

Premium Pay – “On Call” Premium

Number: D-12

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1.0 POLICY

The Town of Carolina Beach provides additional compensation to FLSA non-exempt employees when the nature, timing or other special circumstances surrounding certain work activities may warrant special compensation in addition to an employee’s normal salary or legally mandated overtime payments. FLSA exempt employees are not eligible for premium, or overtime pay, including any compensation calculated at one and on-half times their regular rate of pay.

2.0 PURPOSE

To recognize the additional effort and inconvenience of certain work responsibilities beyond an employee’s normal work schedule, level of responsibility or nature of work.

3.0 SCOPE

This policy applies to all benefit eligible FLSA non- exempt employees.

4.0 DEFINITIONS

- 4.1 **Benefit-Eligible** - Full time and part-time employees who are eligible for coverage and participation in the Town’s benefit programs in addition to legally mandated coverage. See **Policy on Position Types**.
- 4.2 **On-Call Premium** - Compensation in addition to the normal salary paid to FLSA non-exempt employees who are periodically required to be in a formal “on-call” status during which time they are expected to be available for contact by telephone and to be able to report to work.
- 4.4 **Compensatory Time** - Time off earned by FLSA non-exempt employees in lieu of payment for overtime.
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5.0 ORGANIZATIONAL RULES

- 5.1 On-Call Premium - This section applies to FLSA Non-exempt employees only. See **Policy on Hours Worked Under the FLSA**.
 - A. Some FLSA non-exempt employees are periodically required to be in a formal “on-call” status during which time they are expected to be available for contact by telephone and to be able to report to work, in a Town vehicle if needed. The following rules apply in these cases.
 1. On-call status is not considered work time and, thus, is not compensable. However, in recognition of the potential inconvenience, employees in this status will receive additional compensation at a rate of one-hour per on-call week-day 24-hour period and two hours per each Saturday, Sunday or Holiday 24-hour period.
 2. Any time spent in actually responding to a call to return to duty (including commuting time) is work time and will be recorded as time worked. This may result in an overtime obligation under the Fair Labor Standards Act. See **Policy on Eligibility for Overtime Compensation Under the FLSA**.
 3. No additional compensation except as described in this policy is authorized for “On-Call” situations.

5. The Town provides a continuous twenty-four hour a day, seven day a week service to its customers. Some employees occupy positions in work units which, by the very nature of their existence, require that any of the employees in the unit could be called to return to work at any time, day or night, for a number of reasons. This is especially true when the operational roles or the nature of the work group is to provide direct public service in the event of (before, during and following) weather-related events or other significant emergency situations. One of the conditions of employment with the Town is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each position.

In these situations, employees required to remain at home to wait to be called for return to work are classified as "engaged to wait" under the Fair Labor Standards Act. They are entitled to additional compensation as regular or overtime work hours, depending upon the number of work hours which have already accrued for the timekeeping period. See **Policy on Hours Worked Under the FLSA.**

6.0 PROCEDURES

- 6.1 Departments are expected to communicate the Town's and the department's expectations regarding on-call requirements. Failure to respond to calls for emergency service, either routine or of a special nature, may result in disciplinary action up to and including termination.
- 6.2 Employees cannot sign up and work a non-Town sponsored event and be the Departmental 'on-call' representative on the same 24-hour work period.
- 6.3 Time Sheets
 - A. The FLSA non-exempt employee will complete his time worked each day. The "on call" hours should be clearly noted; If the employee is not sure how to record time, he should ask his supervisor.
 - B. At the end of the payroll period, the supervisor will review the employee's time entry and approve the time entry. If the supervisor has any questions about the time recorded by the employee, he should discuss this with the employee and reconcile any questions prior to approving the time entry.
- 6.4 Departments needing assistance with determining on-call premium pay should contact the Human Resources Department.

7.0 APPENDIX, APPENDICES

None