

COUNTY OF SACRAMENTO

PERSONNEL POLICIES & PROCEDURES NO. K-2

DATE ISSUED: August 13, 1991

SUBJECT: Implementation and Administration of 9/80 Work Schedule

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1. PURPOSE: To provide an alternative to the normal five-day/forty-hour work schedule in order to meet the individual needs of employees and to help reduce employee commuting and automobile pollution, with no adverse impact upon the County.
2. POLICY SUMMARY:
  - 2.1 Subject to the approval of the County Executive, appointing authorities may adopt 9/80 work schedules for employees in individual sections and or divisions of their department. 9/80 work schedules may be implemented on a department-wide, section-wide, or division-wide basis, or may be permitted on a voluntary employee basis where the nature of the work permits.
  - 2.2 Departments are encouraged to adopt 9/80 work schedules consistent with this policy and procedure.
  - 2.3 The County Executive may approve 9/80 work schedule requests so long as there is no adverse impact upon the services of the department and there is no increase in operating costs.
3. AUTHORITY:
  - 3.1 Unrepresented Employees: Personnel Ordinance Section 2.78.565.
  - 3.2 Represented Employees: Must be included in the labor agreement for the affected employee.
4. DEFINITIONS:
  - 4.1 Employees who do not receive overtime at time and one-half rate:
    - 4.1.1 The workweek commences at 12:00 A.M. Sunday and ends 12:00 A.M. the following Sunday, a period of seven consecutive twenty-four hour periods.
    - 4.1.2 A 9/80 work schedule is a schedule which during one week of the bi-weekly pay period the employee is scheduled to work four nine-hour workshifts for a total of thirty-six hours, and during the other week of the pay period, is scheduled to work four nine-hour workshifts and one eight-hour workshifts or a total of forty-four hours.

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4.1.3 Overtime is defined by the County as paid time in excess of 1) nine hours per day on a normally scheduled nine-hour work day, 2) eight hours per day on the normally scheduled eight-hour work day, 3) forty-four hours per week when the employee is scheduled to work forty-four hours or 4) thirty-six hours per week when the employee is scheduled to work thirty-six hours per week.

4.2 Employees who receive overtime at time and one-half rate:

4.2.1 The workweek must be redesignated so that it commences in the middle of the eight-hour workshift and ends the following week on the same day and time, a period of seven consecutive twenty-four hour periods.

4.2.2 A 9/80 work schedule is a schedule in which during each workweek the employee works four nine-hour workshifts and one four-hour workshift. The two four-hour workshifts are worked consecutively in a manner to constitute one eight-hour work period.

4.2.3 Overtime is defined by the County as paid time in excess of nine hours when normally scheduled to work the nine-hour workshift, and in excess of forty hours during the workweek. Overtime will also be earned when the employee is required to work more than four hours when normally scheduled to work either of the four-hour workshifts.

Overtime is defined by the federal Fair Labor Standards Act as any time worked over forty hours in a designated seven day workweek.

5. STANDARDS OF APPLICATION:

5.1 Covered and Exempt Classes: The Department of Personnel Management determines which classes are covered and which are exempt from the federal Fair Labor Standards Act (FLSA).

5.1.1 Covered classes or those receiving overtime at one and one-half pay are subject to the redesignated workweek.

5.1.2 Exempt classes are not subject to the redesignated workweek.

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5.2 Time Off:

- 5.2.1 Holidays: An employee shall be granted a holiday that falls on the employee's scheduled workday, except that if the workday is a nine-hour day, the remaining hour must be taken off as leave first from accumulated compensating time off, and second from accumulated vacation time. If there are insufficient leave balances, then the employee shall be charged leave without pay. If the holiday falls when the employee is scheduled to work the two four-hour workshifts, both four-hour workshifts shall be deemed to be the holiday. If a holiday falls on an employee's scheduled day off, the employee shall accrue eight hours compensating time off.
- 5.2.2 Leave balance usage: Full day absences shall result in the deduction of 1) nine hours accrued leave balance for absences during the scheduled nine hour day, 2) eight hours accrued leave balance for absences during the scheduled eight hour day, and 3) four hours accrued leave balances for absences during the four hour shift.
- 5.2.3 Military Leave/Jury Duty/Family Death Leave: Employees who take paid time off on Family Death Leave, Jury Duty or Military Leave on a regularly scheduled workday will be charged with the number of hours they were regularly scheduled to work.
- 5.2.4 Lunch Periods: The lunch period shall be a period provided for in the Personnel Ordinance for unrepresented employees or in the labor agreement for represented employees. Normally, the lunch period is in the middle of the nine-hour and eight-hour workshifts, or between the two four-hour workshifts.
- 5.2.5 Rest Periods: Rest periods shall be a period provided for in the Personnel Ordinance for unrepresented employees or the labor agreement for represented employees. Normally, the employee may receive two rest periods. One during the first half of the nine or eight-hour workshift and one during the second half of the nine-hour or eight-hour workshift, or one rest period during each of the four hour workshifts.

