



Standard Operating Guideline	
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Authority:	Larry H. Williams, Jr, Fire Chief

PURPOSE: To document and explain the payroll and time tracking procedures used by the City of Dothan and the Dothan Fire Department in reference to the 7K provisions of the FSLA Amendment and adherence by the City of Dothan and the Dothan Fire Department to wage and hour law as established by The Department of Labor.

I. 7K OR SHIFT EMPLOYEE

A. GENERAL

The 7K provision of the FSLA Amendment inclusive in law enforced by the Department of Labor provides the standard within which the City of Dothan and the Dothan Fire Department calculates and controls all times worked by a shift employee and all remuneration to said employee. The City of Dothan meets all points and minimum requirements of the law and, in some respects, exceeds the minimum requirements of the law.

B. WORK PERIOD

A work period is a specified period of time established by the Department of Labor within which an employee works. The law also establishes the number of hours that an employee may work within said work period at the regular hourly rate of pay. The law also establishes the minimum wage that an employee must earn in the work period by an hourly rate as well as the minimum “overtime rate” of pay and provisions for overtime pay for all hours “worked” that exceed the regular hours threshold established for the work period.

C. 7K SECTION / WORK PERIOD PROVISION

Section 7K of the FSLA Amendment establishes an alternative work period for Fire, Police, and EMS workers that are shift employees. An employee covered under the 7K provisions can work 53 hours in a 7-day work period or 212 hours in a 28-day work period or any work period from 7 to 28 days with the hours worked being a ratio of 53 to 7. This establishes the hours that may be worked at regular rate of pay. “Hours-worked” is also defined in the law as hours that an employee is at work performing some task for the employer. Time worked is not necessarily all “time” compensated by the employer. Vacation, sick leave, holiday, and military leave are time compensated as a benefit but are not classified as time “worked.”

D. DOTHAN FIRE DEPARTMENT SHIFT EMPLOYEE WORK PERIOD

The Fire Department uses a 28-day work period. The time “worked” threshold is 212 hours. Any time “worked” in excess of 212 hours will be paid at the overtime rate of pay multiplied by 1.5 for all hours worked as overtime.

E. PAY PERIODS

Pay periods are a specified time upon which an employee's compensation is calculated. The City of Dothan uses a 14-day pay period. For the shift employees, the pay period begins at 700 hours Sunday morning and ends at 700 hours Sunday morning 14 days later. There are two pay periods per work period. The two pay periods combined must accurately reflect and justify the work period.

F. PAY PERIODS PER YEAR

The City of Dothan follows the IRS mandate on what calendar year a pay period is inclusive. The calendar year in which a pay period is considered is based upon the pay date. For example, if you receive a paycheck in 2002, the pay period for which you are being compensated is a 2002-year pay period. If you receive a paycheck in 2003 for time worked in calendar year 2002, the pay period for which you are being paid is a 2003 pay period even though the time was worked in 2002.

The City of Dothan typically has 26 pay periods per year. 26 pay periods multiplied by 14 days is equal to 364 days. Since a calendar year has 365 days and 366 days on leap year, the ending day of the payroll year will digress each year to the point that a 27th paycheck will be issued in the same calendar year. Therefore, that particular year, the calendar year will have 27 pay periods instead of 26 pay periods.

G. TYPICAL WORK PERIOD

In the typical work period for a Dothan Fire Department shift employee, the employee will work 216 hours. In any work period, 2 of the 3 shifts are scheduled to work 9 shifts (216 hours) and one shift is scheduled to work 10 shifts (240 hours). The Dothan Fire Department instituted the "Kelly Day" to reduce expenditure of salaries that are not inclusive in the annual salary budget. The reduction is a result of an employee not being scheduled to work more than 216 hours in any work period. Understand that the annual salary of a shift employee is based on 212 hours per work period, but each employee is normally scheduled to work 216. Allowing employees off duty to eliminate the additional 4 hours would not be feasible in Fire Department operations. The hours worked beyond the 212 hours is compensated at regular rate of pay or overtime rate of pay. If hours "worked" (not leave time) exceeds 212 hours, the rate of pay will be at overtime.

H. FIRST PAY PERIOD IN THE WORK PERIOD

In the first pay period of a work period, all shift employees are scheduled to work either 4 shifts (96 hours) or 5 shifts (120 hours). In an effort to present level pay checks, the City of Dothan and the law allows the adjusting of hours compensated for from one pay period to another pay period as long as both pay periods are in the same work period. Remember that both pay periods combined must reflect and justify the work period. The intent of the adjusting-of-hours is to pay the employee for one-half of the regularly scheduled hours for the work period in each pay period. This logic is the closest to leveling paychecks as the system can get. It will typically pay the employee for 108 hours in the first pay period of the work period. However, there are two variations; overtime worked and call out

worked. Remember that overtime worked must meet a provision in the law before it is paid at the overtime rate of pay.

