

Salt Lake County Human Resources Policy 5-200: Sworn Employee Compensation

Purpose

This policy outlines how Sheriff's Office Sworn employees are compensated for overtime and call-back duty.

I. Policy

Salt Lake County complies with the overtime and compensatory time requirements of the [Fair Labor Standards Act \(FLSA\)](#). The Human Resources Division will determine the FLSA exempt and nonexempt status of positions. All other employees are covered in Human Resources Policy 5-100, Pay Practices.

II. Procedures

A. FLSA Employee Classification

1. The Human Resources Division will classify each employee as exempt or non-exempt under the [Fair Labor Standards Act](#).

B. FLSA non-exempt sworn employees will be paid overtime (one- and one-half times the employee's regular rate of pay) for hours worked in excess of a designated and assigned work cycle based on the following:

1. Non-exempt sworn employees will be paid at their hourly rate for up to 80 hours in a 14-day work cycle.
2. If leave hours are taken in addition to hours worked during the 14-day period, and the employee has more than 80 hours, the leave hours will also be paid at the regular hourly rate.
3. Any hours actually worked beyond 80 during the 14-day period will be considered overtime.

C. Overtime Eligibility of FLSA Non-exempt Employees

1. FLSA non-exempt employees may be granted compensatory time off in lieu of cash payment for overtime hours worked at a rate of one and one-half hours of compensatory time for each hour of overtime worked.
2. The Sheriff may elect to make cash payments for overtime instead of granting compensatory time off.
3. Paid leave will not be counted as time worked when calculating overtime at time and a half.
4. Employees engaged in emergency response or seasonal activities are allowed to accumulate no more than 480 hours (320 overtime hours actually worked) and all other employees no more than 240 hours (160 overtime hours actually worked). Overtime hours worked over these limits will be compensated in cash.
5. A FLSA nonexempt employee who separates employment will be compensated in cash for the balance of compensatory time owed. Payment will be made either using the average rate of pay received by the employee during the last three years or the final regular rate received by the employee, whichever is higher.
6. Compensatory time will be used within a reasonable time period not to exceed six months. Compensatory time not used within six months will be paid in cash.

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7. An employee who requests compensatory time off will be granted leave within a reasonable period of time if operations are not unduly disrupted.
 - a. The Sheriff, commanders, and administrators may direct an employee to take compensatory time off.
 8. The Sheriff, if faced with unusual seasonal workloads, can request an exception to the six months compensatory time pay-out rule from the County Council. All hours accrued under this exception must be used or paid out within one year.
 9. An FLSA non-exempt employee may not hold a second job for the county.
 10. Sworn employees may not volunteer to perform the same service for the County that they provide on a regular basis as a paid employee. They may provide such services for a different government employer.
- D. Compensation for FLSA Non-exempt Call Back Duty
1. A non-exempt sworn employee who is called back to duty will be credited a minimum of three hours of work time. If a second call-out is responded to while completing the first call-out, only three hours will be credited unless the work requires more hours for completion.
 2. Overtime hours will be compensated at one and one half times the employee's regular rate of pay.
 3. Employees may be assigned and designated to be on-call at the discretion of the Sheriff or Administrator.
 4. On-call assignments will be assumed without additional compensable time except under conditions which fall within the FLSA restrictiveness test.
 5. When employees respond to phone calls not requiring a return to work while on an on-call assignment, they will be compensated for actual time worked when such time exceeds a cumulative total of 10 minutes or more in a twenty-four hour period.
- E. FLSA-exempt employees will be paid for overtime hours worked if a disaster or emergency is declared by the Mayor at the rate of one and one half times the regular rate of pay for actual hours worked in excess of their regularly scheduled hours as dictated by the work cycle.
- F. Court Compensation for Sheriff's Office Sworn Employees
1. Employees will receive their regular rate of pay for a court appearance as a juror/witness subpoenaed by a government agency when the appearance is required during the employees regular scheduled working hours. Employees are not entitled to the witness/jury fee while receiving their regular rate of pay.
 2. Employees will receive compensation for court or official hearing appearances as a witness, subpoenaed by a government agency while off-duty, using the following criteria:
 - a. Off-duty appearances are considered time worked and will be documented on the employee's timesheet;
 - b. The employee will be compensated from the time of the required appearance until the time released by the prosecutor or other authority; and minimum compensation is three hours. If an employee is required to stay past three hours, the actual time worked will be paid. Travel time to and from appearances is not time worked.
 3. When an employee is required to appear on two or more separate appearances in one day, the employee will receive compensation for each appearance only if the time lapse between subpoenas is at least three hours.
 - a. If the employee is required to appear on a subpoena before a regular shift the

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subpoena must reflect the employee's appearance was required at least three hours before the regular shift to receive the minimum three hour pay. Otherwise, the employee will be compensated for the time actually worked.

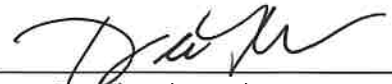
- b. If an employee is required to remain in court past the end of the regular shift, the employee will be paid for actual time worked.
4. Court preparation time for cases arising out of the employee's official duties will be considered time worked. Supervisors will determine whether court preparation will be completed on-duty or off-duty.
5. Compensation requests for off-duty court appearance and off-duty court preparation time for cases arising out of the employee's official duties will be recorded on the timesheet.
 - a. A copy of the subpoena showing the beginning time, release time, and signature of prosecutor or other authority, and the witness fee check must be submitted to the Sheriff's Office Payroll Unit.
 - b. Employees reporting to Salt Lake County Justice Court on a subpoena while off- duty will be required to sign the Justice Court log to verify their appearance.
 - c. To receive compensation, employees must submit the required signed subpoena, witness fee check (if applicable), and timesheet.
6. Any income earned from an employee's secondary employer for court appearances during the employee's Sheriff's Office scheduled working hours shall be turned over to the Sheriff's Office Fiscal Division.

III. References

- A. Fair Labor Standards Act of 1938 as amended
- B. Human Resources Policy:
 1. 5-100, Pay Practices

APPROVED and ADOPTED this 9th day of December, 2025.

SALT LAKE COUNTY COUNCIL

By 
Dea Theodore, Chair

ATTEST:



Lannie Chapman, County Clerk

Nikhil Venugopal, chief Deputy

Zachary Lancaster

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Date: 2025.11.19 10:07:10 -07'00'

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Voting:	
Council Member Harrison	"Aye"
Council Member Johnson	"Aye"
Council Member Moreno	"Aye"
Council Member Pinkney	"Aye"
Council Member Romero	"Aye"
Council Member Stewart	"Aye"
Council Member Stringham	"Aye"
Council Member Theodore	"Aye"
Council Member Winder Newton	"Aye"