

Premium Pay Human Resources 1400

1424 1-7 1/1/82 XX/XX/16

1.0 PURPOSE:

To describe the policies and procedures of the City of West Allis in regard to premium pay for City employees.

2.0 ORGANIZATIONS AND PERSONS AFFECTED:

This policy applies to all City of West Allis departments, boards, commissions, and City employees except represented protective service employees.

3.0 POLICY:

It is the policy of the City to follow a uniform set of procedures in regard to premium pay for City employees.

4.0 REFERENCES:

- City of West Allis Revised Municipal Code, Section 2.76 (4) and (10)
- Fair Labor Standards Act (FLSA)
- City of West Allis Policies and Procedures Manual, Policy 1318 – On-Call
- City of West Allis Policies and Procedures Manual, Policy 1412 – Holidays
- City of West Allis Policies and Procedures Manual, Policy 1424 – Premium Pay

5.0 PROCEDURES:

5.1 OVERTIME PREMIUM

Any overtime work and premium must be authorized in advance by an employee’s Department Head.

5.1.1 Executive and Managerial Service. An employee classified within the Executive or Managerial Service and the Assistant City Attorneys shall not be compensated with pay for work performed in excess of the normal 40 hour work week (excess hours) however some flexibility shall be allowed with respect to the excess hours (e.g., late arrivals, longer lunches, early departures, and other personal accommodations). Said employees shall be allowed to use up to 8 consecutive hours of their excess hours at any one time on a non-regular basis. Although said employees are not required to record excess hours on their bi-weekly timesheets, they must maintain records for at least 3 years in accordance with Wisconsin Administrative Code § DWD 272.11(1).

5.1.2 Deputy/Assistant Service. An employee classified within the Deputy/Assistant Service is eligible for overtime premium earned at straight time (i.e., not time and one half or double time) for any hours in excess of 40 hours per week.

Unless otherwise noted, overtime work shall be credited in a Compensatory Time<sup>1</sup> account. Compensatory Time earned may be used for time off when approved by an employee's Department Head. The granting of Compensatory Time off in all cases shall be in the sole discretion of the employee's Department Head. In December of each year, an employee will receive payment for all hours of Compensatory Time in excess of 40 hours that are listed in their account as of the last pay period ending in November of that year.<sup>2</sup> An employee shall be allowed to carry over a maximum of 40 hours of Compensatory Time in to the next calendar year. Any overtime earned between the last pay period ending in November through December 31 of that year, which causes the Compensatory Time accrual to exceed 40 hours, shall be paid out as overtime. All Compensatory Time hours carried into the next calendar year shall only be compensated as time off. When Compensatory Time is taken, said time shall first be reduced from the hours that were carried over.

An employee shall have the option to receive payment on a monthly basis for all or any part of the hours remaining in the account as of the last day of the month, provided the employee notifies the Finance Division at least 3 days prior to the last day of the month of the employee's election and indicates the amount of such time to be paid. Such payment shall be made by the second pay period following the request. All hours to be paid under this section will be canceled from the employee's account as of such pay period.

(NOTE: Certain employees classified as Deputy/Assistant Service prior to 1994 were grandfathered with time and one-half for an overtime premium; upon said employee's vacation of said position, the grandfathered status shall no longer be in effect. The Department of Administration and Finance maintains the listing of said grandfathered employees.)

5.1.3 Supervisory, Professional, Confidential, and Municipal Employee Service.

Unless otherwise noted, overtime work shall be credited in a Compensatory Time<sup>3</sup> account. Compensatory Time earned may be used for time off when approved by an employee's Department Head. The granting of Compensatory Time off in all cases shall be in the sole discretion of the employee's Department Head. In December of each year, an employee will receive payment for all hours of Compensatory Time in excess of 40 hours that are listed in their account as of the last pay period ending in November of that year.<sup>4</sup> An employee shall be allowed to carry over a maximum of 40 hours of Compensatory Time in to the next calendar year. Any overtime earned

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<sup>1</sup> Per the FLSA, Compensatory Time accrual not to exceed 240 hours in a calendar year for non-protective service positions and 480 hours for protective service positions. Should Compensatory Time accrual exceed said hours in a calendar year, the additional overtime shall be compensated by a cash payment.

<sup>2</sup> Employees classified as an Engineering Technician I-II-III-IV-V, Traffic/Utility Technician, or Engineer I-II-III shall be allowed to carry over up to 120 hours in their Compensatory Time account; however the balance in said account shall be reduced to 40 hours by April 30.

<sup>3</sup> Per the FLSA, Compensatory Time accrual not to exceed 240 hours in a calendar year for non-protective service positions and 480 hours for protective service positions. Should Compensatory Time accrual exceed said hours in a calendar year, the additional overtime shall be compensated by a cash payment.

