

MEMO

To: Mary Doggett
Rosemary Garvey
From: Karen Strege
Re: Changes in Overtime/Compensatory Time Policy & Classification
Policies
Date: July 24, 1998

Overtime Policy

As you may know, in 1991 and 1992, the state revised its guidance to agencies regarding which employees could be deemed exempt under federal definition. Prompted by a lawsuit, the new interpretation of the definition caused the State Library to redesignate certain employees and to designate the State Librarian, the Accountant, and the directors of Information Resources, Library Development, and NRIS as exempt. Currently, only I, Darlene, Kris, and Jim are considered exempt employees.

After reviewing the history of this decision, current information regarding the Fair Labor and Standards Act, and the implementation of the exempt designation in other agencies, I have concluded that two other classifications in the State Library, that represents five employees, are exempt under the Federal definition. These positions are the Networking Consultants, in Library Development, and the unit managers in NRIS. This positions meet all the criteria for exempt employees under Federal Law. I recommend that these positions be classified as exempt, which means that they do not qualify for one and one-half times compensatory time for overtime work; instead, the State Library's policy is to allow exempt employees one hour of compensatory time for one hour of overtime worked.

The policy in question specifically lists the titles of the employees that are exempt. I suggest that you approve, at your August meeting, the deletion of any particular job titles or positions from this policy. I believe that this change will allow administrative staff to make any necessary changes in the exempt/non-exempt classification without burdening the Commission with these managerial decisions. Of course, we would not change a designation of exempt/non-exempt

without scrutinizing the position and matching its requirements and duties to the Federal criteria.

Classification Policy

I recommend that the Commission approve the following change in the Classification Policy. Current policy states that if the program manager decides that a position warrants a review, he or she gives it to the agency personnel officer, who then sends the position to the Personnel Department for classification. I would like to add that the State Librarian must approve the request before the personnel officer sends it to the Personnel Division. The policy would then read as follows:

If the supervisor and program manager agree that the position warrants a review based on any or all of the criteria, they will convey the request, the reason for the request, and a signed current position description to State Librarian. If the State Librarian agrees with the request, she will convey her decision to the Personnel Officer. If the State Librarian disagrees with the request, she will convey her decision to the Program Manager.

This change would not impact the employees right to the agency's informal appeal process or appeal process through the grievance procedure outlined in the state's personnel rules.