5.3 Overtime Administration:

- 5.3.1 Employees who receive overtime compensation at something other than time and one-half rate shall receive compensation for any hours paid in excess of:
  - 5.3.1.a Nine hours on a normally scheduled nine-hour workshift

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- 5.3.1.b Eight hours on the normally scheduled eight-hour workshift
- 5.3.1.c Forty-four hours per week when the employee is scheduled to work forty-four hours
- 5.3.1.d Thirty six per week when the employee is scheduled to work thirty six hours per week.
- 5.3.2 Employees who receive overtime at time and one-half rate shall be entitled to receive compensation for any hours paid in excess of:
  - 5.3.2.a Nine hours of a normally scheduled nine-hour workshift
  - 5.3.2.b Four hours when normally scheduled to work either of the four-hour workshifts
  - 5.3.2.c Forty hours during the redesignated week.
- 5.4 Return to five-day/forty-hour schedule:
  - 5.4.1 The appointing authority shall have the right to return an employee to the normal five-day/forty-hour workweek after providing advance written notice of two full pay periods to the employee.
  - 5.4.2 Employees may return to the normal five-day/forty-hour workweek upon the approval of the appointing authority.
- 6. PROCEDURES:
  - 6.1 Operating Department
    - 6.1.1 Submit request to adopt a 9/80 work schedule to the County Executive.
    - 6.1.2 The request for the 9/80 work schedule shall specifically address the following:
      - 6.1.2.a Explain the current schedule
      - 6.1.2.b Explain the proposed schedule
      - 6.1.2.c Include the divisions, sections, work groups, and number of employees affected

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- 6.1.2.d State the impact upon the services being provided by each division or section affected
- 6.1.2.e State the impact upon the budget for each division/section affected
- 6.1.3 Return the completed Request for 9/80 Work Schedule form to employee approving or denying the request.
- 6.1.4 Supply employees with copies of this policy to ensure compliance.
- 6.1.5 Receive and verify the employee has completed and signed the Request for 9/80 Work Schedule form.
- 6.1.6 Approve or deny request for 9/80 work schedule based in the following:
  - 6.1.6.a A 9/80 work schedule is permitted under the applicable labor agreement.
  - 6.1.6.b The department/section remains open to the public during regular business hours.
  - 6.1.6.c There is adequate coverage in the section.
  - 6.1.6.d There is no adverse impact upon the services of the department.
  - 6.1.6.e There is no increase in operating cost due to the 9/80 work schedule.
- 6.1.7 Indicate the beginning of the workweek in the appropriate area on the Request for 9/80 Work Schedule form.
  - 6.1.7.a If the employee is eligible for overtime at the rate of time and one half the workweek must begin in the middle of the eight hour work shift.
  - 6.1.7.b If the employee is eligible for overtime at the rate of straight time or no overtime compensation the workweek will begin at 12:00 A.M. on Sunday.
- 6.1.8 If the workweek begins at something other than 12:00 A.M. on Sunday, instruct the employee to mark the timesheet using slashes on the two consecutive four-hour shifts (see example, Attachment 2).

