

RESOLUTION NO. 2016-26

**RESOLUTION OF THE MARTIN COUNTY COMMISSIONERS
DESIGNATING EMPLOYEE POSITIONS WITH REGARD TO FEDERAL FAIR
LABOR STANDARDS ACT**

WHEREAS, the Martin County Board of Commissioners is aware that elected officials and employees of Martin County are subject to the Federal Fair Labor Standards Act (FLSA); and

WHEREAS, said FLSA requires designation of all elected officials as either Non-Exempt, Exempt, or Excluded from federal and state wage and hours laws, particularly with regard to overtime pay or compensatory time off for overtime duties; and

NOW, THEREFORE, BE IT RESOLVED by the Martin County Board of Commissioners as follows:

1. Employees holding Non-Exempt positions, whether hourly or salaried, are entitled to overtime pay or compensatory time off under the specific provisions of federal and state laws.
2. Employees holding Exempt positions are excluded from specific provisions of federal and state wage and hour laws, and are not eligible for or entitled to receive overtime pay or compensatory time off.
3. Employees holding Excluded positions include elected officials, their policymaking appointees, and their personal staff and legal advisors. Excluded employees are not covered by FLSA, and are not eligible for or entitled to receive overtime pay or compensatory time off.
4. The following County positions are classified as Excluded under the FLSA:
 - a. All elected officials.
 - b. Assessor First Deputy.
 - c. Auditor First Deputy.
 - d. Clerk First Deputy.
 - e. Recorder First Deputy.
 - f. Sheriff Chief Deputy.

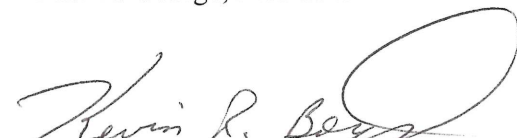
- g. Treasurer First Deputy.
 - h. Jail Matron.
 - i. Chief Deputy Coroner.
- 5. The Chief Probation Officer is classified as Exempt under the FLSA.
 - 6. All other full-time County positions are classified as Non-Exempt under the FLSA.
 - 7. Non-exempt employees of Martin County shall work a maximum of 40 hours per week. Work hours performed in excess of 40 hours per week shall be considered to be overtime and compensated as such.
 - 8. Those non-exempt employees of Martin County whose work responsibilities require exceed 40 hours per week shall be compensated with compensatory time-off at the rate of time and a half per hour of overtime worked. The accumulation and exercise of compensatory time shall continue to be addressed by the present provisions of the Martin County Personnel Policy.
 - 9. The provisions of this Resolution shall be effective December 1, 2016.

ADOPTED AND APPROVED at a meeting of the Martin County Board of Commissioners held on the 22d day of November, 2016.

MARTIN COUNTY
BOARD OF COMMISSIONERS


Paul R. George, President


Dan J. Gregory, Commissioner


Kevin R. Boyd, Commissioner

Attest: 
January L. Roush,
Auditor of Martin County