

16. Compensatory and Overtime Pay For County Employees

- Mr. Derting: Compensation overtime pay for County Employees, Mr. Bentley.
- Mr. Bentley: Yes, sir, Mr. Chairman, I have in your book a suggestion that I'd like for the board to consider. Even though I didn't put it in my memo, I should have, I feel likethat all the County employees even though they do not report to me, ought to be treated the same way. I've also put at your location tonight an overtime request which I sort of drew up. I'm not sure this is a perfect form or anything, but at least it will give me something to either authorize or approve. The only other comment that I have is that over in the section number 5, where it says that employees will be able to request time off as a way to reduce compensatory time, if approved by the County Administrator. I thought about asking them to take time off, but I'm not sure that's right. You would normally expect people that they would, if they could, take the time off. But I'm they'll still be some employees that will not want to take compensatory time, would like to build up that time and get paid for it.
- Mr. Osborne: In most... In most cases, I believe an organizations require their employees to take their comp. time within a certain limit. Or lose it.
- Mr. Derting: Or lose it. Twelve months or lose it, is what I worked under.
- Mr. Derting: Comments? from the Board.
- Mr. Barker: We'll need to probably set aside \$20,000.00 or so from reserve for contingencies to cover this, won't we Bruce?
- Mr. Bentley: I'm not sure what we'll have set aside. I.. I'd be afraid to make any type of estimate, right now. But the Board has already said that they would pay the landfill employees theirs over...out of the budget, that's in the present budget. Some of the budgets do not have any over-time in them.
- Right.
- Mr. Mannix: Mr. Chairman, I have a question. I tried to contact several county employees today with a financial question and I couldn't get a hold of the Treasurer, he took the rest of the day off, and the Commissioner of Revenue took the rest of the day off. The Director of Accounting took the rest of the day off. So on a hunch, I tried to the County Landfill Manager and he took the rest of the day off. And rumor has it that they were out at the Virginian playing golf this afternoon.
- Mr. Derting: The County Treasurer, the Finance Director and the

Landfill Manager are here, I wouldn't call that taking the day off.

- Mr. Mannix: They're here now. They weren't here this afternoon. They weren't in their offices this afternoon. Were they out there playing golf on County time? That's my question. And is that...is that worked into their compensatory time or is it calculated to be deducted from their salaries before they're given all this overtime and time off to compensate them for these meetings and. The last thing heard about the landfill Manager was that he was going to be working ten hours a day until this transfer station was finished. And I find out today, he's probably out playing golf all afternoon. Were you out there?
- Mr. Derting: Thank you. Any other questions from the Board? Do I hear a recommendation from the Board?
- Mr. Litton: I move that the Landfill people be paid as the motion stated at the last meeting whenever it was, till the closing of the landfill. All other County employees not be paid overtime. They use it up within twelve months or lose it.
- Mr. Derting: But they be granted compensatory time.
- Mr. Litton: Yes, they do.
- Mr. Litton: Have we had any time turned in Mr. Bentley?
- Mr. Bentley: Yes, sir. Had quite a bit turned in.
- Mr. Litton: I'd like to have a copy of every, if this motion don't pass, I'd like to have a copy of sheet turned in. I want to know where they worked, why they worked. Now when did this start?
- Mr. Bentley: I started getting the sheets, I guess, on June 9, after you passed the first motion.
- Mr. Litton: We passed the motion on June the 9th. How did one employee come up with 28 hours.
- Mr. Bentley: 28 hours?
- Mr. Litton: Yes. He's told three County employees that you told him go ahead and turn in back three months and you'd pay for it. You'd pay for him it. Is that right?
- Mr. Bentley: I had...No sir, No sir, that is not right.
- Mr. Litton: You need to talk to this fellow then for telling these tales on you, Mr. Bentley.
- Mr. Bentley: That's not...that's...
- Mr. Litton: I'll tell you who it is after while.

Mr. Bentley: That's not 28 hours, it is 28 days.

Mr. Litton: I mean 28 days. How bout that? 28 days. Be hard to work 28 days overtime since June 9, wouldn't it?

Mr. Bentley: Yes sir, he had that, I'm showing in the books, before. That's Mr. Bobby Jessee, the dog warden.

Mr. Litton: Yea, but, this motion to do this is made the 9th of June, wasn't it. 8th of June.

Mr. Derting: But we already had a compensatory program, right?

Mr. Bentley: Yes, sir, for the dog wardens.

