



Supplemental Pay Policy

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1. **Purpose**

This policy is intended to provide guidance on premium pay options related to work performed by employees outside of their position's regular duties or regularly scheduled hours.

2. **Applicability**

This policy applies to all Buncombe County departments and employees. Where there is conflict with any department-specific policy, this document will supersede. This policy does not apply to elected officials; however, they may elect to follow this policy by providing a written statement.

3. **Policy**

3.1. **Scheduled On-Call**

Some departments require work outside of the County's regularly scheduled business hours and have non-exempt employees who are scheduled in advance to potentially work on-call. On-call schedules vary by need of the Department and the necessity for them should be driven by genuine business need. Non-exempt employees who are scheduled to work on-call are "waiting to be engaged." These employees will be compensated at a flat rate of \$2.00 per hour for all scheduled on-call hours for which no work is performed, on-call hours do not count toward regular work hours and therefore are not included in overtime calculations.

Non-exempt employees who are requested to respond and perform work will begin work time as soon as the assignment is acknowledged by the employee and will conclude when the assignment is completed. Travel time to/from a work site will be included as time worked.

Non-exempt employees scheduled to work on an on-call basis will earn one and one-half hours' time for each hour actually worked during on-call duty outside of normally scheduled work hours and beyond forty hours of actual time worked within a work week.

3.2. **Emergency Callback**

Some emergency situations require work by an employee who is not scheduled to work and the employee may receive a callback to work outside of their regularly scheduled hours. These situations are not planned for and therefore an on-call schedule would not be appropriate.

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A non-exempt employee who is “Called Back” to work for an Emergency Call-Back situation, outside their regularly scheduled hours, will earn one and one-half hours’ time for each hour worked.

The employee will begin work time once engaged, to include travel, and will respond at an agreed-upon time. The employee will be reimbursed for mileage to their work destination at the established IRS rate, if using their own vehicle.

3.3. **Compensatory Time (Hours in excess of the standard workweek)**

Non-exempt employees will receive compensatory time calculated at a rate of one and one-half times the employee’s regular hourly rate for hours worked in excess of forty hours in a work week. Any form of paid leave taken such as sick, holiday, annual leave and/or compensatory time taken will not count towards computing overtime hours. Employees will be allowed to maintain a maximum balance of 40 hours of compensatory time through each calendar year. Any hours earned beyond the 40-hour maximum will be paid out in the pay period the hours were worked.

On the last pay period in each fiscal year, all compensatory time earned will be paid out. Compensatory time balances will not be allowed to carry forward into the next fiscal year. No other cash out option will be available for compensatory time. Upon separation, any remaining balance will be paid out to the employee.

This applies to all departments with the exception of 911 Communications, Budget, Emergency Services, Finance, Human Resources, ID Bureau, Information Technology, Internal Audit, Legal, Solid Waste, Strategy and Innovation, and Tax Collections. In these departments non-exempt employees will receive over time calculated at a rate of one and one-half times the employee’s regular hourly rate for hours worked in excess of forty hours in a work week.

3.4. **Differential Pay**

Non-exempt employees who work on a regularly scheduled shift as part of a twenty-four (24) hour, seven (7) day per week operation, is eligible for differential pay for all hours worked between 7:00 p.m. of any day and 7:00 a.m. of the following day. The rate of shift differential pay is two (2) dollars per hour. Shift differential will be included in the regular rate calculation for the computation of overtime.

Employees will not receive differential pay for hours not actually worked such as during times when the employee is on annual leave, sick leave, jury duty and military leave.

3.5. **Declared State of Emergency Pay**

An exempt employee will be eligible for overtime during a declared state of emergency when the employee is required to work beyond 40 hours per week and deployed as a resource during a declared state of emergency in another jurisdiction.

3.6. **Bilingual Pay**

Buncombe County recognizes the value of employees who can communicate with residents and customers in languages other than English. Departments with a genuine business need for bilingual skills may identify the necessary language(s) needed to meet their specific customer’s needs and request a bilingual pay stipend consideration from Human Resources (HR).

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To function in this capacity, employees will be required to pass a proficiency test arranged by HR, at the request of the Department, through third-party testing. The acceptable proficiency level for Buncombe County is determined in each Bilingual Pay Agreement category outlined below. All eligible employees, including native speakers, are required to pass a proficiency test in order to provide bilingual services and thus receive a bilingual stipend. Testing expenses are paid out of departmental budgets. Employees will be tested for the appropriate language and category requested by the Department Director and must have a current Bilingual Pay Agreement on file in their employee record. If an employee fails to pass a category test, they may request to retake the test only once annually and only with Department Director and HR approval.