<sup>4</sup> Employees classified as an Engineering Technician I-II-III-IV-V, Traffic/Utility Technician, or Engineer I-II-III shall be allowed to carry over up to 120 hours in their Compensatory Time account; however the balance in said account shall be reduced to 40 hours by April 30.

between the last pay period ending in November through December 31 of that year, which causes the Compensatory Time accrual to exceed 40 hours, shall be paid out as overtime. All Compensatory Time hours carried into the next calendar year shall only be compensated as time off. When Compensatory Time is taken, said time shall first be reduced from the hours that were carried over.

An employee shall have the option to receive payment on a monthly basis for all or any part of the hours remaining in the account as of the last day of the month, provided the employee notifies the Finance Division at least 3 days prior to the last day of the month of the employee's election and indicates the amount of such time to be paid. Such payment shall be made by the second pay period following the request. All hours to be paid under this section will be canceled from the employee's account as of such pay period.

Department of Public Works (DPW) employees not assigned on a regular basis to office positions shall be paid for any overtime work unless an employee requests the overtime to be added to their Compensatory Time account.

(1) Time and One Half:

5-2 Schedule Employees (i.e., work 5 days then off 2 days such as a Monday – Friday work schedule): Overtime at the rate of time and one-half (1-1/2) their regular rate of pay shall be paid or accrued for all hours in excess of 40 hours in a work week, or on Saturday, if Saturday is not part of the employee's regular work schedule.

4-2 Schedule Employees (i.e., work 4 days then off 2 days on a continuous rotating work schedule): Overtime at the rate of time and one-half (1-1/2) their regular rate of pay shall be paid or accrued for all hours worked in excess of 8 hours per work day.

Public Works' Incentive Route Employees: Overtime at the rate of time and one-half (1-1/2) their regular rate of pay shall be paid or accrued for all hours spent performing snow/ice control/removal, (that is, after their incentive route duties have been successfully completed) between the hours of 7:00 a.m. and 3/3:30 p.m.; in excess of 8 hours per day<sup>5</sup>; or on Saturday.

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<sup>5</sup> Department of Public Works/Engineering employees working as collectors on incentive routes shall receive compensation equal to 8 hours of pay on any day designated as an "incentive work" day by the Director of Public Works/Engineering or his/her designee, even though they are allowed to "punch out" prior to completing 8 hours of actual work. Occasionally said employees may be required to perform other duties and/or participate in training. When required to perform other duties and/or participate in training during normal working hours (i.e., 7:00/7:30 a.m. to 3:00/3:30 p.m.), said time is considered part of the "incentive work" day and therefore no additional pay is provided.

Example: an employee attends training from 7:00 a.m. to 8:00 a.m. and then performs their incentive route collection from 8:00 a.m. to 1:30 p.m. (total of 6.5 hours worked); the employee would receive their regular 8 hours of incentive route pay.

(2) Double Time:

5-2 Schedule Employees (4-2 Schedule Employees excluded): Overtime at the rate of double their regular rate of pay shall be paid or accrued for all hours worked on Sundays and paid holidays, if not part of the employee's regular work schedule. This provision shall only apply to employees who are required to work on Sundays or holidays. An employee who chooses to work on those days shall not be entitled to double time pay.

Public Works' Incentive Route Employees: Overtime at the rate of double their regular rate of pay shall be paid or accrued for incentive work<sup>6</sup> on Sundays or paid holidays.

- (3) Part-Time employees: For part-time employees (i.e. those budgeted at less than 1.0 FTE), any hours worked in excess of their normal budgeted schedule can either be paid or accrued as compensatory time at straight-time. If a part-time employee works more than 40 hours in a week, this overtime would be paid or accrued at time and one-half.

5.2 **FILL IN PAY (FIP)**

Fill in Pay (FIP) for performing job duties of a higher classification will be granted for one (1) full day of work (as defined within Policy 1454, Work Hours and Schedules, typically eight (8) hours). In other words, there will be no FIP for less than one (1) full day/eight (8) hours and no proration for any hours less/greater than eight (8) hours. FIP shall generally apply to short-term situations. FIP shall be documented using regular time processing methods.

Any FIP must be authorized in advance by an employee's Department Head.

Classifications eligible for FIP shall be limited to those set forth below:

- City-wide:
  - Clerical<sup>7</sup> positions filling in for paraprofessional<sup>8</sup> or technical<sup>9</sup> positions - \$40 per day.
  - Clerical positions filling in for professional<sup>10</sup> positions - \$80 per day.

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<sup>6</sup> Department of Public Works/Engineering employees working as collectors on incentive routes shall receive compensation equal to 8 hours of pay on any day designated as an "incentive work" day by the Director of Public Works/Engineering or his/her designee, even though they are allowed to "punch out" prior to completing 8 hours of actual work.

