

TOWN OF PROSPER PERSONNEL POLICIES AND PROCEDURES MANUAL	REFERENCE NO. 6.04 PAGE NO. 1 of 3
Chapter 6: COMPENSATION	INITIAL EFFECTIVE DATE: 10-01-2008
Title: RESPONSE TIME AND ON-CALL DUTY	LAST REVISION DATE: <b>01/13/2015</b>

The Town of Prosper provides for after-hour service needs by allowing some departmental operations to designate certain nonexempt 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.

**I. Response Time**

Response time is the length of time required for a reasonable response to an on-call request. Although residency within the Town limits is not a condition of employment per Town policy or State law, there are certain positions that require a reasonable response time to call outside normally scheduled work hours. Departments may establish guidelines for varying levels of response to callback situations depending upon the nature and importance of the services to be completed.

**II. On-Call and Return to Work Provisions**

- A) After regularly scheduled working hours, on-call employees are free to pursue personal activities but must respond to a call back (via paging, phone, or radio) within 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 and also adhere to all Town policies including the Drug and Alcohol Use Policy (Reference No. 8.05). Any variance from such policies may result in disciplinary actions, including termination. An employee is considered officially scheduled as on-call only when approved by his/her supervisor in accordance with procedures established by his/her Department.
- B) Department Directors shall develop on-call schedules with no preferential treatment given to any employee based on departmental operations. Qualified employees are to be scheduled on a rotating basis to prevent fatigue and safety hazards from too many long hours.

**III. Compensation**

- A) Non-exempt employees in the **Public Works Department and Parks Maintenance** will receive one (1) hour of pay at their regular rate of pay for each day of on-call assignment. This on-call assignment pay is not considered time worked and will not be included as hours worked when calculating overtime. In no circumstance shall the number of on-call assignment hours exceed seven (7) hours per week.
- B) On-call status is not considered time worked and is not compensable unless the employee actually responds to a call back. An on-call employee who is called back to work outside his/her normal work schedule shall be paid only for time worked or a minimum of two (2) hours, whichever is greater. Travel time will be considered hours worked.

Any subsequent call(s) received prior to completing the work associated with the original call will be considered an extension of the first call. If the call(s) are completed within the original two (2) hour timeframe, the on-call employee will be paid for a full two (2) hours. If completing all of the calls received during the original two (2) hour timeframe take longer than two (2) hours to complete, the on-call employee will be paid for actual hours worked.

Should the on-call employee complete the call(s) and return home and receive another call while still within the initial two (2) hour period, the call will be considered an extension of the original two (2) hour period. The employee will be paid for the initial two (2) hour call out, or the total time worked, whichever is greater.

Should the on-call employee complete the initial call(s) and return home after the original two (2) hour period and receive another call for service, that new call starts a new two (2) hour period; which will start the cycle (described above) over again.

Example 1:

Employee off duty at 4:30 pm  
Receives service call at 5:00 pm  
Arrives at work site at 5:15 pm  
Job finished at 5:30 pm  
Arrives back home at 5:30 pm  
Employee will be paid for 2 hours of work.

Example 2:

Employee off duty at 4:30 pm  
Receives service call at 5:00 pm  
Arrives at work site at 5:15 pm  
Receives another call at 5:25 pm  
First job finished at 5:30 pm  
Arrives at 2<sup>nd</sup> work site at 5:40 pm; also receives 3<sup>rd</sup> call for service  
Second job finished at 6:30 pm  
Arrives at 3<sup>rd</sup> work site  
Third job finished at 6:55 pm, and 4<sup>th</sup> call comes in  
Arrives at 4<sup>th</sup> work site at 7:00 pm  
Fourth job finished at 7:15  
Arrives back home at 7:30 pm  
Employee will be paid for the full 2 ½ hours of work and travel time.

Example 3:

Assume Example 2 occurred as stated above, with employee arriving home at 7:30 pm.  
Another call is received at 8:00 pm – which starts a new two (2) hour minimum pay window.  
Arrives at work site at 8:05 pm  
Job finished at 8:10 pm  
Arrives home at 8:15 pm  
No further calls that night  
Employee will be paid two (2) hours for this call-out period, plus the 2 ½ hours for the round of calls in the first call-out period.

- B) Time worked immediately after regularly scheduled working hours at the request or approval of the supervisor will not be considered call-back and is paid at the employee's regular rate of pay until overtime requirements are met.
- C) Time worked while on-call will be calculated at the employee's regular rate of pay; overtime compensation is applicable only when overtime requirements are met. Employees exempt from overtime are not eligible for compensation under the provisions of this policy.

- D) When an employee is called in to work on a holiday, the hours worked will be at time and a half, even if the employee has not exceeded 40 hours worked in the week. In addition, the employee will have the opportunity to elect to receive holiday pay, or may elect to take the holiday at a later date (within 30 days). If the employee chooses to take a day off, he/she must do so within one month of the originally scheduled holiday.