

City of Red Bluff
Administrative Policies & Procedures – Personnel Manual

Subject: Exempt Employees	Number: 22-30
	Effective Date: 10/17/2023
Departments Affected: All	Supersedes (Number/Date):
Authority: Section 2.82-A. Red Bluff City Code	File References:
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Overview: City of Red Bluff employees who meet both the salary threshold and duty requirements set forth by the Federal Fair Labor Standards Act (FLSA) exemptions, shall be classified as exempt employees and are therefore exempt from overtime pay. Exempt employees shall devote the time necessary to fully perform their functions during assigned hours.

Applicable to: Exempt employees as defined by agreement, contract, MOU, or Resolution

Guidelines: The Federal Fair Labor Standards Act (FLSA) has regulations regarding an employee’s status as being exempt from overtime provisions.

To qualify as exempt, an employee must meet one of the exemption categories, as defined by the FLSA. In addition to meeting the duties outlined in these categories, an employee must also be paid on a salary basis that meets the current Federal threshold. If an employee’s position meets the duties and salary requirements, a review of their classification may be conducted and recommended to the City Council for exempt status. If an employee fails to meet any part of the criteria, they are not exempt and shall be paid overtime wages. Meeting the salary and duty requirements under the FLSA does not automatically qualify an employee for exempt status. (See Creation/Revision of Classification Specifications section below.)

Creation/Revision of Classification Specifications

Upon recommendation by the Human Resources Department, the Red Bluff City Council may approve overtime exempt status for certain classifications based upon the duties and salary outlined in the classification specification.

When determining the salary of exempt classifications, Human Resources shall take into account the scope of responsibility and the fact that it may be necessary to work a significant number of hours beyond the standard workweek to adequately perform the job duties.

Hours & Schedule

Attendance is an essential function of all positions within the City, including

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positions held by exempt employees. Each position within the City has an established work schedule and site that is determined by the appointing authority. It is expected that an exempt employee will report to their assigned work site on a regular, sustained, and punctual basis.

In addition, an exempt employee is expected to work the number of hours necessary to perform assigned duties and meet deadlines.

Salary and Leave Deductions for Full Day Absences

An exempt employee shall receive their full salary for any week in which any work is performed. In the event of an absence, the exempt employee's full salary amount may be met by requiring the exempt employee to use the applicable leave accrual banks.

Absences of one or more full days due to illness, injury, medical appointments or to care for an immediate family member will be deducted from leave banks when made in accordance with the City's sick leave policy.

If an exempt employee is absent during their regularly scheduled workday, the appropriate leave accruals (sick leave, vacation, administrative leave) will be deducted.

Deductions from salary are permissible when an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability and the exempt employee does not have sufficient leave accruals available. The City of Red Bluff is not required to pay the full salary for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act (FMLA) or California Family Rights Act (CFRA).

An exempt employee's salary may be deducted due to budget-required furloughs, but only in the workweek when the furlough occurs. Furloughs do not disqualify the employee from being exempt.

Salary and Leave Deductions for Partial Day Absences

In recognition of the requirement that exempt employees occasionally work beyond a normal workday, some flexibility is allowed for authorized time off with pay during the normal workday or workweek. If an employee has worked a total of 40 or more hours in a workweek, they are not required to use leave accruals for partial day absences. However, an absence equal to or greater than half of the employee's regularly scheduled workday shall be deducted from an exempt employee's appropriate leave accruals when the employee has not worked 40 or more hours in a workweek. In accordance with this Rule, salary deductions are not permissible for partial days.

If an employee takes any time off and does not/is not able to make up for that amount of time within the same pay period, that time must be accounted for on the employee's timecard with the appropriate leave accrual designated.

If the exempt employee is ready, willing, and able to work, their salary may not be reduced because of variations in the quality or quantity of work, as determined by the supervisor.

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If an employee takes intermittent unpaid leave under FMLA or CFRA, the City may pay a proportionate part of the full salary for the actual hours worked.

Requests for Time Off

Nothing in this rule relieves the employee from the obligation to obtain approval for being absent. When an exempt employee, other than a Department Head, intends to be absent during their regularly scheduled hours, the employee shall provide reasonable advanced notice to their supervisor or designee by submitting a request (as established by the Department Head).

If the absence is unforeseeable, it is required that the employee notify their supervisor or designee as soon as practicable. Upon the employee's return, they are required to submit the applicable department request for time off.

Time Tracking

Accountability of time is an important responsibility of public employees. Therefore, departments may require exempt employees to track actual hours worked and/or how time is allocated to tasks.

Emergency or Contracted Overtime

Provisions for allowable emergencies or contracted overtime, if any, are addressed in the applicable Memorandum of Understanding, or Resolution.