

TOWN OF PINETOP-LAKESIDE

RESOLUTION NO. 25-1798

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, AMENDING SECTION 203, PARAGRAPHS B AND C, OF THE TOWN POLICY MANUAL TO ESTABLISH A 14-DAY WORK PERIOD FOR ELIGIBLE NON-EXEMPT LAW ENFORCEMENT PERSONNEL PURUANT TO THE FAIR LABOR STANDARDS ACT 7(k) PARTIAL OVERTIME EXEMPTION.

WHEREAS, the Town of Pinetop-Lakeside (“Town”) maintains a Town Policy Manual which outlines employment policies, compensation practices, and operational procedures for all Town Personnel; and

WHEREAS, the Police Department has recommended implementation of a 14-day work period under the Fair Labor Standards Act (“FLSA”) 207(k), commonly referred to as the “7(k) exemption,” for eligible non-exempt law enforcement personnel to support operational efficiency, equity in scheduling, and enhanced work-life balance; and

WHEREAS, under the 7(k) exemption, overtime compensation for non-exempt law enforcement employees is calculated based on hours worked in excess of 80 hours in a designated 14-day work period, rather than the standard 40-hour workweek; and

WHEREAS, establishing a 14-day work period requires amendments to Section 203, paragraphs B and C, of the Town Policy Manual to ensure consistency with federal law and to implement the proposed Pittman Schedule; and

WHEREAS, the Town Council finds that amending the Town Policy Manual as described is in the best interest of the Town, its employees, and the effective delivery of public safety services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Pinetop-Lakeside, Arizona, that Section 203, paragraphs B and C, of the Town Policy Manual are hereby amended as shown in “Exhibit A”.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 18th day of December, 2026.

TOWN OF PINETOP-LAKESIDE



Stephanie Irwin

Stephanie Irwin

Mayor

ATTEST:

Kristi Salskov
Kristi Salskov, MMC, CPM,
Town Clerk

APPROVED AS TO FORM:

William J. Sims
William J. Sims, III
Town Attorney



EXHIBIT A

**Town Policy Manual Section 203, Paragraphs B and C
(Overtime Compensation and/or Compensatory Time)**

2. Temporary employees are not entitled to use the grievance or appeal procedures provided for non-exempt employees.

ARTICLE II WAGES

Section 201 - PAY PLAN

- A. The Personnel Director is responsible for the preparation and maintenance of a pay plan covering all classes of positions in the non-exempt service. In arriving at pay rates or ranges, consideration may be given to prevailing rates of pay and consideration of working conditions for comparable work in other public and in private employment, current cost of living, and suggestions by department directors, the Town's financial condition and policies, and any other relevant factors.
- B. Salaries and compensation for all regular Town employees will be paid on a biweekly basis.

Section 202 - MERIT PAY INCREASES

Merit pay increases for non-exempt employees may only be granted upon recommendation/evaluation from the employee's department director. Merit pay increases must be approved by the Personnel Director. Merit increases for exempt/non-exempt employees are to be determined by the Town Manager in accordance with the pay plan. Newly hired employees are only eligible for a merit increase after successful completion of their trial period and evaluation.

Section 203 - OVERTIME COMPENSATION AND/OR COMPENSATORY TIME

All non-exempt (hourly-paid) employees are subject to the overtime pay provisions of the Fair Labor Standards Act and must be compensated for all hours worked, including all hours worked on and off work premises. This section is intended to comply with all federal laws, rules and regulations. **Employees are not permitted to work in excess of their regularly scheduled work hours without prior supervisory approval. Employees working without proper authorization are subject to disciplinary action, which may include dismissal.**

- A. Overtime is based on **actual hours worked** in a work week. Hours for the week that are paid, but not worked, such as holiday, vacation, sick, or personal leave hours taken, do not count toward the accumulation of overtime.
- B. Non-Law Enforcement Personnel. A non-exempt employee who works in excess of his/her regular work week of 40 hours is eligible for overtime or compensatory time off and must be compensated in either of the following ways:
 1. Pay at the rate of one-and-a-half (1½) times the employee's regular rate of pay for all hours worked in excess of 40 hours in the work week; or
 2. Time off (compensatory time) equal to one-and-a-half (1½) times the number of hours worked in excess of 40 hours in the workweek if required by the FLSA, but on an hour-per-hour basis if not required by the FLSA.

3. Overtime shall be calculated to the nearest one-quarter (1/4) hour of overtime worked.
- C. Law Enforcement Personnel. The Town has adopted a 14-day work period for eligible, non-exempt law enforcement personnel in accordance with the 7(k) partial overtime exemption to the Fair Labor Standards Act. Non-exempt law enforcement personnel who are employed under the 7(k) exemption shall be compensated for hours worked in excess of 80 hours during the established 14-day work period in either of the following ways:
1. Pay at the rate of one-and-a-half (1½) times the employee's regular rate of pay for all hours worked in excess of 80 hours in a 14-day work period; or
 2. Time off (compensatory time) equal to one-and-a-half (1½) times the number of hours worked in excess of 80 hours in a 14-day work period.
- D. Usually exempt employees, public officers and certain exempt non-exempt positions will be exempt from the above overtime provisions subject to applicable law. Federal laws, rules, and regulations will determine the exempt or non-exempt classification of each employee.
- E. Employees in exempt employment classes may receive additional compensation or compensatory time off in recognition of extraordinary service as authorized by the Personnel Director. Additional compensation or time off will not be calculated on an hourly basis.
- F. No more than 80 hours of earned compensatory time may be accumulated by any employee. An employee must schedule compensatory time off in advance with his/her supervisor. Employees must use compensatory time for paid time off prior to using vacation leave. If an employee voluntarily terminates employment, compensatory time will be paid at the employee's current rate of pay on or before the next regular payday following the date of termination.

Section 204 - SNOWPLOW STIPEND POLICY

- A. Employees will be paid a \$7.00 per hour Snowplow Stipend in addition to wage for non-exempt and exempt qualified snowplow operations and snowplow management activities. This stipend must be approved by the Public Works Director on a case-by-case basis and adhere to conditions set forth in the Snowplow Stipend Policy.

ARTICLE III WORKING HOURS

Section 301 - WORK WEEK

- A. The typical work week for full-time employees is forty (40) hours. In general, the work week for employees begins on Sunday morning at 12:00 a.m. and ends the following Saturday at 11:59 p.m.
- B. As an operational standard policy, employees may be allowed by their direct supervisor up to two (2) work breaks of fifteen (15) minutes duration per day. All work breaks are to be scheduled by the supervisor so that work areas are covered.

- C. Lunch periods shall be scheduled for all employees except those specifically excluded by the Personnel Director. The lunch period will ordinarily last one-half to one hour depending on work demands and scheduling.
- D. Employees are not allowed to accumulate work breaks and/or lunch periods for the purpose of taking time off. Work breaks are not an employee right, but an operational standard.