in excess of what would be the normally required or expected time commitment associated with their positions, provided that they comply with the administrative guidelines of the City Manager regarding taking such time off.

**3. ADMINISTRATIVE GUIDELINES**

A. "Exempt" personnel shall be permitted a limited amount of paid time off during normal business hours if:

(1) They have truly been required to devote considerable time in excess of the normally required time commitment (not just time beyond a forty (40) hour work week) associated with the professional, administrative, or managerial nature of their positions,

(the nature and requirements of a professional, administrative, managerial-level position is not tied to the concept of a forty (40) hour work week), and

(2) Approval is obtained from their Department/Division Head and such time off does not, in the opinion of their manager, adversely affect their ability to effectively perform their duties, effectively manage their responsibilities/priorities, effectively achieve City objectives, and does not adversely impact the over-all effectiveness of their work units.

(3) "Considerable time in excess of" as used in this policy is defined as work time that is significantly in excess of the average hours worked by the employee over the course of a day, week, or pay period.

(4) "Limited amount of time" as used in this policy is defined as a timeframe usually constituting several consecutive hours in duration during the course of a single business day. Informal compensatory time shall not be used to span one or several consecutive business days in duration except in the case of time off due to more extreme or unusual circumstances where extensive extra hours are required to staff, for example, special events (e.g. Irish Festival, July 4th celebration), disasters, etc. Informal Compensatory Time shall not be used in place of formal Vacation Leave.

B. "Exempt" personnel will not accrue, store/bank, or use compensatory time on a formal basis similar to that which is mandated by the Fair Labor Standards Act for Non-Exempt personnel. "Exempt" personnel will not ordinarily receive compensatory time for hours worked in excess of forty (40) hours in the work week. This Administrative Order is intended to allow the use of informal compensatory time when considerable time in excess of normal work is required due to either regular ongoing commitments (e.g. night meetings) or conditions associated with unusual, sporadic or occasional spikes in time worked which warrant special consideration by the Department/Division Head.

C. The use of informal compensatory time by "Exempt" personnel should occur in close proximity to the additional time worked (within several days to two weeks) if feasible.

D. It shall be the responsibility of each Department/Division Head to effectively manage and monitor the use of informal compensatory time by their "Exempt" personnel to ensure that the amount of time taken off is within reasonable parameters and to guard against potential abuses. Each Department/Division Head shall ultimately be accountable to the City Manager regarding the usage of such informal compensatory time by their "Exempt" personnel. Each Department/Division Head shall likewise be accountable directly to the City Manager for his/her own use of informal compensatory time.