3-02/290.25 - FLSA Exemptions

"Exempt" employees are considered to be "salaried" employees. County officers, Management Appraisal and Performance Plan (MAPP) participants, and any other County employee designated by the employee's department head and approved by the Chief Executive Officer to receive compensation for work performed in a manner consistent with the standards for exempt salaried employees is considered an exempt employee.

Definitions for exempt salaried employees may be found in the Federal Fair Labor Standards Act (FLSA) and supporting regulations. Also see *Los Angeles County Code,* section 6.09.020, for additional information.

Attendance and Absences

- Exempt employees are required to sign in and out on the paper Daily/Weekly Time Card – Exempt Employee;

- If routine absences, such as time off for vacation, medical reasons, reduction of overtime, etc., can be anticipated in advance of the absence date(s), the employee shall prepare an Absence Request form (SH-R-96) and submit it to his/her supervisor for prior approval;

- With approval, exempt employees may take time off from work in less than full shift increments and not be charged for such hours. The employee shall prepare an Absence Request form (SH-R-96) with the statement "Exempt Employee" and submit it to his/her supervisor for prior approval;

- The paper Daily/Weekly Time Card – Exempt Employee shall reflect time in/time out and the total amount of hours the employee is normally scheduled to work per day (e.g., an exempt employee who normally works an eight-hour day, from 0830 to 1700 hours, requests to leave two hours early for an appointment. The time sheet shall reflect the time in at 0830 hours and the time out at 1500 hours, but the "Regular Hours Worked" section will reflect eight hours worked. The paper timesheet will reflect that the employee is "exempt" by writing "EX" in the off section);

- The employee or the time accountant shall enter the actual hours worked on the TIMEI document (Event Code 099) and use Event Code 019 (Exempt Time) for the hours that were taken off. Event Code 019 does not affect the Exempt employee's earnings;

- Leave benefits, such as sick leave, vacation leave, elective leave, and non-elective leave may be combined and used whenever an exempt employee requests time off in "full-day" increments (e.g., 8, 9, or 10 hours depending on the employee's work schedule). Compensatory time off (CTO) and holiday leave must be used in eight-hour increments unless the employee uses CTO to cover an absence for the Family and Medical Leave Act (FMLA). If an employee uses CTO to cover an absence for FMLA it may be used on an hour-for-hour basis. The Absence Request form shall reflect the employee's first, second, and third choice of benefits to be used for such absences;

- Effective April 1, 2010, with the implementation of the eHR Payroll Application, an exempt employee who does not have or chooses not to use accrued leave benefits to cover a "full-day" absence, shall have pay reduced at the workday rate of such absence. The absence shall be reported as "authorized absence without pay" (Event Code 027) on the paper Daily/Weekly Time Card – Exempt Employee and on the TIMEI document.

Holiday

- For exempt employees who are on an alternative work schedule such as 9/80, 12/80, or 4/40, and are scheduled off on holidays, the eHR Human Resources Management Application will reflect eight hours for the current holiday. eHR will substitute any hours over eight as "exempt time" and will not charge the employee for these hours;

- In the event that the holiday occurs on the exempt employee's regular-days-off (RDO), he/she will be granted eight hours of holiday time (F) to be used at a later date;

- When an exempt employee requests to use accumulated holiday time, only eight hours of holiday time ("F") shall be posted; the appropriate hours of exempt leave (Event Code 019) shall be used to make up the balance of the employee's regular work schedule.

Vacation

Exempt employees must abide by the current policy which states:

- Exempt employees enrolled in the Flex Cafeteria Benefits Plan may only defer, at the end of each year, a maximum of 480 hours. Any hours in excess of 480 of deferred vacation leave must be used by the end of the current year or the excess hours will be paid to the employee (maximum of 160 hours);

- The only exception to this policy applies to exempt employees who are enrolled in the MegaFlex Benefit Plan. There is no maximum of vacation leave hours a MegaFlex employee may defer from one year to the next year. These hours would have been accrued prior to becoming a MegaFlex participant.

Overtime

- Employees approved to accrue overtime on an aggregated basis must work at least three consecutive hours of overtime. No overtime credit is received for less than three hours of overtime worked. Effective August 2009, in order to accommodate the eHR Human Resources Management Application, overtime may be reported on the TIMEI document using Event Code 705, when three hours (or more) are worked;

- An FLSA Exempt Employee - Overtime Hours Worked Report form (SH-AD-678E) shall be prepared for each separate period of overtime work by an exempt employee on any given day. A report must be submitted, regardless of whether the overtime worked was voluntary or ordered, and must accurately reflect the number of overtime hours worked;

- If less than three hours of overtime are worked, such hours may be entered, for tracking/billing purposes only, on the TIMEI document, using a special Event Code 083 (Compensatory Time worked not Accrued-Exempt Employees). This overtime **is not** accrued;

- Effective September 25, 2009, CEO policy provides that exempt/salaried employees in all Departments may accrue up to 240 hours or for exempt/salaried **safety** employees (classification of captain and above), may accrue up to 480 hours;

- Also effective September 25, 2009, the overtime limit is assessed and applied only at the end of the

calendar year. This enables employees to accumulate CTO time and use any excess without forfeiting any CTO time over the limit until the end of the year.

Exempt Classifications

- Sworn personnel with the rank of Undersheriff, assistant sheriff, chief, area commander, and captain;
- Civilian personnel compensated on the Management Appraisal and Performance Plan (MAPP);
- Non-represented civilian classifications are listed below:

Item No.	Classification
0658	Accounting Officer III
1002	Administrative Services Manager I
1003	Administrative Services Manager II
1004	Administrative Services Manager III
4820	Assistant Manager Food Services, Sheriff
4113	Capital Projects Program Manager
7498	Chief, Helicopter Maintenance
1612	Community Information Officer
0937	Crime Analysis Program Manager
2620	Database Administrator
1881	Departmental Civil Service Representative
1907	Departmental Employee Relations Representative
1681	Deputy Compliance Officer
4799	Dietetics Advisor, Sheriff

1857	Educational Development Administrator, Sheriff
9932	Executive Secretary (UC)
2124	Executive Secretary V
0753	Fiscal Officer II
4794	Food Services Chief I
4791	Food Services Manager
1031	Head Compliance Officer
1850	Head Departmental Personnel Technician
0227	Health Program Coordinator, Public Safety
8701	Industrial/Organizational Consultant, Sheriff
2573	Information Systems Manager I
2595	Information Systems Supervisor I
2596	Information Systems Supervisor II
2603	Information Technology Security Specialist
2569	Information Technology Specialist I
2570	Information Technology Specialist II
2598	Information Technology Supervisor
2548	Information Technology Technical Support Supervisor
6881	Laundry Supervisor III
1652	Law Enforcement Auditor
6685	Manager I, Facilities Operations and Crafts

6686	Manager II, Facilities Operations and Crafts
4821	Manager, Food Services, Sheriff
6888	Manager, Laundry Services, Sheriff
2594	Principal Information Systems Analyst
2561	Principal Network Systems Administrator
2552	Principal Operating Systems Analyst
1607	Public Information Associate
1601	Public Information Officer II
3039	Safety Officer II
1908	Senior Departmental Employee Relations Representative
1682	Senior Deputy Compliance Officer
1847	Senior Employee Services Representative, Sheriff
4792	Senior Food Services Manager
2118	Senior Management Secretary V
2389	Services Unit Materials Manager I
0851	Special Services Assistant II
0940	Supervising Crime Analyst, Sheriff
9937	Supervisor’s Staff Assistant I, UC
1872	Training Coordinator, Sheriff