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- 6.1.9 Verify that the timesheet is completed accurately.
- 6.1.10 Compute any additional amount due the employee when the workweek is changed and there are overlapping workshifts in the workweek.
- 6.1.11 Prepare the necessary earning adjustment forms to compensate the employee any additional amount.
- 6.1.12 Prepare masterfile for any employee whose workweek begins in the middle of the eight hour work shift in accordance with the example contained in the Personnel Payroll System manual.
- 6.1.13 Forward masterfile with copy of the Request for 9/80 Work Schedule form to Personnel Actions Section of the Department of Personnel Management.
- 6.1.14 Maintain copy of the Request for 9/80 Work Schedule form in the Time and Attendance file.
- 6.1.15 Require employee to complete another Request for 9/80 Work Schedule form if the:
  - 6.1.15.a employee changes classes and the rate of overtime changes
  - 6.1.15.b overtime rate for the employee existing class changes
  - 6.1.15.c day of the week the two four hour work shift changes
  - 6.1.15.d employee returns to a normal five-day/forty-hour work schedule
- 6.2 Employee
  - 6.2.1 Submit the form, Request for 9/80 Work Schedule (see Attachment 1) to immediate supervisor indicating the desire to work a 9/80 work week. The request includes:
    - 6.2.1.a Current Section or Division
    - 6.2.1.b Current classification
    - 6.2.1.c Desired days off

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- 6.2.2 Complete and sign the Request for 9/80 Work Schedule form.
- 6.2.3 Keep an accurate record of all time worked and absences.
- 6.2.4 If the workweek has been redesignated, indicate the number of hours compensated during each of the two consecutive four hour shifts by using slashes.
- 6.2.5 Complete another Request for 9/80 Work Schedule if the:
  - 6.2.5.a employee changes classes and the rate of overtime changes
  - 6.2.5.b overtime rate for the employee existing class changes
  - 6.2.5.c day of the week the two four hour work shift changes
  - 6.2.5.d employee returns to a normal five-day/forty-hour work schedule
- 6.2.6 Submit a request to the appointing authority for approval to return to the normal five-day/forty-hour workweek.
- 6.3 County Executive
  - 6.3.1 Approve or deny the request for 9/80 based on the following:
    - 6.3.1.a There is no adverse impact upon the services of the department.
    - 6.3.1.b There is no increase in operating cost due to the 9/80 work schedule.
    - 6.3.1.c A 9/80 work schedule is permitted under the applicable labor agreement.
- 6.4 Department of Personnel Management
  - 6.4.1 Verify masterfile is completed appropriately and there is a completed Request for 9/80 Work Schedule form attached.
  - 6.4.2 Verify the additional amount due the employee has been computed correctly.

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- 6.4.3 Maintain the Request for 9/80 Work Schedule form in the official personnel file.
- 6.4.4 Instruct the departmental payroll personnel on the proper procedure to use in calculating the overlapping workshifts in the workweek and determining the additional amount due the employee.

Prepared by:

Approved by:

GERALD M. PAULY  
Director of Personnel Management

BOB SMITH  
County Executive

attachments

LMS



REQUEST FOR 9/80 WORK SCHEDULE

**PART 1 - Employee**

EMPLOYEE NAME \_\_\_\_\_ SSN \_\_\_\_\_

CLASSIFICATION \_\_\_\_\_ OVERTIME RATE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ SECTION/DIVISION \_\_\_\_\_

I have indicated my preferred two week schedule in the area provided below by using 9's and 8's to indicate the nine hour shifts and the eight hour or two consecutive four hour shifts.

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

I would like the nine hour shift to begin at \_\_\_\_\_ a.m./p.m. and end at \_\_\_\_\_ a.m./p.m.

I would like the eight hour shift to begin at \_\_\_\_\_ a.m./p.m. and end at \_\_\_\_\_ a.m./p.m.

I have read and understand the policy on Implementation and Administration of 9/80 work schedule. I understand that if I am eligible for overtime at the time and one-half rate my workweek will be redesignated to begin in the middle of the eight-hour workshift and will end the following week on the same day and time, a period of seven consecutive twenty-four hour periods. I further understand that I cannot begin a 9/80 work schedule until it has been approved by the appointing authority.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**PART II - Appointing Authority or Delegate:**

\_\_\_\_\_ Approved

Effective \_\_\_\_\_ the workweek for the above named employee will begin on \_\_\_\_\_ (indicate day of week) at \_\_\_\_\_ a.m./p.m. (circle one)

\_\_\_\_\_ Not approved

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

