

## **Article II — General Working Time & Pay Rules**

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### § 12-201 Working Hours.

(a) **Office Employees.** The Borough Manager shall work a minimum of forty (40) hours per week (except for authorized paid or unpaid time off under Article III); deductions from salary for working fewer hours may be made only to the extent permitted for employees paid on a salary basis under the federal Fair Labor Standards Act. Other full-time office employees (including the Borough Treasurer) shall work from 8:30 AM to 4:30 PM from Monday through Friday (except for authorized paid or unpaid time off under Article III). The working hours of the part-time Administrative Assistant shall be scheduled by the Borough Manager as needed, and need not be the same from day-to-day or week-to-week, but shall not exceed twenty (20) hours in any calendar week (except in the event of an emergency).

(b) **Maintenance Employees.** Full-time maintenance department employees shall work from 7:00 AM to 3:00 PM from Monday through Friday (except Borough holidays), except for three (3) ten (10) minute paid breaks per day which must be taken when directed by the Maintenance Supervisor. During the summer months, if so directed by the Borough Manager or Council, work hours may be changed to 6:00 AM to 2:00 PM on work days. Part-time employees shall not work more than twenty (20) hours during any one calendar week unless authorized by Council or the Borough Manager (in case of an emergency).

(c) **Chief of Police.** The Chief of Police shall work a minimum of forty (40) hours per week (except for authorized paid or unpaid time off under Article III or § 12-102(b)), ordinarily from 7:00 AM to 3:00 PM from Monday through Friday (including one-half hour of paid lunch when possible). Deductions from salary for working fewer hours may be made only to the extent permitted for employees paid on a salary basis under the federal Fair Labor Standards Act. The Chief of Police shall also work additional hours as he/she deems necessary, unless explicitly directed to the contrary by the Mayor or Council.

## § 12-202 Time Clock.

(a) **Use of Clock.** All Borough employees shall punch in and out on the Borough time clock, at the beginning and end of the work day. Employees called out for extra work shall go to the Borough Hall first and punch in.

(b) **Payment for Time Worked.** No employee shall be paid for any time not shown on his punch time card, unless actual time worked and not shown on the card is authorized by the Borough Manager. No pay shall be provided for time not worked due to late arrivals or early departures. Unless authorized by the Borough Manager, no employee shall work before or after his scheduled work time. An employee may punch in up to ten (10) minutes before the beginning of a scheduled shift or after the end of a scheduled shift to account for preliminary and post-liminary activities, but shall not be paid for any time before the beginning or after the end of shift unless authorized by the Borough Manager.

## § 12-203 Overtime and Compensatory Time Off.

(a) **Office Employees.** Compensation for any call-out time under § 12-204, working holiday time under § 12-301(d), and any Additional Overtime under subsection (d) in any calendar week, when such time is authorized by the Borough Manager, shall be paid as overtime pay (at the rate of 1.5 times base compensation), or, with the consent of the employee and the approval of the Borough Manager, shall be credited as compensatory time off (at the rate of 1.5 hours of compensatory time off for each overtime hour worked). Compensatory time off with pay (at the regular base compensation rate) may be used by the employee when authorized by the Borough Manager. Nor more than forty (40) hours of compensatory time off may be accumulated at any one time by any employee. The Borough Manager shall provide a monthly report to the President and Vice President of Council of the amount of accumulated compensatory time off by each office employee.

(b) **Maintenance Department Employees.** Compensation for any call-out time under § 12-204, working holiday time under § 12-301(d), and any Additional Overtime under subsection (d) in any calendar week, when such time is authorized by the Executive Secretary, shall be paid as overtime pay (at the rate of 1.5 times base compensation).

(c) **All Employees.** All authorized overtime worked by any employee (including Police Department employees) shall be so designated on the employee's time card, together with a brief statement of the reason the overtime was necessary.

