



CITY OF DENTON

Policy Number and Title:	106.04 Overtime
Policy Section and Chapter:	Human Resources – Wage & Salary Plan
Policy Owner & Contact:	Total Rewards – (940) 349-8340
Policy or Directive:	Policy
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PURPOSE STATEMENT

The City of Denton understands that, in order to provide outstanding customer service to our community, employees may occasionally be required to work extended hours or accrue overtime. In line with a commitment to fiscal responsibility, the City aims to manage personnel costs effectively while ensuring that overtime is appropriately compensated. This policy reflects our dedication to integrity by ensuring that overtime pay is handled fairly and in compliance with the Fair Labor Standards Act (FLSA). Additionally, the City prioritizes transparency in its information and processes, ensuring that employees are aware of expectations related to overtime.

POLICY

I. Non-Civil Service

A. Overview

- i. Employees have a duty to record and report all time worked.
- ii. Non-exempt employees working more than 40 hours per workweek, not extra hours in day, will receive overtime pay.
- iii. A regular full-time non-exempt employee may have a different part-time job in another department if approved by the department head and the Human Resources Director or their designee in accordance with the Secondary Employment Policy and consistent with the Regular Part-time Employee Policy. The hours worked in this capacity will be counted toward overtime.

B. Overtime Calculation

- i. Overtime will be paid at a rate of one and a half (1½) times the employee's regular hourly rate.
- ii. Employees who have a full-time job and a different part-time job in another department will be paid overtime based on the weighted average of both jobs' pay rates for the workweek.
- iii. Holidays including personal floating holidays, vacation leave, military service leave, and scheduled "on-call" hours, are considered hours worked and will be included in the calculation of overtime.
- iv. Sick leave, vacation leave in lieu of sick leave, death in the family leave, parental leave, leave for judicial or legal matters, personal leave without pay, quarantine

leave, Voluntary Impact Program, and absence for voting leave are not considered hours worked and will be excluded from the calculation of overtime.

C. Overtime Authorization

- i. Employees may only work overtime when authorized by their supervisor.
- ii. Supervisors may only authorize overtime with prior approval from the department head.
- iii. Exempt employees may receive paid overtime at a rate of one and one-half (1½) times their regular rate of pay in Emergency Situations and when authorized in writing by the City Manager.

D. Mandatory Overtime

- i. Employees may be required to work extended hours. Overtime is considered a condition of employment, and refusal to accept it when reasonable notice has been given is subject to corrective action, up to and including termination.
- ii. Concerns regarding mandatory overtime assignments (i.e., not distributed evenly, exemptions, notice, etc.) should be discussed with the employee's supervisor or Human Resources.
- iii. Approved leave (military, vacation, sick, death in the family, jury duty) should be considered when mandatory overtime is assigned.
- iv. Employees in a safety-sensitive position shall not be permitted to work more than sixteen (16) consecutive hours or eighteen (18) hours within a 24-hour period without a rest break. (Response Time and On-Call Duty policy #106.06)

II. Civil Service Employees

Fire

A. Overview

- i. The City of Denton has declared a 14-day Work Period under the 207(K) provisions of the FLSA for Fire civil service non-exempt employees.
- ii. If scheduled for a 96-hour 14-day Work Period, any hours worked over 96 in the 14-day work period will be considered overtime.
- iii. If scheduled for a 120-hour 14-day Work Period, any hours worked over 106 in the 14-day work period will be considered overtime.

B. Overtime Calculation

- i. Overtime will be paid at a rate of one and a half (1½) times the employee's regular hourly rate.
- ii. Holidays, vacation leave, military service leave, sick leave taken in conjunction with mandatory or forced overtime, and scheduled "on-call" hours, are considered hours worked and will be included in the calculation of overtime.
- iii. Sick leave, except when sick leave is taken in conjunction with mandatory or forced overtime, vacation leave in lieu of sick leave, death in the family leave, parental leave, leave for judicial or legal matters, personal leave without pay, quarantine leave, mental health leave, Voluntary Impact Program, and absence for voting leave are not considered hours worked and will be excluded from the calculation of overtime.

