

**BOROUGH OF ALBURTIS  
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 412

(Duly Adopted September 24, 2003)

AN ORDINANCE AMENDING THE ALBURTIS PERSONNEL ORDINANCE BY GRANTING A MINIMUM OF TWO HOURS OVERTIME FOR EMPLOYEES REQUIRED TO ATTEND MEETINGS OUTSIDE OF NORMAL WORK HOURS, AND BY MAKING CLARIFYING TECHNICAL ADJUSTMENTS TO THE PROVISIONS CONCERNING OVERTIME AND CALL-OUT TIME.

**WHEREAS**, on December 30, 1996, Borough Council adopted Ordinance 343 to amend, restate, and ordain the Borough's employment policies; and

**WHEREAS**, Borough Council desires to amend the employment policies as set forth in this Ordinance;

**NOW, THEREFORE**, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, that the Alburtis Personnel Ordinance, Ordinance 343 (adopted December 30, 1996), as amended by Ordinances 349 (adopted February 26, 1997), 353 (adopted June 25, 1997), 358 (adopted June 24, 1998), 363 (adopted December 30, 1998), and 381 (adopted October 25, 2002) shall be further amended as follows (with deletions indicated in ~~strike-outs~~ and insertions indicated by double underlining):

**SECTION 1.** Sections 203, 204, and 205 (relating to Overtime and Compensatory Time Off, On Call Duty, and Borough Meetings) shall be amended as follows:

## § 203 Overtime and Compensatory Time Off.

(a) **Office Employees.** Compensation for any ~~time worked in excess of forty (40) hours in any calendar week~~ call-out time under § 204, working holiday time under § 301(d), and any Additional Overtime under subsection (d) in any calendar week, when such time is authorized by the President of Borough Council, 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 President of Borough Council, 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 President of Borough Council. Nor more than forty (40) hours of compensatory time off may be accumulated at any one time by any employee. The Borough Secretary shall provide a monthly report to the President and Vice President of Borough Council of the amount of accumulated compensatory time off by each office employee.

(b) **Maintenance Department Employees.** Compensation for any ~~time worked in excess of forty (40) hours in any calendar week~~ call-out time under § 204, working holiday time under § 301(d), and any Additional Overtime under subsection (d), when such time is authorized by the President of Borough Council, 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 § 204(a) during the calendar week, and minus the amount of working holiday time under § 301(d) during the calendar week. The amount of Additional Overtime for any calendar week shall not be less than zero (0) hours.

## § 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 Maintenance Supervisor shall prepare and maintain a schedule of on-call assignments, which shall be allocated equally among all full-time maintenance department employees. The Borough shall supply each full-time maintenance department employee with a pager, which must be within hearing of the employee at all times when the employee is on call. When paged, the employee must respond within a reasonable period of time.

~~(b) **Minimum Period of Payment.** Any Borough employee who is called out to work when not regularly scheduled shall be paid for no less than two hours of work and shall be paid at the rate of 1.5 times regular base compensation.~~ **Compensation.** No compensation shall be paid for time while an employee is on call but not in active service.

## § 205 Borough Meetings Call-out Time.

(a) **Definition.** For purposes of this Ordinance, 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 having already 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 § 203 (relating to Overtime and Compensatory Time Off).

(d) **Borough Meetings.** Any employee who is requested to attend a meeting of Borough Council or is requested to attend a meeting of another Borough commission or board will be ~~paid~~ credited with time worked from the start of the meeting (or, if later, from the time the employee appears at the meeting) until such time as they are finished discussing the information for which their attendance was requested the time the employee is excused from the meeting. The Borough Secretary (or his/her designate) will note these times on the employee's time card the

next business day. ~~Meeting time is not considered “call-out” time under Section 204(b) of this Ordinance.~~ When time worked at a meeting qualifies as “call-out time” under subsection (a), the provisions of subsections (b) and (c) shall apply to the meeting time.

**SECTION 2.** Section 301(d) (relating to Holidays—Working Holiday Pay) shall be amended as follows:

(d) **Working Holiday Pay Time.** An employee who works on a Borough holiday shall be compensated for the working holiday time in accordance with the provisions of § 203 (relating to Overtime and Compensatory Time Off) ~~receive Working Holiday Pay, in an amount equal to the number of hours work multiplied by 1.5 times his/her base rate compensation, in addition to Holiday Pay under subsection (c).~~

**SECTION 3.** Ordinances 343, 349, 353, 358, 363, and 381, as amended by this Ordinance, are hereby ratified and confirmed.

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**DULY ORDAINED** and **ENACTED** by the Borough Council of the Borough of Al-  
burtis, this 24<sup>th</sup> day of September, 2003, in lawful session duly assembled.

**BOROUGH COUNCIL  
BOROUGH OF ALBURTIS**

\_\_\_\_\_  
Steven R. Hill, President

Attest:

\_\_\_\_\_  
Melanie Hansen, Secretary

**AND NOW**, this 24<sup>th</sup> day of September, 2003, the above Ordinance is hereby  
APPROVED.

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Russell J. Afflerbach, Mayor