

Resolution 2024-05

A resolution by the Board of Health of the Canton City Health District, Amending Section 207.10 of the Canton City Health Code

WHEREAS the Board of Health has established work rules for its employees in the areas of hours worked, compensatory time, and overtime pay, and

WHEREAS the Board of Health desires to fully comply with all federal, state, and local wage and labor rules relating to compensation and that all staff be fairly compensated for their scheduled work,

NOW THEREFORE BE IT RESOLVED that section 207.10 of the Canton City Health Code be amended as follows:

207.10 HOURS WORKED; COMPENSATORY TIME; OVERTIME PAY.

- (a) The Health Department shall be open for services a minimum of Monday through Friday, from 8:00 a.m. to 4:30 p.m., except on official holidays as listed in section 207.19 of this health code, and at other times as may be determined by the Board. Each employee shall work an assigned shift as assigned by their immediate supervisor or Health Commissioner.
 - (1) Rest breaks. Each employee shall have not more than 20 minutes of rest breaks if worked more than 7 hours in an assigned work shift, or not more than 10 minutes of rest breaks if worked less than 7 hours in an assigned work shift. Rest breaks shall be paid time. These rest breaks may be scheduled as determined by the employee's immediate supervisor or Health Commissioner.
 - (2) Meal breaks. Each full-time employee shall have a one-hour meal break, in which one-half hour is paid, and one-half hour is unpaid, for each regular assigned work shift. At no time shall a full-time employee take less than one-half hour meal break during any assigned shift.
 - (3) Each non-full-time employee shall have no less than a one-half hour unpaid meal break for a scheduled workday of four (4) hours or greater.
 - (4) During meal breaks, employees shall be relieved of duty and shall not conduct any work duties. These meal breaks may be scheduled as determined by the employee's immediate supervisor or the Health Commissioner. Any change of meal break time period shall be pre-approved by the employee's immediate supervisor or Health Commissioner.
- (b) Each approved job description shall be classified as exempt or non-exempt from the provision of the Fair Labor Standards Act (FLSA).
- (c) An employee is allowed to work more than their assigned shift with prior approval from their immediate supervisor or the Health Commissioner.
 - (1) A nonexempt full-time or part time employee shall receive overtime compensation for hours worked over 40 hours in a work week in the form of overtime pay or compensatory time as determined by the Health Commissioner. The form of overtime compensation shall be determined prior to earning overtime compensation or compensatory time. Overtime compensation shall be earned at a rate of one and one-half hours for each hour worked over 40 hours in a work week in 15-minute increments.
 - (2) An exempt full-time employee may receive overtime compensation for hours worked over 40 hours in a work week in the form of overtime pay or compensatory time as determined by the Health Commissioner. The form of overtime compensation shall be determined prior to


earning overtime compensation or compensatory time. Overtime compensation shall be earned at a rate of one hour for each hour worked over 40 hours worked in 15-minute increments.

- (3) When any employee is scheduled to work on a federally designated holiday, as defined in section 207.19 of the Canton City Health Code, they shall receive overtime compensation or compensatory time at a rate of two hours for every hour worked over their normally assigned work shift.
- (4) When any employee is scheduled to work on a different day after the completion of their normal work that employee shall be entitled to a minimum of one hour of compensation, regardless of the actual amount of time worked. For example, if an employee is required to come to work on a Saturday and the work takes less than one hour to complete, the employee shall receive one hour of compensation. If the work takes more than one hour to complete, the employee shall receive compensation for the actual number of hours worked.
- (d) No employee may accrue more than 120 ~~forty-eight (48)~~ hours of compensatory time unless they receive specific approval from the Health Commissioner. Upon promotion to a new position within the department, an employee with compensatory time balance greater than 40 hours will be paid for the balance over the 40 hours at the pay rate before promotion. Upon termination of employment, employees with unused compensatory time shall be paid at a rate not less than their final regular rate of pay, ~~whichever is higher.~~
- (e) Employees may use accrued compensatory time with the approval of their immediate supervisor considering the scheduling needs of the Department at no less than 15-minute increments.
- (f) All employees are subject to being called to work during emergency situations as determined by the Health Commissioner. When an emergency requires more work time than an assigned work shift by an employee, such overtime shall be compensated in accordance with subsection (c).
- (g) When an employee is required by the Health Commissioner to travel out of the Canton City Health District jurisdiction, such employee may be credited for the travel time necessary for the employee to travel from the employee's normal place of employment to the place of assignment and return to the normal place of employment. If such travel time results in the employee working more than their assigned work shift, then subsection (c) shall apply.

BE IT FURTHER RESOLVED that this resolution be passed as an emergency and that it becomes effective immediately upon passage to avoid unnecessary delays to the operations of Canton City Public Health.

ADOPTED by the Board of Health of Canton City Public Health this **8th** day of **May, 2024**.

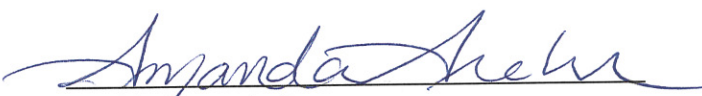
APPROVED:



President
Canton City Board of Health

5.13.24

Date



Health Commissioner
Secretary, Canton City Board of Health

5/8/2024

Date