

**RESOLUTION NO. R-2018-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING CHAPTER 4, SECTION 6 OF THE PERSONNEL POLICIES MANUAL REGARDING EMERGENCY DUTY PAY "EXTRA DUTY" AND "ON-CALL" PROCEDURES AS ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, each city should have a personnel manual directed to its employees to provide guidance on the duties and responsibilities of the city and the employees; and

**WHEREAS**, the City Council of the City of Bastrop finds it to be in the public's interest, and necessary for the public's health, safety and welfare, that the Personnel Policies Manual be updated from time to time to reflect current state and federal law and city practices related to city employees; and

**WHEREAS**, the City Council of the City of Bastrop finds it to be in the public's interest and the interest of the City to modify the payment procedures for "On-Call" City employees; and

**WHEREAS**, the City Council finds that it is reasonable and prudent for this amended Personnel Policies Manual to be adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP:**

**Section 1:** The City Council hereby approves the amended Personnel Policies Manual, Chapter 4, Section 6, which is attached as Exhibit A.

**Section 2:** On adoption, call back time on a City holiday will be paid at time and a half.

**Section 3:** The City Council approves the funds necessary for these personnel actions, as provided in the budget for the current fiscal year.

**Section 4:** The City Council directs City staff to work with the City Manager and Human Resources Department to acknowledge the amended Personnel Policies Manual and receive training and information on the amended Personnel Policies Manual.


**Section 5:** The City Council directs City staff to work with the Human Resources Department to implement this change to payment procedures.

**Section 6:** All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

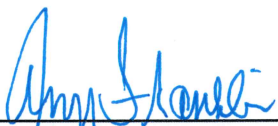
**Section 7:** That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this  
12<sup>th</sup> day of June, 2018.

APPROVED:

  
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Connie B. Schroeder, Mayor

ATTEST:

  
\_\_\_\_\_  
Ann Franklin, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney

**CITY OF BASTROP, TEXAS**

**PERSONNEL POLICIES MANUAL**

May 2005

Updated June 28, 2012 (Chapter 2, Section 8: Referral & Selection)  
Updated March 26, 2013 (Chapter 11, Section 5: Meals)  
Updated December 13, 2013 (Chapter 5, Section 14: Modified Work Duty Program)  
Updated June 1, 2015 (Chapter 10, Section 1: Medical/Dental Insurance)  
Updated December 1, 2017 (Chapter 5, Section 5: Catastrophic Leave Policy)  
Updated May 8, 2018 (Chapter 7, Section 8: Appeals of Disciplinary Action)

**CHAPTER 4: PERFORMANCE EVALUATION AND COMPENSATION**

**SECTION 6: EMERGENCY DUTY PAY, "EXTRA DUTY" AND "ON-CALL" PROCEDURES**

**ON-CALL & CALL BACK COMPENSATION**

The City provides for after-hour service needs by allowing some departmental operations to designate certain non-exempt employees to be on-call. Employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by their Department.

**DEFINITIONS:**

**On-Call:** A condition outside normally scheduled work hours, in which a non-exempt employee is continuously available by telephone, is fit for duty, and is able to respond and report to work within a specified time period. On-Call does not include previously scheduled overtime or holiday time.

**Call-Back:** An unscheduled or emergency Call-Back in which a non-exempt employee is required to return to work outside of officially scheduled work hours. Call-Back may occur after leaving the job site, or during a holiday or a regular work day. Call-Back does not include overtime or holiday work scheduled in advance.

**RETURN TO WORK PROVISIONS:**

After regularly scheduled working hours, On-Call employees are free to pursue personal activities but must respond to a Call-Back (via phone or radio) within the designated guidelines set by their Department. Employees designated as On-Call must be fit, both mentally and physically, to accomplish On-Call services needed within the time frame required. An employee is considered officially scheduled and designated as On-Call only when approved by the supervisor in accordance with procedures established by the Department.

## **COMPENSATION:**

**Regular On-Call Time Worked:** On-Call status is not considered time worked and is not compensable unless the employee actually responds to a call. On-Call employees called back to the workplace will be paid at their regular rate of pay for their actual hours worked and are guaranteed a minimum of 2 hours pay for each call-back within the same 24 hours after their regularly scheduled working hours or on a regular day off. Time worked immediately after regularly scheduled working hours at the request or approval of the supervisor will not be considered call-back and will be paid at the employee's regular rate of pay until overtime requirements are met. On-Call employees who do not return to the workplace but who handle a workplace issue by phone and/or email, will be paid for actual time spent on the phone or the computer. In all cases, employees must report their actual hours worked on their time sheets.

**Holiday On-Call Time Worked:** An employee who's On-Call scheduled work week includes a City holiday and who is called back to the workplace on the holiday or anytime during their On-Call scheduled work week, will be paid at the rate of 1-1/2 times their regular hourly rate of pay for any Call-Back.

**Exempt Employees:** Employees who are exempt from overtime are not eligible for compensation under the provisions of this policy. When readiness level 1 is activated in the Emergency Management Plan and a 24 hour shift has been put in to place, exempt employees will accrue 8 hours Compensatory time for each emergency event worked.

**Departmental Policies:** Each Department has its own internal procedures for handling On-Call services. Departments may establish guidelines for varying levels of response to call-back situations depending on the nature and importance of the services to be completed.