

Section 3.5(2)(b). Compensatory Time Off. ~~Non-exempt employees may elect to accumulate compensatory time off in lieu of overtime. If an employee elects compensatory time off in lieu of overtime pay,~~ For *Non-exempt* employees, the City reserves the right to pay out overtime hours worked as compensatory time in lieu of overtime pay, up to the maximum compensatory hours allowed for the employee's position. If the City elects to pay compensatory time *in lieu of overtime pay*, the employee will accumulate one and one-half (1-½) hours of compensatory time for each overtime hour worked in a workweek (a work period for Law Enforcement Officers and Fire Fighters). With the exception of Law Enforcement Officers and Firefighters, an employee may not accumulate more than 80 hours of compensatory time off. Law Enforcement Officers and Firefighters may not accumulate more than 160 hours of compensatory time off. After an employee accumulates the maximum number of compensatory hours, the employee will be paid overtime pay for all overtime as described above. To enable the City to adjust work schedules, an employee must request compensatory time off as far in advance as possible. Additionally, in an effort to maximize budget dollars, a supervisor may require an employee to use accumulated compensatory time prior to using accumulated annual leave when requesting time off. The City may deny the request for compensatory and/or annual time off if allowing the leave would unduly disrupt the operations of the City. ~~The City may deny the request if allowing compensatory time off would unduly disrupt the operations of the City.~~

If a non-exempt employee has accumulated compensatory time off under this Section 3.5(2)(b), and were to transfer/promote into an exempt position, the employee will be paid for accumulated and unused compensatory time at the employee's current regular rate of pay at the time of transfer/promotion. Additionally, if an employee has accumulated compensatory time off under this Section 3.5(2)(b), upon termination of employment, the employee will be paid for accumulated and unused compensatory time at the employee's final regular rate of pay