

## **EMPLOYEE COMPENSATION PLAN AND OVERTIME EXEMPTIONS**

**PURPOSE:** To ensure compliance with a variety of state and federal regulations, primarily the federal Fair Labor Standards Act (FLSA) and LAB 510, LAB 511, and LAB 588, regarding pay administration of overtime and hours worked.

**SCOPE:** This policy applies to all Care Staffing Professionals employees.

**POLICY STATEMENT:** Care Staffing Professionals is required by the Fair Labor Standards Act (FLSA) and state laws and regulations to adhere to strict overtime rules. Protected employees are expected to adhere to established hours of work, and managers must actively supervise and monitor their respective worksites.

Please direct any inquiries regarding these provisions to the Care Staffing Professionals Leadership Team.

### **DEFINITIONS**

#### **Employee**

A person performing work for the County, including regular or temporary status employees.

#### **Exempt Status**

Employees who are exempt from the provisions of the Fair Labor Standards Act for overtime, due to meeting the criteria in one of the following exemption categories – Executive, Administrative, Professional, Supervisory, or Computer Employee.

#### **Non-exempt Status**

Employees who are covered by provisions of the Fair Labor Standards Act for minimum wage and overtime, and are eligible to receive overtime compensation.

### **EMPLOYEE COMPENSATION PLAN**

#### **Workers Compensation**

The Workers' Compensation Law is a no-fault insurance plan, which is supervised by the state and is paid for by Care Staffing Professionals. The law was designed to provide employees with benefits for any injury which employees suffer in connection with their employment. Under the provisions of the law, if an employee is injured with at work, then they are eligible to apply for Worker's Compensation.

## **Health Insurance**

A comprehensive health plan is currently unavailable to employees. We do not offer a health plan because of the varying hours each employee works and the inability to fairly distribute plan benefits based on each employee's contribution. If we are required to offer Health Insurance in the future, we will be able to provide the group insurer and an insurance booklet describing all the benefits under the plan. All benefits and details will be available to all employee then who elect to join the plan.

## **OVERTIME AND UNCOMPENSATED OVERTIME POLICY**

### **Overtime Exemptions**

The Fair Labor Standards Act (FLSA) permits an employer to exempt certain employees from overtime eligibility. Exemption are based on an employee's pay amount and type of work performed. Employees that meet specified criteria in the FLSA will be categorized as an exempt employee. Employees not meeting the FLSA criteria for exemption are categorized as non-exempt. Every job position has been analyzed to determine if their position is exempt or non-exempt.

Hourly paid employees (non-exempt employee) may be expected to work overtime in case of emergency of whenever necessary. Hourly-paid employees will be paid 1.5 X their normal hourly rate of pay for approved overtime hours worked in excess of forty (40) hours per week. For purpose of calculating overtime, time will be rounded to the nearest 15 minutes.

Hourly employees must obtain approval in advance to work overtime. The intent is to limit the hours of hourly regular full-time employees 40 hours per week for quality of life and fiduciary reasons; but we have the right permitted in the FLSA to assign hourly employees' overtime without prior notice or employee consent. The company respects its employees and expects that the assignment of unplanned overtime will be minimal. This notice is a good faith effort to give employees an advance notice that unplanned overtime may occur and all employees should make plans accordingly for emergency dependent care and other similar circumstances.

## **VACATION / FUNERAL / JURY DUTY COMPENSATION POLICY**

Care Staffing Professionals does not offer a Vacation / Funeral / Jury Duty Compensation because work is all subcontracted.

If and when we hire hourly employees, Care Staffing Professionals will offer regular full time, part time, and temporary employees the following compensation:

**Full Time Employees:** 2 weeks paid vacation (1 week after 6 months and the 2<sup>nd</sup> week after anniversary hire date) 3 weeks after five years and 4 weeks after ten years. 11 paid holidays are given upon hire. Compensation is allocated for bereavement leave of three workdays. Care Staffing Professionals offers full compensation minus the allocated jury duty pay up to ten business days.

**Part Time Employees:** After one year, one-week paid vacation equal to the part time salary. 11 paid holidays are given upon hire. Compensation is allocated for bereavement leave of three workdays. Care Staffing Professionals offers full compensation minus the allocated jury duty pay up to ten business days.

**Temporary Employees:** Paid vacation equal to the average weekly hours worked in one year. Six paid holidays are given after one year of service. No other benefits.

In the event Care Staffing Professionals receives a Federal government contract, lasting for a year or longer, we will provide our employees with 11 paid Federal holidays a year.

- New Years
- Birthday of Martin Luther King, Jr.
- Presidents Day
- Memorial Day
- Juneteenth National Independence Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Christmas

### **Employee Assistance**

Reference EPP 17 – Employee Assistance Program

### **Internet Links**

California Department of Industrial Relations ([https://www.dir.ca.gov/dlse/faq\\_overtime.htm](https://www.dir.ca.gov/dlse/faq_overtime.htm))

### **Additional Resources**

Also see:

- EPP 08 – Crime Victim Leave
- EPP 11 – Family and Medical Leave Policy
- EPP 13 – Leave of Absence
- EPP 17 – Employee Assistance Program
- EPP 20 – Military Leave