(d) **Definition of "Additional Overtime."** For purposes of this section, the term "Additional Overtime" for any calendar week shall mean the amount of time actually worked by an employee during the calendar week, plus the amount of paid time-off for the employee during the calendar week (including paid vacation time, compensatory time off, personal days, sick leave, and/or funeral leave), minus forty (40) hours, minus the amount of call-out time under § 12-204(a) during the calendar week, and minus the amount of working holiday time under § 12-301(d) during the calendar week. The amount of Additional Overtime for any calendar week shall not be less than zero (0) hours.

(e) **Salaried Employees.** Notwithstanding anything to the contrary in this Section, salaried employees (including the Borough Manager and the Chief of Police) shall not be paid overtime pay or credited with compensatory time off.

(f) **Part-time Employees.** Notwithstanding anything to the contrary in this Section, part-time employees shall be paid overtime pay (at the rate of 1.5 times base hourly compensation) for all hours worked over forty (40) hours in a calendar week, and at their straight-time base hourly rate of compensation for the first forty (40) hours worked in a calendar week, without regard to whether any particular time worked was during the employee's regularly scheduled hours, was call-out time under § 12-205, was during a holiday, or otherwise.

#### § 12-204 On Call Duty.

(a) **Maintenance Department Employees.** One maintenance department employee shall be on call during all nights, holidays, weekends, and all other times when the maintenance department is not regularly in operation. The Borough Manager shall prepare and maintain a schedule of on-call assignments, which shall be allocated equally among all full-time maintenance department employees. The schedule shall assign on call duty for periods of one week, beginning on a Friday at 3:00 PM and ending the following Friday at 2:59 PM. An employee who is on call shall be prepared to respond to a call to service made to his/her designated cell phone number at any time, and shall be able to report to the Maintenance Department in an alert and sober condition within thirty (30) minutes after being called out.

(b) **Compensation.** Effective June 28, 2019 at 3:00 PM, an employee shall be compensated in the amount of One Hundred Dollars (\$100.00) for each week that he/she is on call under this Section.

#### § 12-205 Call-out Time.

(a) **Definition.** For purposes of this Chapter, the term "call-out time" shall mean time worked by a Borough employee when requested to begin a new period of active service outside of regular work hours, after already having departed the location where the most recent paid work time occurred, and without the expectation that the new period of service will continue through the beginning of the next scheduled work period. This subsection does not apply to additional time worked immediately after or immediately before a scheduled work period.

(b) **Minimum Period of Payment.** A Borough employee shall be credited with no less than two (2) hours of work for each period of call-out time worked.

(c) **Overtime Rate.** Compensation for call-out time is governed by the provisions of § 12-203 (relating to Overtime and Compensatory Time Off).

(d) **Borough Meetings.** Any employee who is requested to attend a meeting of Council or is requested to attend a meeting of another Borough commission or board will be credited with time worked from the start of the meeting (or, if later, from the time the employee appears at the meeting) until the time the employee is excused from the meeting. The Borough Manager (or his/her designate) will note these times on the employee's time card the next business day.

When time worked at a meeting qualifies as “call-out time” under subsection (a), the provisions of subsections (b) and (c) shall apply to meeting time.

### § 12-206 Pay Periods.

(a) **Full-time Employees.** All full-time employees of the Borough shall be paid every two weeks.

(b) **Part-time Employees.** All part-time office, maintenance, or police employees of the Borough shall be paid every two weeks.

(c) **Monthly Payments.** The Mayor, the Fiscal Consultant, the Zoning Officer, and members of Council shall be paid their salaries in monthly installments.

(d) **UCC and Property Maintenance Code Officials.** The Code Officials, plan reviewers, and inspectors engaged by the Borough in its administration of the Uniform Construction Code (*see* Chapter 30), the Property Maintenance Code (*see* Chapter 35), and, where applicable, the Building Code (*see* Chapter 31) and the Plumbing Code (*see* Chapter 32), shall be paid at such times as provided in the terms of their engagement by the Borough.