Overtime hours worked in the first pay period will be paid at the regular rate of pay unless the total numbers of hours “worked” in the first pay period exceed 212 hours. These hours will also be in addition to the 108 hours typically paid.

Call out hours worked in the first pay period will be paid at the premium rate of pay because these hours are not subjected to the threshold limit of hours “worked.” These hours also do not count toward the number of hours “worked” in the work period for overtime consideration since they have already been paid at the overtime rate of pay.

I. SECOND PAY PERIOD IN THE WORK PERIOD

In the second pay period of the work period, all shift employees are scheduled to work either 4 shifts or 5 shifts. The hour’s adjustment received in the second pay period will be the opposite of the adjustment received in the first pay period. For example, in the first pay period the employee worked 120 hours, received an adjustment of -12, and was paid for 108 hours. In the second pay period the employee will receive an adjustment of +12. Typically the employee will work 96 hours. The adjustment added to the hours worked will result in the employee being paid for 108 hours. If the employee had worked 96 hours in the first pay period, the adjustment would be +12 for the first pay period and -12 for the second pay period. The adjustments added together equal zero.

All hours worked in the first pay period, including overtime and excluding call-out, plus all hours worked in the second pay period, including overtime and excluding call-out, establishes the “hours worked” that is used to justify the 212 hour threshold. The typical work period for the shift employee is 216 hours. If the 212 hours worked threshold is met, then the employee will be paid overtime for the 4 additional hours or any additional hours as a result of overtime. Note that all overtime hours may not result in overtime pay but all overtime hours will be used to establish hours worked.

The typical paycheck for the second pay period will be either 108 hours at regular rate of pay or 104 hours at regular rate of pay plus 4 hours at overtime. Any hours worked in the second pay period that is not scheduled hours will be paid in the second pay period at either regular or overtime depending upon legal measure.

J. RATES OF PAY

Shift employees with the Dothan Fire Department have an advertised annual salary. The hourly rate of pay calculation is based on the annual salary and the number of hours an employee can work without receiving overtime compensation. This calculation is the Annual Salary divided by 13 (work periods in a year) divided by 212 (hours in a work period).

For all hours worked and for all hours paid as a benefit, the employee will receive their hourly rate of pay unless those hours are determined to be eligible for premium rate of pay. For shift employees (7K), the overtime rate of pay is not based on the employee's hourly rate of pay; it is based on the rate of pay for a weekly employee in the same plan and step. This pays the employee at a higher rate of pay than the law requires and exists due to a mandate by the City Manager of record, Jerry Gwaltney, when the City of Dothan adopted the 28-day work period format. The intent of this mandate was that an employee would not suffer any reduction in salary due to changing payroll formats.

K. ACCOUNTABILITY OF TIME

All time worked or time that is compensated for by the City of Dothan to an employee must be tracked and documented in a specific manner. The roster program shall have all times entered for each employee. Any adjusted schedules to regular work schedule must have a schedule adjust form that is signed by the employee of record. All overtime or call-out must have an overtime form filled out and signed by all listed on the form. The Battalion Chief formulates schedule adjustments and times are listed as on-line or off-line. On-line is hours worked by the employee for the Battalion Chief of record and it is the Battalion Chief's responsibility to enter the listed times into the roster program. Off-line is hours worked by the employee that is not working directly for a supervisor for those hours listed. The payroll clerk shall enter the off-line hours into the roster program. The Battalion Chief of record shall enter overtime and call-out into the roster program.

Department of Labor law requires that each employee attest for time "worked." The schedule-adjust form and the overtime form have a signature line for the employee. The regularly scheduled time for shift employees is personally attested through the initialing in the station logbook that the time was worked as noted in the logbook.

II. WEEKLY EMPLOYEE

A. GENERAL

Law enforced by the Department of Labor provides the standard within which the City of Dothan and the Dothan Fire Department calculates and controls all times worked by a weekly employee and all remuneration to said employee. The City of Dothan meets all points and minimum requirements of the law and in some respects, exceed the minimum requirements of the law.

B. WORK PERIOD

A work period is a specified period of time established by the Department of Labor within which an employee works. The law also establishes the number of hours that an employee may work within said work period at the regular hourly rate of pay. The law also establishes the minimum wage that an employee must earn in the work period by an hourly rate as well as the minimum overtime rate of pay and provisions for "overtime"

pay for all hours “worked” that exceed the regular hours threshold established for the work period.

