



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. Any overtime earned as a result of on-call work will be paid in accordance with 3.4 (Overtime.)

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.

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. **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, are 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.

3.4. **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 over 40 hours per week and is deployed as a resource for the declared state of emergency.

3.5. **Bilingual Stipend**

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 employees in that Department may request a Bilingual Stipend in the Human Resources Information System (HRIS). To function in this capacity, employees will be required to meet the minimum proficiency level on a language proficiency assessment. The assessment will be administered through a third party. The language proficiency assessment expenses are paid out of departmental budgets.

Employees will be assessed for the appropriate language proficiency skills requested through the HRIS and approved by the Department Director. Bilingual Employees must have a current Bilingual Stipend Employee Agreement on file in their HRIS employee record. If an employee does not meet the minimum proficiency level, they may request to take the assessment one more time (annually) and with their Department Director approval.

A Bilingual 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 the assessment standards established in the Bilingual Pay Stipend Procedures. The stipend will end immediately upon transfer to a position where bilingual services are not identified as a business need.

Supervisors and directors are responsible for providing support to individuals receiving the Bilingual Stipend. The stipend is not intended to add or change duties and responsibilities as stated in an employee’s job description, instead it is to compensate individuals for completing

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the level of work of their position or class in more than one language. However, employees receiving the Bilingual Stipend may be asked to use their language skills in case of emergency outside of their regular work assignment.

Employees occupying positions classified specifically to provide certified interpretation, translation or other language access services are not eligible for the Bilingual Stipend.

The Bilingual Stipend applies to American Sign Language where a specific need has been identified.

The type of assessments assigned to the employee may be dependent on the employee’s position. Assessment minimum proficiency levels are outlined in the Bilingual Pay Stipend Procedures.

None of these categories are a substitute for a translator or interpreter.

The Bilingual Stipend categories are as follows:

Category	Description	Stipend per Paycheck
Category A	Conversational	\$50
Category B	Reading and Writing	\$75
Category C	Conversational & Reading and Writing	\$125

3.5.1. Category A: Conversational. Employee serves in a position with a need for a conversational non-English language skill set. Employees use their bilingual skills on a regular basis. Eligible employees functioning in this category must take an oral proficiency assessment and meet the minimum qualifications.

3.5.2. Category B: Reading and Writing. Employee serves in a position with a need for a written non-English language skill set. Employees use their bilingual skills on a regular basis. Eligible employees functioning in this category must take a reading and writing proficiency assessment and meet the minimum qualifications.

3.5.3. Category C: Conversational, & Reading and Writing. Employee serves in a position with a need for a conversational, reading, and writing non-English language skills. Employees use their bilingual skills on a regular basis. Eligible candidates for this category must take both a written and oral proficiency assessment and meet the minimum qualifications.

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](#).

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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. Conversational (speaking/listening) – the ability to speak and comprehend a designated language.
- 6.3. 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).
- 6.4. 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.
- 6.5. 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.
- 6.6. Interpreter – please reference the Language Services Policy
- 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. Translation – please reference the Language Services Policy
- 6.11. 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 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 Dates:	March 19, 2024 May 19, 2022
Revision History:	03/19/2024 Edited: Category C stipend amount from \$100 to \$125; ERP to HRIS to use the uniform term from other policies; "pass the proficiency test" to "meet the minimum proficiency level"; "test or testing" to "language proficiency assessment"; "tested" to "assessed"; better defined the stipend effective period and the language skill usage; “translation” to “reading and writing”.

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Added: Employees should request the stipend; "Employees occupying positions classified specifically to provide certified interpretation, translation or other language access services are not eligible for the Bilingual Stipend."; American Sign Language where a specific need has been identified and a chart to clarify the categories and stipend amount; "However, employees receiving the Bilingual Stipend may be asked to use their language skills in case of emergency outside of their regular work assignment"; "The type of assessment assigned to the employee may be dependent on the employee's position. Assessment minimum proficiency levels are outlined in the Bilingual Pay Stipend Procedures."; definitions for "Interpreter" and Translation"
05/19/2022: Original policy approved

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