	TRAVIS COUNTY ESD #5 MANCHACA FIRE RESCUE Department Directive	D2017-006
	Changes to Employee Handbook	Effective: 6/10/2017
		Rescinds: 11/16 Handbook
		From: BC Poole

Effective June 10, 2017, several updates to the Employee Handbook that were approved at the last ESD meeting will be placed into effect. The new handbook is currently posted in the documents section of the MFR member’s web site along with the current handbook. Below is a summary of the changes in the June 2017 revision. Members should refer to the updated document for the full language of the changes.

Section 1.2.18. Outside Employment

Language was added specifically prohibiting the use of the District’s or the Department’s name or graphics in association with a members outside employment. . This includes referencing yourself as an employee of the District or using the name of the District or the Department in advertisements, decals, business cards, stationary, electronic mail documents or other forms.

Section 6.4 Holidays.

This section was changed to pay holiday pay to the member that is actually on duty on the calendar day of the holiday. So, typically the crew that came on duty the day before the holiday will get holiday pay from midnight of the holiday until shift change and the oncoming crew on the holiday will get holiday pay from shift change till midnight of the holiday.

Section 6.5.1 Kelly Days.

In response to employee feedback on how Kelly days are scheduled, some changes have been made to allow for some scheduling flexibility in selecting a Kelly day. The language for this section is provided below. The calendar referenced in this section will be set up in the member’s only web site and selections for Kelly days will be logged on W2W. This change also provides the option to the member to work their Kelly day instead of being off duty on that day. Members will still need to designate a Kelly day when it is their cycle to do so even if they intend to work it. This will help prevent scheduling issues should a member later decide to take the day off instead of working it.

“6.5.1 Kelly Days.

The Kelly Day is an instrument designed to maintain compliance with the Fair Labor Standards Act (FLSA) that stipulates that an individual cannot work more than 144 hours in a 19-day work cycle without overtime compensation. Due to the nature of the 3-shift, 24/48 schedule, a member experiences a work cycle with an extra 24 hours every 3rd 19-day cycle. A Kelly Day is provided to a member as a paid shift off when their schedule includes 168 hours in a 19-day work cycle. There are approximately 6 Kelly Days per member per year. Kelly Days are a part of the member’s schedule, and therefore are not an earned benefit like PTO. The time off duty on Kelly Day does not affect the member’s PTO balance.

Each member will be provided an opportunity to choose one of 7 shifts occurring in their 168-hour, 19-day work cycle to be utilized as their Kelly Day. A calendar will be established by the department to track the Kelly Day cycles. Only one member may be on Kelly on any given day. Conflicts and multiple requests for Kelly Days will be determined by a seniority/tiebreak system and the system will be documented in department policy.

Due to the Department’s current staffing model, coverage must be provided when full time personnel are on Kelly Day. The first option will be to offer the shift to the member scheduled to be on Kelly Day. If that member elects

not to work their Kelly, the open position will be offered to part time personnel. If no part time personnel are available to work the shift, the opening will then be offered to volunteer personnel.”

The calendar referenced above is online on the “Staffing” page of our member’s only web site. That calendar is only a reference tool, the actually Kelly days chosen by each member will be logged into W2W. The first Kelly cycle on the calendar is the A-shift Kelly period, from June 10th through June 28th. A-shift members will need to select their Kelly days with in that time period before June 10th. Members that wish to work their Kelly must still select a Kelly day for both timekeeping purposes and to have a day designated just in case the member later decides to be off that day. A policy on operations staffing will be out soon that further addresses this and other staffing questions. If there are any questions, refer them to Chief Poole.

