



**City of Coral Gables
CITY COMMISSION MEETING
September 23, 2008**

ITEM TITLE:

Resolution authorizing the City Manager to compensate exempt City employees at time and one half the regular rate of pay for duty in excess of forty hours per week under local, state, or federal declared or non-declared emergencies

RECOMMENDATION OF THE CITY MANAGER:

The City Manager recommends approval of this item.

BRIEF HISTORY:

Exempt employees provide essential services during pre-operational and post-recovery operations.

The City of Coral Gables has a long-standing policy whereby when there is an emergency affecting the City, exempt employees on duty in excess of forty hours per week receive time and one-half their regular rate of pay.

At present, Rule 22.2 of the Personnel Rules and Regulations states the following:

“Under emergency conditions, City employees who are exempt from the FLSA that are on duty in excess of 40 hours per week, at the direction of the City Manager or designee, may be compensated above regular salary, as determined in the sole discretion of the City Manager.”

This policy was instituted just prior to Hurricane Andrew in June of 1992. The way it is written now it is at the discretion of the City Manager. FEMA has recommended that this policy not be at the discretion of the City Manager, but be nondiscretionary and approved by Resolution of the City Commission in order that if the above conditions fall into place all personnel will be remunerated equally and not at the whim of whether FEMA reimburses.

The proposed policy comports with the Fair Labor Standards Act (FLSA).

APPROVED BY:

DEPARTMENT DIRECTOR	City Attorney (If Applicable)	City Manager

ATTACHMENT(S):

1. Draft Resolution