Mr. Litton: To pay him?

Mr. Bentley: No, sir.

Mr. Litton: He said that you said you would pay him for three months back.

Mr. Bentley: I haven't said that sir.

Mr. Litton: Then I think you need to talk to him.

Mr. Bentley: I'll be glad...

Mr. Bentley: I'll certainly try to get a hold of him...

Mr. Litton: I've heard this from three employees that he told this that you was gonna do this for him.

Mr. Bentley: I believe that Mr. Seamon was sitting in the office when he got his memo in and handed it to me and I told him that I'd put it in the stack with the rest of them there. And I was working on this memo at the time. And I told him that I at this point, I didn't know what the Board was going to decide.

Mr. Litton: Well, this is what...

Mr. Bentley: And I have a witness to that conversation...

Mr. Litton: This is what you can expect from some people. This kind of time turned in. I want to see a copy. Have you got a problem with that? That I get a copy of this time.

Mr. Bentley: Of the sheet he turned in to me?

Mr. Litton: Any. Everybody turned. That everybody turns in.

Mr. Bentley: Yes, sir. I think I've provided you one, with all except,

I believe Mr. Jesse's. I believe I put in Wilson's, Cathie's, Freeman's, Mr. Walsh's, it's hard for me to remember exactly what. I have no problem with getting you a copy of what was submitted to...

- Mr. Litton: Mr. Bentley, I didn't say that he told you that what...that you told him that whenever he turned that time in, I don't know when he turned it in, but over the last few weeks, I'm telling you he said that you said you would pay him the 28 days overtime.
- Mr. Bentley: Well, I have never told an employee I would pay them anything...
- Mr. Litton: Well, I...
- Mr. Bentley: ...for their overtime.
- Mr. Derting: Any other
- Mr. Litton: ...let it go. I think I'd find out if he said that or not.
- Mr. Bentley: I certainly will.
- Mr. Derting: Any other comments? Mr. Litton mad a motion. And that motion was that we grant overtime pay on a temporary basis to Landfill employees until such time as the closure construction is completed and that other county employees be given compensatory time for hours worked beyond 40.
- Mr. Litton: Beyond 40, yes sir.
- Mr. Derting: And that the compensatory can not be carried farther than twelve months anything beyond twelve months that has not been taken is lost.
- Mr. Litton: Correct. Exactly.
- Mr. Derting: Is there a second to that motion?
- Mr. Walsh: (inaudible) ...the word compensatory time may suggest to me in that you may not actually have in it. Some employees...some employees get time and a half and when you use compensatory time that might suggest to someone time and a half and I believe that your policy that you started back in June was straight time for persons who weren't previously getting anything for hours over 40. You may wish to make it crystal clear to people and you may wish to avoid the word compensatory time if you are meaning hour for hour. It's merely an attempt to avoid any future confusion.
- Mr. Derting: Mr. Walsh, I don't know what to tell you.
- Mr. Barker: Is that one hour for one hour?
- Mr. Litton: An hour for one hour.

Mr. Barker: Then, I'll second that motion...

Mr. Mannix: I thought...

Mr. Barker: ...it'll be a more economical way to go.

Mr. Osborne: (inaudible)

Mr. Derting: Motion Mr. Litton, second Mr. Barker. Any other comments?

Mr. Seamon: Mr. Chairman. I know going back through the last two or three meetings, I guess when this matter was first brought up, there was a lot of confusion, in the way some of the wording was. And I didn't know, looking at this policy...Is most of this policy O.K. except for not being paid? In terms of at least having an effective date. Is it effective as the day after the Board made their other motion?

Mr. Barker: That'd be June 9th.

Mr. Seamon: It would be June 9th.

Mr. Litton: I would think that's when it would've been effective, yes.

Mr. Derting: County Administrator suggested that it be effective June 9.

Mr. Seamon: Yea. So, I mean, is the Board looking...approving this policy with the exception of what Mr. Litton...

Mr. Derting: Yea. The exception is the Landfill. During the Closure.

Mr. Seamon: And not paying compensatory time.

Mr. Derting: That's correct.

Mr. Seamon: They take it off within 12 months.

Mr. Derting: That's correct. They can take it off, take time off. Play golf, what ever they want to do. As was indicated earlier. And that would be during working hours. And if they have twenty days compensatory time and whatever over twelve months pass is lost. O.K.

Mr. Barker: That nullifies the June 9th motion to pay time and a half that we passed back then. Correct?