<sup>7</sup> Clerical defined as: administrative support positions in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Examples of City positions: Clerk, Dispatcher, Library Page, Library Technician, Receptionist, Record Clerk, Secretary.

<sup>8</sup> Paraprofessional defined as: occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional or technical status. Examples of City positions: Library Assistant, Community Health Technician, Grants Accounting Specialist.

<sup>9</sup> Technical defined as: occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Examples of City positions: Appraiser, Inspector, Engineering Technician, GIS Operator, Video Production Specialist.

<sup>10</sup> Professional defined as: occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Examples of City positions: Accountant, Attorney, Engineer, HR Analyst, Librarian, Nutritionist, Planner, Public Health Nurse.

- Public Works Department:
  - Building and Electrical Services Division
    - Janitor, Laborer, or Park Attendant filling in for Maintenance Repairer - \$15 per day.
    - Maintenance Repairer filling in for “trades” - \$40 per day.
  - Fleet Services Division
    - Maintenance Repairer filling in for Equipment Mechanic I - \$25 per day.
  - Forestry Division
    - Arborist filling in for Equipment Operator I - \$5 per day.
  - Sanitation & Streets Division
    - Laborer filling in for Maintenance Repairer - \$15 per day.
    - Maintenance Repairer filling in for:
      - Equipment Operator I - \$5 per day.
      - Equipment Operator II - \$15 per day.
      - Street Maintainer or Sewer Maintainer - \$15 per day.
    - Truck Driver filling in for:
      - Equipment Operator I - \$5 per day.
      - Equipment Operator II - \$15 per day.
    - Yard Attendant filling in for Equipment Operator I - \$10 per day.
  - Water Division
    - Laborer filling in for Maintenance Repairer - \$15 per day.
    - Maintenance Repairer filling in for:
      - Assistant Pumping Station Operator - \$10 per day.
      - Equipment Operator II - \$15 per day.
      - Water Maintainer - \$15 per day.

### 5.3 INTERIM ASSIGNMENT PAY (IAP)

Interim Assignment Pay (IAP) will be used as “temporary appointments” to higher job classifications and shall generally apply to long-term situations of two (2) weeks’ time or more. IAP shall be formally processed using a Personnel Action Form (PAF). All job classifications shall be eligible for IAP.

Any interim assignment work and pay must be authorized in advance by an employee’s Department Head.

5.3.1 Executive Service. An employee classified within the Executive Service is not eligible for interim assignment pay.

5.3.2 Managerial, Deputy/Assistant, and Supervisory Service. Unless otherwise noted, an employee classified within the Managerial, Deputy/Assistant and Supervisory Service will be compensated for work performed in excess of 2 consecutive work weeks in a position for which a higher rate is paid<sup>11</sup>. In order for interim assignment pay to be paid, the Department Head must complete a Personnel Action Form (PAF) documenting the temporary assignment. The interim assignment pay is based on the

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<sup>11</sup> When a Department Head is aware of an absence of 30 or more consecutive calendar days, the interim assignment pay shall be paid from the first day of the temporary assignment.

salary range of the position temporarily being filled. Utilizing the salary range of the position temporarily being filled, the pay shall provide at least a 3-5% pay increase over the employee's current rate of pay, with the maximum being the ending salary.

In the event a temporary assignment extends beyond 90 consecutive calendar days, the Department Head may seek approval from the ~~City Administrative Officer/Clerk-Treasurer and the Human Resources Manager~~ **City Administrator and the Director of Human Resources** to increase the interim assignment pay. Any temporary assignment extending beyond 180 consecutive calendar days must be approved by the Common Council and re-approved for every additional 90 consecutive calendar days thereafter.

In the event an employee assumes a portion of the position's responsibilities, as determined by the Department Head, the Department Head shall prorate the applicable increase based on the percentage of the duties performed as related to the amount and level of difficulty of duties assumed. The Department Head shall document the duties to be performed on the PAF.

### 5.3.3 Professional, Confidential, and Municipal Employee Service.

Unless otherwise noted, an employee classified within the Professional, Confidential, and Municipal Employee Service will be compensated for work performed in excess of 2 consecutive work weeks in a position for which a higher rate is paid<sup>12</sup>. In order for interim assignment pay to be paid, the Department Head must complete a Personnel Action Form (PAF) documenting the temporary assignment. The interim assignment pay is based on the salary range of the position temporarily being filled. Utilizing the salary range of the position temporarily being filled, the pay shall provide at least a 3-5% pay increase over the employee's current rate of pay, with the maximum being the ending salary.

