



STATE OF SOUTH CAROLINA
TOWN OF SOUTH CONGAREE
ORDINANCE NO. 2024-04

AN ORDINANCE AMENDING CHAPTER 37: POLICE DEPARTMENT OF THE TOWN OF SOUTH CONGAREE TO ADD COMPENSATORY TIME RULES AND REGULATIONS.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, be it ordained and enacted by the Town Council of the Town of South Congaree as follows:

WHEREAS the Town Council of the Municipality (the "Council") now wishes to amend Chapter 37: Police Department to adopt the latest Compensatory Time rules and regulations schedule, to add section § 37.04 Compensatory Time.

WHEREAS, the Town Council has outlined the rate and hours for Compensatory Time; and

WHEREAS the Town Council must refer to this ordinance for policy and procedures referencing Compensatory Time; and

NOW, THEREFORE BE IT ORDERED AND ENACTED by the Town of South Congaree Town Council, the addition of Chapter 37, section § 37.04 Compensatory Time:

1st Reading 06/20/2024

2nd and Final Reading 06/27/2024

ADOPTED IN COUNCIL MEETING this 27th day of June 2024.


Cindy Campbell, Mayor

ATTEST:

Kerri Charlton Municipal Clerk

CHAPTER 37: POLICE DEPARTMENT

§ 37.04 Compensatory Time

(A). Eligible police officers may accrue Compensatory Leave time at time-and-one-half for all hours worked over their designated work periods, not to exceed 40 hours at a time. Section 7(k) of the Federal Labor Standards Act provides that employees engaged in law enforcement may be paid overtime on a "work period" basis. Law enforcement personnel receive overtime premiums **after 86 hours in 14 consecutive days**. In lieu of cash payment, the Town may credit employees with compensatory time at the rate of 1.5 hours for each overtime hour worked.

(B) Employees **must** accurately record all hours worked on their weekly time sheet and must have worked all hours recorded. Employees may not work "off the clock," and employees may not work overtime without the permission of their supervisor except in cases of emergency. All compensatory leave hours must be taken prior to December 31 of that year. If not taken in full, the Town will pay out remaining compensatory time not taken due to time constraints.

(C) Compensatory time must be used within the same pay period as accrued when available and will not negatively affect the needs of the town. All accrued compensatory time not available for immediate use will be depleted within 30 days of accrual. Extension requests must be presented to the Council by Department heads and will be approved on a case-by-case emergency case.

(D) Compensatory time must be used in whole hours. An employee may not use compensatory time to make up a short workday and also be paid for all overtime for that week (e.g., 44 hours reported, but one day 6 hours were actually worked, and 2 hours comp taken = 2 hours overtime paid).

TIMESHEET POLICY

In compliance with the Fair Labor Standards Act (FLSA), As the Employer of Record, the Town has implemented the following policy regarding late timesheets. It is the responsibility of the Supervisor and Employee to ensure they are compliant with the guidelines as set forth in the Timesheet Policy.

FLSA ACT

By the Fair Labor Standards Act (FLSA), it is the employer's obligation to keep records of the hours worked by employees and while many employers rely on employees' assistance via a timesheet or time clock, the employer is ultimately responsible.

In order to ensure compliant actions in following the Timesheet Policy guidelines, the following policy has been implemented.

Exempt employees are not required by law to submit a timesheet, unless sick, vacation, or unpaid time is being utilized. It is unlawful to deduct time from an exempt employee who works a minimum of half their workday, their full Salary will be disbursed.

Employees must complete a timesheet that states the following:

- Name of Employee
- Date the employee worked
- The actual time the employee arrived or notified Lexington County Dispatch
- The actual time the employee left for lunch or a personal activity or notified Lexington County Dispatch
- The actual time the employee arrived back from lunch or a personal activity or notified Lexington County Dispatch
- The actual time the employee left for the end of the day or notified Lexington County Dispatch

Personal activities may include picking up a sick child, doctor/dentist appointments, etc.

Timesheets should be turned in at the end of the day to the Employee's Supervisor. The Supervisor is responsible for verification of the employee's submitted hours and must attest to the verification by approving the timesheet. No timesheets will be accepted without the Supervisor's signature.

Late Timesheet Policy Consequences: If the employee's timesheets are not received in compliance with the above referenced Timesheet Policy Guidelines, payroll may be delayed until the next pay period.

All timesheets are due to the Human Resource Department by 5:00pm every Monday.

I, _____ (employee) have read the above Timesheet Policy. I understand and acknowledge the terms and conditions as set forth within.

Signature

Date