



**DOUGLAS COUNTY GOVERNMENT
POLICY FORM**

SUBJECT Employment	POLICY NO. IV. 3. 3
TITLE On-Call Duty	APPROVAL DATE 4/1/03
	REVISION DATE 8/21/06

PURPOSE: To establish a policy for non-exempt employees who are assigned to on-call duty for the County.

DEPARTMENT RESPONSIBLE: Human Resources

DEPARTMENT (S) AFFECTED: All Departments

POLICY: Douglas County recognizes that it may be necessary for various departments to require employees to be available on an on-call basis. It is the County’s general policy that on-call assignments should be kept to a minimum.

A. Definitions:

For purposes of this policy, the following definitions shall apply:

- 1) ON-CALL DUTY – Non-exempt employees who are required by their supervisor to carry a pager, cell phone, or be able to be reached immediately, while not at work, in the event it is necessary for them to respond or report to work within a specified period of time are considered on-call. On-call duty is necessary to deal with after-hours situations, emergencies, or as the workload of the department requires. Non-exempt employees assigned on-call duty will receive on-call pay, as described in Section D.2. of this policy.
- 2) CALL OUT - A call out is when a non-exempt employee has been assigned to on-call duty and is actually required to respond or report to duty during the on-call period. Employees who are called out will receive compensation, per Section D.1. of this policy.
- 3) CONTROLLED ON-CALL DUTY– A non-exempt employee shall be considered to be on controlled on-call duty if the employee is required by their supervisor to remain on-call at the work site or so close to such location that the employee cannot use the time effectively for their own purposes. To be on controlled on-call duty is the same as to be on-duty and the employee will receive compensation per section D.1. of this policy.

B. Exclusions:

The following situations are not considered on-call for purposes of this policy.

- 1) CALL BACK - A call back is when a non-exempt employee is notified to return to work in the case of an emergency or as workload requires and who has NOT been assigned on-call duty. Specifically, employees who fall under snow removal operations are considered in a “call-back” situation and are not assigned to on-call duty. Employees called back to work will receive compensation per Section D.1. of this policy.
- 2) SHERIFF’S OFFICE EMPLOYEES – Refer to the Sheriff’s Office Policy and Procedures.

C. Guidelines:

1. Each department must have a written on-call duty plan on file in Human Resources. This written plan should detail the specific course of action to be followed by employees when they are assigned: 1) on-call duty, 2) controlled on-call duty, 3) called back, or 4) called out.
2. Typically, on-call duty, as defined above, is scheduled with the employee in advance, and shall not conflict with pre-arranged or approved vacation or personal time.
3. Whenever practical, each department should develop a rotation of who is to be on-call for a particular time period.
4. Whenever practical, employees working on-call duty must have a reasonable break (such as one to three calendar days) between the end of one on-call period and the start of the next on-call period.
5. Employees must be provided with a pager, cell phone, or two-way radio during the period specified as the on-call period. As an alternative, the employee must be accessible by means of a previously determined telephone number.
6. Employees assigned on-call duty are generally required to respond by telephone or pager within 15 minutes, or report to a work location within 30 minutes of being notified, unless the department plan requires a more or less rapid response time. Generally departments shall not require a response time of less than 15 minutes or more than 1 hour in order for the time to qualify as on-call duty under this policy.

D. Compensation:

1. “Controlled On-Call Duty”, “Call Back”, and “Call Out” are all regular paid time for non-exempt employees:
 - a) Employees who are on controlled on-call duty, called back, or called out to work will receive the greater of a guaranteed minimum of two hours (except as excluded under D.1.b.), or the time actually required to complete the assigned duties, including travel time. These hours must be listed on the employee’s time sheet as regular, straight time, overtime or compensatory time, as appropriate under FLSA guidelines. When a personal vehicle is involved, mileage will be paid at the County approved

reimbursement rate, and must be submitted to the Finance Department for reimbursement.

- b) Employees that provide the necessary services *from home* or respond *WITHOUT reporting* to their normal work location or other worksite will NOT have a guaranteed minimum of two hours. Instead, employees responding from home, for example, will be paid for the actual time they are on-duty responding to a call or trouble shooting a problem.

2. Effective **September 21, 2006**, employees assigned on-call duty will receive on-call pay per the following guidelines.

- a) On call pay is based on the number of 24-hour periods in a pay period (21st of a month through the 20th of the following month) that the employee is assigned on-call duty. Employees are not precluded from having multiple shifts assigned within a pay period. The on-call pay structure will be as follows:

24 Hour-Periods of On-Call Duty	# Of Straight Time Hours Paid
1 – 3 Days	4 Hours
4 – 7 Days	8 Hours
8+ Days	16 Hours

- b) Employee assigned on-call duty must complete an On-Call Report for the Payroll Division.
- c) On-call pay is paid at the employee's hourly rate, must be listed on the On-Call Report in the pay period it is earned, and may not be saved for payment in a future period.
- d) On-call pay is NOT considered hours worked for the calculation of overtime or compensatory time.
- e) On-call pay is paid in addition to paid time as described under Section D.1. of this policy.
- f) On-call compensatory time may be substituted for on-call pay at the discretion of the Department Official, and pursuant to the department's written on-call duty plan. On-call compensatory time is substituted at a 1:1 ratio (i.e., one hour of on-call pay equates to one hour of on-call compensatory time). On-call compensatory time must be reported on the On-Call Report and should generally be used within three months of being earned. On-call compensatory time not used by December 20th of each year will be paid out at the employee's current hourly rate and may not carry forward into future years.