C. WORK PERIOD PROVISION

Law establishes the work period for weekly employees. This establishes the hours that may be worked at regular rate of pay. Hours “worked” is also defined in the law as hours that an employee is at work performing some task for the employer. Time worked is not necessarily all “time” compensated by the employer. Vacation, sick leave, holiday, and military leave are time compensated as a benefit but are not classified as time “worked.”

D. DOTHAN FIRE DEPARTMENT WEEKLY EMPLOYEE WORK PERIOD

The Fire Department uses a 7-day work period for weekly employees. The work period begins at 0000 Sunday morning and ends at 2400 Saturday night. The time “worked” threshold is 40 hours. Any time “worked” in excess of 40 hours will be paid at the overtime rate of pay multiplied by 1.5 for all hours worked as overtime.

E. PAY PERIODS

Pay periods are a specified time upon which an employee’s compensation is calculated. The City of Dothan uses a 14-day pay period. For the weekly employees, the pay period begins at 0000 hours Sunday morning and ends at 2400 hours Sunday morning 14 days later. There are two work periods per pay period. The pay period must accurately reflect and justify the work periods. Hours from one work period cannot be loaned or borrowed from the other work period that is inclusive in the same pay period.

F. PAY PERIODS PER YEAR

The City of Dothan follows the IRS mandate on what calendar year a pay period is inclusive. The calendar year in which a pay period is considered is based upon the pay date. For example, if you receive a paycheck in 2002, the pay period for which you are being compensated is a 2002-year pay period. If you receive a paycheck in 2003 for time worked in calendar year 2002, the pay period for which you are being paid is a 2003 pay period even though the time was worked in 2002.

The City of Dothan typically has 26 pay periods per year. 26 pay periods multiplied by 14 days is equal to 364 days. Since a calendar year has 365 days and 366 days on leap year, the ending day of the payroll year will digress each year to the point that a 27th paycheck will be issued in the same calendar year. Therefore, that particular year, the calendar year will have 27 pay periods instead of 26 pay periods.

G. TYPICAL WORK PERIOD

In the typical work period for a Dothan Fire Department weekly employee, the employee will work 40 hours, 8 hours per day for 5 days. The Fire Department can alter the typical work period but cannot alter the hour’s threshold for overtime consideration. An employee can work, for example, 10 hours per day for 4 days in the specified 7-day work period.

H. RATES OF PAY

Weekly employees with the Dothan Fire Department have an advertised annual salary. The hourly rate of pay calculation is based on the annual salary and the number of hours an employee can work without receiving overtime compensation. This calculation is the Annual Salary divided by 52 (work periods in a year) divided by 40 (hours in a work period).

For all time compensated that meets the threshold hours test for overtime pay consideration or all time compensated for that is listed as call out, the employee will be paid at the rate for overtime consideration multiplied by 1.5 for each hour worked.

I. ACCOUNTABILITY OF TIME

All time worked, or time that is compensated for by the City of Dothan to an employee, must be tracked and documented in a specific manner. The roster program shall have all times entered for each employee. Any adjusted schedules to regular work schedule must have a schedule adjust form that is signed by the employee of record. All overtime or call-out must have an overtime form filled out and signed by all listed on the form. The Battalion Chief formulates schedule adjustments and times are listed as on-line or off-line.

“On-line hours” are hours worked by the employee for the Battalion Chief of record and it is the Battalion Chief’s responsibility to enter the listed times into the roster program. “Off-line hours” and “Off-line overtime” are hours worked by an employee that is not working directly for his/her normal supervisor. The payroll clerk shall enter the off-line hours into the roster program. The Battalion Chief of record shall enter overtime and call-out into the roster program.

Department of Labor law requires that each employee attest for time “worked.” The schedule-adjust form and the overtime form have a signature line for the employee. All time worked by a weekly employee is attested by the employee through the signing of a time sheet that will be created by the payroll clerk. There will be a time sheet for each pay period.

III. TIME RECORDING PRACTICES

The City of Dothan Personnel Department has established the time recording method that is used by the Dothan Fire Department. All hours are paid by hour and tenth of an hour. The tenths of an hour are calculated in a specific manner. Listed below is an example of the format using a starting time of work.

- 700-705 Record as 700
- 706-711 Record as 706
- 712-717 Record as 712
- 718-723 Record as 718
- 724-729 Record as 724
- 730-735 Record as 730
- 736-741 Record as 736

- 742-747 Record as 742
- 748-753 Record as 748
- 754-759 Record as 754

All time recorded in the roster program, on schedule adjustments or on overtime forms should be entered in six-minute increments using the above table as a guide.

(Signature on File)

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Fire Chief
DOTHAN FIRE DEPARTMENT