



COURT ORDER 2021-0311

New Policy – Dallas County Exempt Premium Pay Plan 82-136

On a motion made by Commissioner JJ Koch, and seconded by Commissioner John Wiley Price, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: March 23, 2021

Be it resolved and ordered that the Dallas County Commissioners Court does hereby recommends the Commissioners Court approve the attached policy (Section 82-136).

Done in open Court March 23, 2021 by the following vote:

IN FAVOR:	County Judge Clay Jenkins, Commissioner Dr. Theresa Daniel, Commissioner JJ Koch, Commissioner John Wiley Price, and Commissioner Dr. Elba Garcia
OPPOSED:	None
ABSTAINED:	None
ABSENT:	None



Dallas County
BRIEFING / COURT ORDER
Commissioners Court - Mar 23 2021

- Resolution
- Solicitation/Contract
- Executive Session
- Addendum

New Policy – Dallas County Exempt Premium Pay Plan 82-136

Briefing Date: Mar 23 2021
Funding Source:
Originating Department: Human Resources
Prepared by: Shirley Johnson,
Recommended by: Robert B. Wilson, Director of Human Resources

BACKGROUND INFORMATION:

The national emergency concerning the Coronavirus Disease 2019 (COVID-19) Pandemic declared on March 13, 2020 continues to cause significant risk to the public health and safety of Americans. The remarkable personal sacrifice required of essential exempt employees has made clear the need for a formal policy to address compensation issues arising from exempt employees working up to 70 hours over their normal schedule in a pay period for months at a time. Additionally, the existence of policy addressing exempt compensation in the Dallas County Code will improve the likelihood of federal reimbursement for personnel costs resulting from extraordinary events or occurrences. It is requested that the Commissioners Court approve the Dallas County Exempt Premium Pay policy.

OPERATIONAL IMPACT:

The policy will provide a mechanism to compensate exempt employees for workload and duration of work beyond what is customarily required during normal working conditions.

FINANCIAL IMPACT:

The total financial impact is estimated to be \$ 2.25 million. Such compensation will be charged to the appropriate CARES funding (466.8756) and/or recently approved ARP (American Recovery Plan) funds. All such compensation will be paid in accordance with Dallas County policy, departmental approval processes, the conditions of the funding sources and the procedures required by the Payroll Division to process the premium compensation. Based upon current legislation, Dallas County may be reimbursed up to \$13.00 per hour up to a maximum of \$25,000 for any single eligible worker for work during the COVID-19 pandemic.

LEGAL IMPACT:

The Civil Division of the District Attorney's Office has reviewed the Exempt Employee Premium Pay Plan.

ADMINISTRATIVE PLAN COMPLIANCE:

The County's Vision under the Administrative Plan of becoming a model governmental entity by improving Dallas County employee compensation/options for improving implementation of merit compensation.

RECOMMENDATION:

The Human Resources/Civil Service Department recommends the Commissioners Court approve the attached policy (Section 82-136).

MOTION:

On a motion made by TBD, and seconded by TBD, the following order will be voted on by the Commissioners Court of Dallas County, State of Texas:

Be it resolved and ordered that the Dallas County Commissioners Court does hereby recommends the Commissioners Court approve the attached policy (Section 82-136).

ATTACHMENTS:

EEPPP Final

Division 3. – Exempt Employees

Sec. 82-136 - Exempt Employee Premium Payment Plan.

In the event the County experiences an extraordinary event that causes or requires excluded exempt employees to work in excess of the customary hours in a payroll period, a department director or an elected official may submit a request to activate the Exempt Employee Premium Payment Plan (“EEPPP”) to the County Administrator in accordance with this section. An “Extraordinary Event” is defined as an unforeseen circumstance, event, or series of events that impacts public health, public safety, or critical County operations. The EEPPP is subject to the following procedures and conditions:

- (a) The request to activate the EEPPP must be submitted in writing by the department director or elected official to the County Administrator.
- (b) The submitting department director or elected official shall provide: (1) written justification to activate the EEPPP, (2) a sufficient description of the extraordinary event, and (3) include a beginning and ending date.
- (c) The form of the written request shall be promulgated and determined by County Administration.
- (d) Activation of the EEPPP shall be contingent upon the availability of adequate budget and funds for the compensation payments.
- (e) The exempt employee must be pay grade K equivalent or below to be considered eligible for the EEPPP.
- (f) The exempt employee must work an average of 20 hours per pay period over their regular hours for 30 days to be eligible for the EEPPP.
- (g) The County Administrator shall timely review the request for an EEPPP activation.
- (h) The County Administrator shall notify the department director or elected official of the approval or disapproval of the request to activate the EEPPP in writing.
- (i) If approved by the County Administrator, the department director or elected official shall notify the Budget Officer, the Director of Human Resources, the County Auditor, and the payroll manager immediately upon each EEPPP activation or extension by providing a copy of the written approval of the County Administrator or extension authorization and any supporting documentation.
- (j) Payment shall be made at 1.5 times the employee’s regular hourly rate of pay for any hours worked in excess of regular hours during the pay period during the EEPPP activation.
- (k) If the County Administrator approves an EEPPP activation, the County Administrator shall notify the Commissioners Court at their next regularly scheduled meeting.
- (l) All hours worked in excess of regular hours in the pay period and compensated as a result of a EEPPP activation for an extraordinary event shall be recorded in the payroll system using the code designated by the County Auditor.
- (m) The payroll section shall maintain a record of all hours worked and payments made in connection with each EEPPP activation.