## 5.4 MISCELLANEOUS PREMIUMS

Miscellaneous Premiums are limited to those set forth below:

- 5.4.1 Emergency Service Call Back. Employees called in to perform emergency service shall be paid a minimum of two (2) hours at the employee's regular base hourly rate of pay if such emergency time worked is less than 1.4 hours (or less than 1 hour for work on Sundays/paid Holidays per Section 5.1.3 [2]). Once an employee works equal to or more than 1.4 hours all time worked will be compensated at time and one-half; or for Sundays/paid Holidays per Section 5.1.3 [2], once an employee works equal to or more than 1 hour, all time worked will be compensated at double time. Scheduled overtime and scheduled call backs do not constitute emergency service call back. The decision as to the emergency nature of the service shall be determined by the Department Head.
- 5.4.2 Police/Fire Dispatcher Training Task Rate. Employees classified as a Police/Fire Dispatcher (excluding the Dispatcher/Trainer position) shall receive \$1.00 per hour for every hour worked performing training dues.

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<sup>12</sup> When a Department Head is aware of an absence of 30 or more consecutive calendar days, the interim assignment pay shall be paid from the first day of the temporary assignment.

- 5.4.3 Night Sweeping Crew Leader. In the absence of an Equipment Operator II on the night sweeping crew of the Department of Public Works/Engineering, Sanitation and Streets Division, Street and Sewer Section, one (1) Equipment Operator I shall be paid an additional \$0.50 per hour to serve as a night shift crew leader when directing other Equipment Operator I's during the scheduled sweeping and leaf collection seasons.
- 5.4.4 Watch Duty. Department of Public Works/Engineering employees shall receive \$100.00 per week when on Watch Duty. An additional \$45.00 per day shall be paid for each paid holiday per Policy 1412 – Holidays which occurs during the on-call week. Refer to the Department's Standard Operating Procedures manual along with supplements from individual Divisions which list the guidelines and responsibilities for those employees assigned watch duty.
- 5.4.5 Incentive Refuse Task Rate. Department of Public Works/Engineering employees working as collectors on incentive routes shall receive an additional \$0.75 per hour.
- 5.4.6 Incentive Refuse Shortened Work Week Premium. On each day of a shortened work week when Department of Public Works/Engineering employees working as collectors on an incentive route work 125% of a day's route (i.e. 1 ¼ daily route), they shall be compensated an additional 2 hours pay at time and one-half.
- 5.4.7 Shift Differential. Shift differential shall not be paid for any position whose work schedule is outside of the normal hours of operation as set by the Revised Municipal code, Department Head or building policy.

(NOTE: As of January 1, 2013, incumbent employees of the Department of Public Works/Engineering, Sanitation and Streets Division, Street and Sewer Section, classified as Equipment Operator I (3 incumbents) and Equipment Operator II (1 incumbent) shall be grandfathered with a \$0.25 per hour shift differential when assigned to perform duties between 12 midnight to 8:00 a.m. (mainly street sweeper operation) in the spring, summer and fall. Upon the incumbent's vacation of said position, the grandfathered status shall no longer be in effect. Any employee temporarily assigned to perform the duties of the grandfathered employees shall not receive the \$0.25 per hour shift differential. The Sanitation and Streets Superintendent shall be responsible for maintaining the listing of the grandfathered employees.)

- 5.4.8 Public Works Acting Supervisor and/or Lead Person Premium. When an employee fills in for a Lead Person (i.e., Lead Arborist, Lead Equipment Mechanic, Lead Electrical Mechanic, Building & Sign Lead Person, Water Division Lead Person), Sanitation Supervisor, and/or Street & Sewer Supervisor for a full work day (i.e., entire 8 hour work shift), they shall receive an additional \$20 per day for each day so worked up to 10 consecutive days (no proration for time worked less than a full work day). If the assignment extends beyond 10 consecutive work days, the procedures set forth in Section 5.3 (IAP) above shall apply.
- 5.4.9 Voting Equipment Technician Premium. A Voting Equipment Technician is classified at the A16 salary range. An employee assigned to work as a Voting Equipment Technician shall be paid as follows:
- (1) If the employee's salary range is less than the Voting Equipment Technician salary range (A16), the employee shall be paid at the A16 salary range; placement within the A16 salary range will be determined per City Policy 1110 – Creating, Maintaining, and Administering Compensation/Salary Ranges.

(2) If the employee's salary range is equal to or higher than the Voting Equipment Technician's salary range (A16), he/she shall receive an additional \$0.40 per hour for each hour worked as a Voting Equipment Technician if not certified as a Chief Election Inspector or \$0.50 per hour for each hour worked as a Voting Equipment Technician if certified as a Chief Election Inspector.

5.4.10 Center for Excellence On-Call Premium. A ~~n~~ Non-exempt employees of the Center for Excellence ~~who is~~ assigned weekly on-call duties and responsibilities shall receive \$100.00 per week while on-call. An additional \$45.00 per day shall be paid for each paid holiday per Policy 1412 – Holidays which occurs during the on-call week. Refer to Policy 1318 - On-Call for policies and procedures of the on-call process.