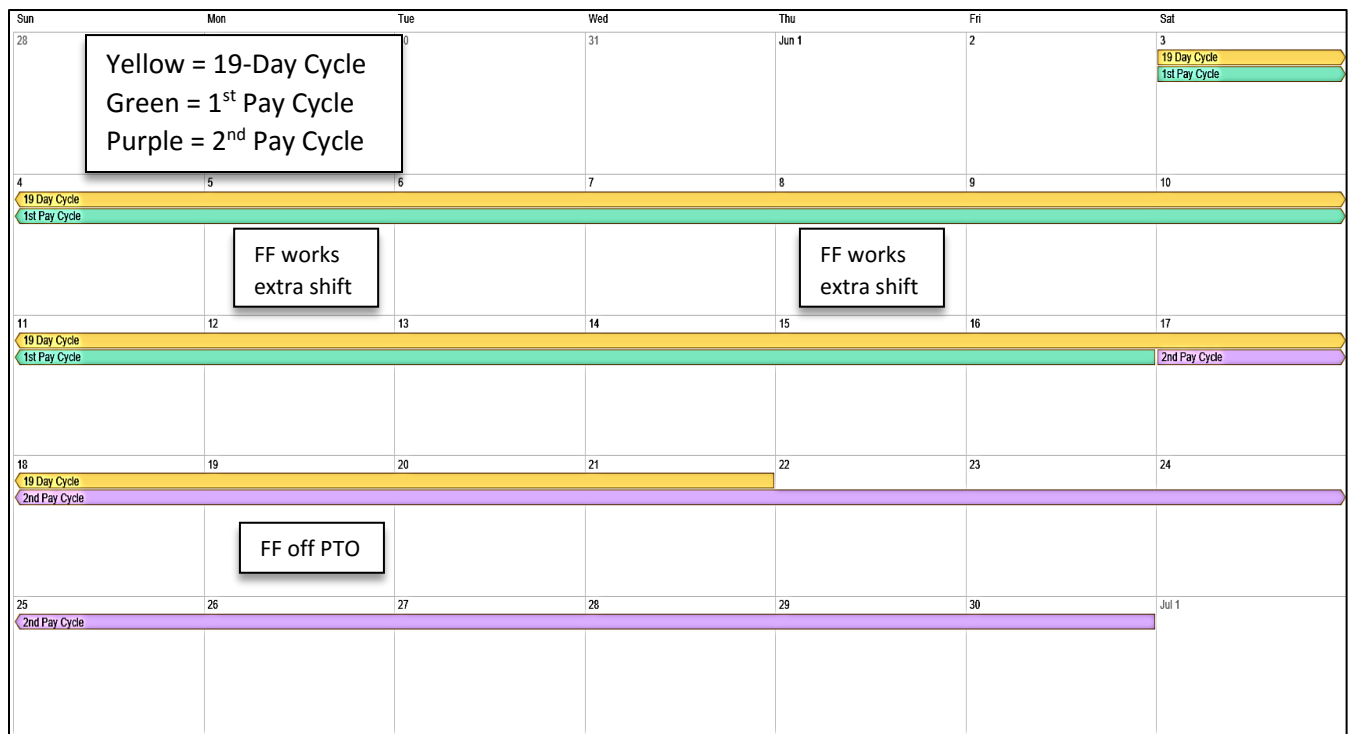
Section 3.7.1. Calculation of Overtime Pay

This is a new section to the handbook to help better define how overtime should be calculated when utilizing a 19-day work cycle. Our current method can actually result in overpayments of overtime because it is being calculated in line with the 14-day payroll cycle, not the 19-day work cycle. However, there are no plans to correct any past overpayments. The process defined in this section will better align our payroll practices with the intent of FLSA rules on work cycles and productive vs. non-productive time. The language of section 3.7.1 is provided below.

“Section 3.7.1 Calculation of Overtime Pay

The Fair Labor Standards Act (FLSA) requires the employer to pay personnel an overtime rate of 1.5 times their regular base pay when their actual hours worked exceed 144 hours in a 19-day work cycle. Hours where the member is not at work are not counted toward the overtime calculation (PTO, Kelly Days). Since any PTO taken within the current 19-day cycle will affect the calculation of overtime, the overtime rate will not be paid to the member until the paycheck after the end of the 19-day cycle where the additional hours were worked. Personnel will be paid the straight time rate for extra hours worked in the timekeeping cycle within the 19-day work cycle. Once the 19-day work cycle is concluded, the number of additional hours will be balanced against any PTO and Kelly Days in the cycle to determine the member’s eligibility for the additional half time.”

So, an example of what this looks like is shown below:



In this example, the FF has 48 hours of extra hours in the same 19-day work cycle and in the same pay cycle. Since the 19-day cycle extends beyond the first pay cycle, the FF is paid 48 hours of straight time on that paycheck. The FF then takes one shift of PTO in the same 19-day work cycle, but during the second pay cycle. At the end of the second pay cycle, the FF is now in the next 19-day work cycle. For that pay cycle, the number of extra hours worked are evaluated against the number of non-productive hours taken to determine the amount of “half time” to add to the second pay cycle paycheck (48 hours extra – 24 hours non-productive [PTO] = 24 hours of half time).