



Departmental Standard Operating Procedure (DSOP)

DSOP No. 13-01

Effective: 7-1-2013

SUBJECT: POLICY AND PROCEDURES FOR POSTING AND DISTRIBUTING OVERTIME FOR FULL-TIME, NON JOB-BASIS (HOURLY) EMPLOYEES COVERED BY AFSCME LOCAL 1542 IN THE OPERATIONS AREAS OF THE AVIATION DEPARTMENT

PURPOSE AND SCOPE: To establish uniform policy and procedures for posting and distributing overtime to full-time non-job basis (hourly) employees in the operations areas of the Aviation Department.

I. AUTHORITY:

AFSCME 1542, Fair Labor Standards Act, Miami-Dade County Leave Manual, Miami-Dade County Personnel Rules, Family Medical Leave Act (FMLA), American Disability Act (ADA), Miami-Dade Aviation Department Return to Work Policy

II. DEFINITIONS:

- A. Standard Workweek: Established time worked on a basis of forty (40) hours weekly. **(Commences at 12:01 a.m. each Monday and ends at 12:00 midnight the following Sunday).**
- B. Overtime: Authorized work performed by non job-basis employees in excess of forty (40) hours per work week, additionally all work authorized to be performed on a daily basis in excess of the normal work day shall be considered overtime.
- C. Emergency: An emergency action as determined solely by the County Mayor or his authorized representatives to carry out services and adjust operational requirements during extraordinary circumstances.
- D. Master Overtime Distribution (MOD): Departmental overtime list maintained in a computerized database.
- E. Hourly employee: Non job-basis employee assigned hourly rate of pay.
- F. Operations Areas: The following Divisions are considered operations areas within the Aviation Department: Airside Operations, Landside Operations, Terminal Operations, and Security Operations.

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- G. Mandatory Overtime: Overtime required in case of an emergency situation or due to operational necessity where the reasonable efforts to seek volunteers failed, mandatory overtime is to be assigned in reverse seniority order.
- H. Opting Out: The notification provided by an employee to their division that they do not wish to be considered for overtime. This option is not available in the case of an Emergency and/or Mandatory Overtime.

III. POLICY:

- A. It is the policy of the Miami-Dade Aviation Department (MDAD) that each operating division will provide applicable employees with overtime schedules.
- B. MDAD Division Directors shall have the responsibility of maintaining and monitoring overtime schedules and overtime allocation in compliance with this DSOP.
- C. Overtime distribution will be offered using the Miami-Dade Aviation Department's Master Overtime Distribution (MOD) program, which is capable of keeping detailed records of overtime offered.
- D. A MOD list shall be established by classification and by seniority (within each classification) and maintained in a computerized database.
- E. When overtime is required, Division Directors, or a designated supervisor, is responsible for determining which classification is needed and will then select that classification from the MOD list.
- F. The maximum amount of overtime hours that can be accepted and/or worked by an employee during any week in a pay period is 24 hours, with a maximum of 32 hours for a two week pay period. In case of an operational necessity, as declared by Deputy Director or above, the Department reserves the right to exceed the 32 hours.
- G. In the case of a declared emergency where specialized skills are not required, overtime will be distributed by the least amount of overtime, regardless of classification.
- H. MDAD Divisions shall have the authority to deviate from the MOD list to accommodate unscheduled overtime emergency situations with appropriate justification.
- I. It is the policy of the Department to operate within Federal, State, and County rules and regulations in accordance with the provisions of collective bargaining agreements and established personnel procedures as it relates to overtime.
- J. The MOD computerized list shall include each classification and within each classification, each employee shall be listed by seniority at the beginning of each new shift.

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- K. Once an employee has been offered or accepted an overtime shift, the MOD computerized system shall automatically revise the list by moving employee names with the most amount of overtime offered and/or accepted to the bottom of the list. At the same time, the system shall automatically move employees name with the "least" amount of overtime within that classification and by seniority up to the top of the list.
- L. When employees are working their regular scheduled shift and overtime is being offered at that specific time, employees will not be penalized and their names will continue to stay at the top of the list for the next available overtime shift which is offered for their classification.
- M. Employees may opt out of being called for overtime by submitting their request in writing to the Division Director, or a designated supervisor, with copies to the Union President and Human Resources Division Director. In the case of an Emergency and/or Mandatory overtime an employee may not opt out. **Failure to work overtime in the case of an Emergency and/or Mandatory overtime may result in disciplinary action, up to and including dismissal.**
- N. Employees opting out of overtime may opt out for an indefinite period of time. Also, if employees want to opt back in to the overtime list, they must also submit their request in writing to the Division Directors, or a designated supervisor, with copies to the Union representatives.
- O. Opting out of being called for overtime is essentially a refusal to accept overtime and an employee's name shall be entered into the MOD program as such.
- P. If an employee refuses overtime, an email of the overtime offered shall be sent to the employee with a return receipt requested, as confirmation of the refused offer.
- Q. Employees that are on a leave of absence shall not be penalized by showing any overtime offered and/or accepted. This will allow employees to keep their place on the list, based on seniority and the amount of overtime offered and/or accepted, as they held prior to taking a leave of absence.
- R. The MOD program shall calculate the total hours of overtime accumulated (offered and/or accepted) within the shift period and the overtime shall be offered to the employee with the least cumulative overtime totals.
- S. The MOD program shall track the total overtime offered and/or accepted in a shift period on a bi-weekly basis.
- T. Bi-weekly overtime reports shall be emailed to all employees and a hard copy of the report shall be available for review within the division.
- U. No swaps of overtime are allowed.

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IV. GUIDELINES FOR POSTING AND DISTRIBUTING OVERTIME

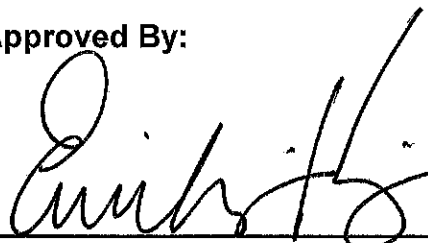
- A. Each Division shall appoint a designee to be responsible for maintaining overtime schedules when applicable.
- B. Each Division shall have overtime schedules provided to applicable employees at least twenty-four (24) hours in advance to notify employees when there are multiple employees in the same classified position.
- C. A Division, at its discretion, may distribute overtime to an on duty shift employee within the same classification without posting overtime and/or referring to a seniority list when an unscheduled overtime emergency situation occurs and there is less than two hours notification. A report of these unscheduled overtime emergency situations shall be provided to the Union President within three (3) days with a copy to Human Resources Division Director providing, date, time, classification, employee receiving overtime and number of hours.

V. MONITORING AND MAINTAINING OF POSTING AND DISTRIBUTING OVERTIME AND NON-COMPLIANCE PROCEDURES

- A. Each Division shall establish a file to maintain and monitor the posting of overtime schedules. Divisions will maintain complete and accurate records of attempts to contact employees relating to offering overtime including, but not limited to, name, date, position, time called, call back time, etc.
- B. Each Division shall establish a file to maintain and monitor the distribution of overtime to its employees as it pertains to the seniority lists in case of a tiebreaker situation.
- C. Division Directors shall be responsible for monitoring their divisions to ensure that they are in compliance with the established overtime procedures.

REVOCAATION: None

Approved By:



Emilio T. González, Aviation Director

Date:

7/1/13