Mr. Derting: Yes. Except for the Landfill.

Mr. Barker: Right.

Mr. Derting: And that's because of the long hours in trying to close it.

Mr. Barker: We passed several motions on this, if this could take precedence since this is the last one.

Mr. Derting: And that would terminate as soon as construction is completed at the Landfill.

Mr. Barker: Well, I guess I called for the question then.

Mr. Bentley: Before you vote on this, we haven't talked about the people that are not included under this. We have Emergency Services, Office on Youth, Family Group Home Supervisor. We also have the County Attorney and Resource Manager. Do you want to include them under the same thing?

Mr. Litton: Not in my motion.

Mr. Bentley: O.K.

Mr. Walsh: For my clarification then, would that mean that any staff member other than being possibly the County Attorney who is sitting up here would be awarded time off hour per hour, and I would not?

Mr. Litton: Whatever the motion says.

Mr. Derting: My reaction to that is that as a professional department head and key official in the County, is that you work to do a job. And that if you need to take off, then you take off. But that there ought to be at least forty or more hours performed and we may not be paying some of our key officials enough, but I would hope that everybody's not a clock watcher and I've already said too much but I think in a key position that if you take off two or three hours or half a day you do it.

Mr. Walsh: If that's policy, I have no problems with that.

Mr. Derting: Well, I don't know that it's policy because, I'm the one that said it. But...

Mr. Whitaker: Gentlemen, are all department heads salaried? I've been in payroll I've never heard of salaried person...

Mr. Derting: We're not proposing to pay overtime.

Mr. Whitaker: You can give comp. time....

Mr. Derting: No, now...now State and Federal Government give comp. time.

Mr. Mannix: To department heads?

Mr. Derting: Yes, sir.

Mr. Whitaker: Not when I worked.

- Mr. Derting: Yes, sir.
- Mr. Whitaker: What can you do after 5 o'clock? (inaudible) to after 5 o'clock.
- Mr. Derting: When I worked, I went to about 6 night meetings a week. A lot of them on Saturday and Sunday. But I didn't get overtime, I didn't get comp. time. If I worked a holiday, I got comp. time. But that's not the issue. Any other comments?
- Mr. Bentley: Is there anything wrong with the overtime request that I have. Based on what I see here, it would still be applicable.
- Mr. Derting: You're talking about for who?
- Mr. Bentley: For everybody.
- Mr. Mathews: For the request he's got.
- Mr. Bentley: For the request for overtime.
- Mr. Litton: Not in my motion. Can not be paid overtime.
- Mr. Bentley: But I thought...I know not to be paid. But it says that given compensatory time.
- Mr. Derting: That's in the motion.
- Mr. Bentley: And this accounts for compensatory time. Or any time that they're gonna work over as to whether they feel like they can take the compensatory time off.
- Mr. Derting: Gentlemen, the motion is that the County Employees with few exceptions, be granted compensatory time per time worked over forty hours. And that compensatory time can accumulate no longer than twelve months from the date that the compensatory time was taken. And if they don't take it within twelve months, they lose it. And there is nothing in this motion, with the exception of the landfill closure operation that involves the payment of overtime. Is that correct?
- Mr. Osborne: That's the way I understood it.
- Mr. Derting: Any other comments?
- Mr. Bentley: On this one, since I have to look out after this. If, for example, you're saying one year from the time it was generated, you may have twenty hours one month and we'll have to segregate that twenty hours for the year period.
- Mr. Derting: That's correct.

Mr. Bentley: That's what I'm saying.

Mr. Derting: That's correct.

Mr. Bentley: We'll have to keep up with it on a monthly basis.

Mr. Derting: You have to type in on the form the day that the compensatory was earned and within...if they don't take twelve...in other words...first in, last out...whatever you want to call it. If you don't take it within twelve months, you lose it.

Mr. Derting: Now, I would suggest to Mr. Bentley, that if he has a recommendation that he thinks might be fair, more appropriate or payment to County employees or employee morale that he bring that back to us at some appropriate time. I'm not talking about next week or next month. Any other comments. All those in favor raise your right hand. Opposed. 6-1

Mr. Litton: Young lady. I'd like the record to show that I made this motion and voted for it because it's caused a lot of problems between County employees and indications that some wasn't being treated fair.

Mr. Derting: Well, I would add to that, that's why the County Administrator had it on the Agenda.

17. County Administrator's Comments

This is the end of the transcription of Section 16.

Rebecca K. Patrick
Personnel Administrator