

COLLEGE OF CHARLESTON

LAW ENFORCEMENT HOURS OF WORK POLICY

(Revised and Effective 12/11/2011)

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

DEFINITION OF LAW ENFORCEMENT

Law enforcement personnel are employees who are empowered by State ordinance to enforce laws designed to maintain peace and order, protect life and property, and to prevent and detect crimes; who have the power to arrest; and who have undergone training in law enforcement.

STRAIGHT-TIME/OVERTIME/LEAVE: (NON-EXEMPT LAW ENFORCEMENT)

1. All hours worked up to eighty-six (86) hours during a 14 day work period shall be compensated at the straight time rate. Hours worked from eighty-one (81) through eighty-six (86) during the 14 day work period may be compensated with compensatory time at the straight time rate. Hours worked in excess of eighty-six (86) hours shall be compensated (overtime or compensatory time) on a time and a half basis
2. Time not worked but compensated, such as sick-leave, holiday, vacation, etc., shall be calculated at straight time. If a combinations of time worked and leave taken are reflected for a specific day, the total must equal 12 hours. If a full day of leave is taken, the leave must be recorded as 12 hours.

NON-EXEMPT LAW ENFORCEMENT DUTIES

Law enforcement officers who are engaged in non-law enforcement activities for more than 20% of their work period are not considered eligible to be compensated under the definition of law enforcement. In the work period, if an employee's nonexempt duties cause a loss of the exemption, they must be paid under the regular FLSA overtime rules, being paid overtime on the hours that exceed 40 hours.

NON-EXEMPT LAW ENFORCEMENT DUTIES – SPECIAL DETAILS

The Fair Labor Standards Act makes special provisions for law enforcement employees of public agencies who, at their own option, perform special duty work in law enforcement or related activities for a separate and independent employer (public or private) during their off-duty hours. The hours of work for the separate and independent employer are not combined with the hours worked for the primary public agency employer for purposes of overtime compensation