C. Overtime Authorization

- i. Exempt employees may receive paid overtime at a rate of one and one-half (1½) times their regular rate of pay in Emergency Situations and when authorized in writing by the City Manager.

Police

A. Overview

- i. The City of Denton has declared a 14-day Work Period under the 207(K) provision of the FLSA for Police civil service non-exempt employees.
- ii. Hours worked over 80 in the 14-day Work Period will be considered overtime.

B. Overtime Calculation

- i. Overtime will be paid at a rate of one and a half (1½) times the employee's regular hourly rate.
- ii. Holidays, vacation leave, military service leave, and scheduled "on-call" hours, are considered hours worked and will be included in the calculation of overtime.
- iii. Sick leave, vacation leave in lieu of sick leave, death in the family leave, parental leave, leave for judicial or legal matters, personal leave without pay, quarantine leave, mental health leave, Voluntary Impact Program, and absence for voting leave are not considered hours worked and will be excluded from the calculation of overtime.

C. Overtime Authorization

- i. Exempt employees may receive paid overtime at a rate of one and one-half (1½) times their regular rate of pay in Emergency Situations and when authorized in writing by the City Manager.

ADMINISTRATIVE PROCEDURES

Human Resources will develop, maintain, and distribute a manager's guide for more detailed information on the use and payment of overtime.

DEFINITIONS

1. **Emergency Situation** - is a disruption or loss of an essential service related to water, electricity, or public health, or safety.
2. **Exempt Employees** - are classified by the provisions of the FLSA in terms of payment of Overtime.
3. **Non-exempt Employees**- are classified by the provisions of the Fair Labor Standards Act and are eligible for Overtime.
4. **Overtime**
 - a. Non-Civil Service - Hours worked in excess of 40 hours per work week.
 - b. Civil Service Fire - Hours worked in excess of 96 or 106 hours in the 14-day Work Period.
 - c. Civil Service Police - Hours worked in excess of 80 hours in the 14-day Work Period.
5. **Reasonable Notice** - is advance notification to ensure that all parties concerned are informed in a manner that would be minimally acceptable by a reasonable person under the circumstances.

6. **Work Period** - begins at 12:01 a.m. Saturday and ends at completion of the Friday shift (which could roll into Saturday morning). (Civil Service Only)
7. **Workweek** - begins at 12:01 a.m. Saturday and ends at 12:00 a.m. the following Friday, regardless of an employee's particular shift.

REFERENCES

- Overtime Manager's Guide
- Fair Labor Standards Act, 29 U.S.C 201
- City Policy 10.00 Ethics Policy, Secondary Employment Policy
- City Policy 106.01 Procedure for Receiving Pay
- City Policy 106.05 Recording of Time Worked
- City Policy 106.06 Response Time and On-Call Duty
- City Policy 106.08 Regular Part-Time Employees
- City Policy 107.02 Holidays
- City Policy 107.03 Vacation Leave
- City Policy 107.05 Quarantine Leave Policy
- City Policy 107.06 Volunteer Impact Program
- City Policy 107.07 Mental Health Leave Policy
- City Policy 107.11 Paid Parental Leave Policy
- City Policy 109.01 Corrective Action Policy
- City Policy 110.02 Hours of Work/Flextime
- City Policy 111.01 Sick Leave
- City Policy 111.02 Leave for Judicial or Legal Matters
- City Policy 111.03 Absence for Voting
- City Policy 111.04 Military Service Leave
- City Policy 111.06 Death in the Family Leave
- City Policy 111.08 Personal Leave without Pay
- Texas Civil Service Laws, Texas Local Government Code §§143.001 et seq.
- Sections 142.001-142.0017 of the Texas Local Government Code
- Applicable Police or Fire Meet and Confer Agreement

REVISION HISTORY

Revision Date	Policy Owner	Summary
11/19/1985	Human Resources	• Initial Policy Adoption
6/22/2013	Human Resources	• Policy Revision
06/03/2025	Human Resources	• Policy Revision