The bilingual pay stipend is based on the level of proficiency and frequency of use determined by a Department for specific positions. Departments should work with Human Resources to ensure proper administration of the bilingual pay stipend, which should begin on the first pay period after successfully signing the Bilingual Pay Agreement and passing the required test. A Bilingual Pay Stipend remains in effect as long as: a) the language is determined beneficial for the position by the Department Director, and b) the employee maintains their abilities according to annual testing standards established by Human Resources. The bilingual pay stipend is a flat rate paid each relevant pay period and is dependent on the testing level of the employee and their position status. The stipend will end immediately upon transfer to a position that does not require this capacity. Employees occupying positions classified specifically to provide interpretation, translation or other language access services are not eligible for bilingual pay stipends. The Bilingual Pay Agreement categories are as follows:

3.5.1. Category A: Conversational

Description: Employee serves in a position with a need for a conversational bilingual skill set to provide simple instructions and directions to customers or clients. Note that employees in this conversational category are not interpreting. This is a high frequency category where employees use their bilingual skills (speaking and listening) on a regular basis, more than several times a week. Eligible employees functioning in this category must pass the oral proficiency assessment as defined below.

- Testing requirements: Oral – Level 9 or higher
- Stipend: \$50 per paycheck

3.5.2. Category B: Translation

Description: Employees who increase the internal bilingual capacity of Buncombe County by providing non-legal document translation services on an as needed basis. Employees may use their bilingual skills several times a week, but at least on a monthly basis. Eligible employees functioning in this category must pass the translation proficiency assessment as defined below.

- Testing requirements: Translation – Level 10 or higher
- Stipend: \$75 per paycheck

3.5.3. Category C: Conversational and Translation

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Description: Employees who increase the internal bilingual capacity of Buncombe County by providing conversational and non-legal document translation services on an as needed basis. Employees use their bilingual conversational and translation skills several times a week. Eligible employees functioning in this category must pass the oral and translation proficiency assessments as defined below.

- Testing requirements: Oral – Level 9 or higher, Translation – Level 10 or higher
- Stipend: \$100 per paycheck

4. **Policy Non-Compliance**

Employees willfully violating the terms and conditions of this policy may be subject to appropriate disciplinary action, up to and including dismissal.

5. **Audit**

All policies for Buncombe County may be subject to audit or review as outlined in the [Internal Auditor's Statement](#).

6. **Definitions**

- 6.1. Bilingual Pay Stipend – additional pay given to employees in a position that benefits from bilingual proficiency as designated by their respective Department Director.
- 6.2. Compensatory Time – Leave provided to non-exempt employees for hours worked in excess of the standard work period.
- 6.3. Conversational (speaking/listening) – the ability to speak and comprehend a designated language.
- 6.4. Emergency Callback – When an employee is not scheduled and is requested to respond outside of their regularly scheduled hours (either by returning to work or by responding by telephone or computer).
- 6.5. Engaged to Wait – Is when the employee is not performing work duties but they are unable to use the time effectively for his/her own purposes. These periods of time are generally unpredictable and usually of short duration. Example: a paramedic who reads a book while waiting for a call during their scheduled shift.
- 6.6. Non-Exempt Employee – An individual who is not exempt from the overtime provisions of the FLSA and is therefore entitled to overtime compensation for all hours worked beyond 40 in a standard workweek.
- 6.7. On-Call – When an employee is scheduled outside of their regular working hours to perform work if the need arises.
- 6.8. Relevant Language – A non-English speaking language that directly relates to the audience.
- 6.9. Testing Standards – A level of understanding of a non-English language according to Human Resources testing in speaking, writing, or signing effectively to conduct County business relevant to the position.
- 6.10. Waiting to be Engaged – Is when the employee is completely relieved from performing work duties and they have enough time to enable them to use the time effectively for their own

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purposes. Example: a code enforcement officer who may get a call to do an emergency inspection after an accident.

7. Approval and Revision History

Policy Origination Date:	May 10, 2022
Requires Board Approval:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Board Approval Date:	May 19, 2022
Revision History Dates:	
Revision History Changes:	

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