



EXECUTIVE ORDER
EXEMPT EMPLOYEE COMPENSATORY TIME

EO No.	1-61
Effective Date:	Upon Approval

1. PREFACE

The City of Houston ("City") recognizes exempt employees may work more than a forty (40) hour workweek to perform their regular job duties. The City also recognizes there may be unusual, extraordinary, or emergency circumstances where an exempt employee may be required to work additional hours and compensatory time should be authorized.

2. SCOPE

This policy applies to all City Departments and civilian exempt employees.

3. DEFINITIONS

Department Director: A person appointed by the mayor and confirmed by City Council to assume the administrative duties of a City department. For the purposes of administering this policy, each person appointed by the Mayor as the director or head of the division for each division of the Mayor's office shall be considered a department director.

Exempt Employee: All civilian employees who are exempted from the overtime compensation requirement of the Fair Labor Standards Act of 1938, as amended who have been designated as such by the Human Resources Department (HR) Director and the Civil Service Commission.

4. GENERAL PROVISIONS

- 4.1. Exempt employees are expected to work at least forty (40) hours per workweek to perform their regular job duties.
- 4.2. It is expected that an exempt employee will work additional hours to complete their regular job duties, as necessary.
- 4.3. Whenever possible, department directors shall authorize flexible work schedules for exempt employees to address the additional hours worked during the workweek.
- 4.4. Exempt employees, assigned to pay grades 26 and below, may be eligible for compensatory time on a straight time (hour-for-hour) basis, upon the recommendation of the employee's department director and approval of the HR Director subject to the criteria authorized by the Code of Ordinances.
- 4.5. Whenever possible, department directors shall authorize flexible work schedules for exempt employees to address the additional hours worked during the workweek which would qualify for compensatory time authorized by the Code of Ordinances.
- 4.6. Compensatory time may be awarded for work performed under unusual circumstances outside of the employee's regularly assigned tasks including, but not limited to, unscheduled work hours on a council declared holiday or work performed over a confined period of time due to a special project assignment or condition of emergency.

Approved:

Handwritten signature of Sylvester Turner.

Date Approved:

3/12/2020

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- 4.7. Under certain extraordinary circumstances (including but not limited to when catastrophic conditions exist, during a local state of disaster, or when an emergency or disaster affecting the Houston area has been proclaimed or declared by the Mayor, Governor of Texas or President of the United States), the Mayor may authorize an event specific procedure to provide compensatory time to exempt employees, assigned to pay grades 29 and below, as authorized by the Code of Ordinances.
- 4.8. Compensatory time shall be earned only on a straight time, hour-for-hour basis.
- 4.9. Any compensatory time approved shall be used and paid out in accordance with the Code of Ordinances or any recognized employee labor union agreement, whichever applies.
- 4.10. The HR Director shall be authorized to issue administrative guidelines to the department directors for approving and reporting compensatory time.
- 4.11. Any violations of this executive order shall be brought to the attention of the HR Director for review and recommend course of action.

5. CONFLICT AND REPEAL

- 5.1. This order supersedes Mayor's Policy 302.00 Compensation: Exempt Employee Compensatory Time, signed on February 1, 1984, which shall be of no further force or effect.

6. RELATED DOCUMENTS AND INFORMATION

- Code of Ordinances, Chapter 14, specifically Sections 168(e) and 168(f); and/or
- Recognized labor union agreements