



Administrative Regulations

Office of the Mayor

Title: ON-CALL DUTY

A.R. Number: 4.7 Effective Date: July 2, 2022 Page 1 of 3

Supersedes: On-Call Duty A.R.: 4.7 DATED: February 1, 2007

I. PURPOSE

The purpose of this policy is to establish guidelines for employees who work on-call assignments.

II. POLICY

It is the policy of the City of Richmond (City) to comply with the Fair Labor Standards Act (FLSA) and applicable law. In addition, the City will compensate non-exempt employees for on-call duty assignments. Exempt employees are not eligible to receive compensation for on-call duty assignments. An exempt employee, due to professional, executive or administrative status, or any combination thereof, is not eligible for on-call pay.

This policy outlines the more particular requirements in the succeeding paragraphs. This policy is intended to be guidance in enforcing the FLSA requirements and not meant to establish any rights for employees in regard to on-call time that are greater than established by the law. Violations of this policy may result in disciplinary action, up to and including dismissal from City service.

III. PROCEDURES

The following procedures shall be observed for on-call duty assignments:

- a. On-call duty assignments apply to all hours other than an employee's regularly scheduled work hours on weekdays and weekends. An employee scheduled for an on-call duty assignment who is on approved sick leave an entire day shall not be eligible for on-call duty on that day. For approved vacation leave, eligibility for on-call duty will be in accordance with the employee's department's SOP.
- b. Employees shall be notified in writing if their position may require on-call duty assignment.
- c. On-call duty assignments shall be determined by the Appointing Authority or designee and be given on a rotating basis, when possible.
- d. Where applicable, each City department shall develop a Standard Operating Procedure (SOP) utilizing a template provided by the Department of Human Resources (DHR) to include the position(s) requiring an on-call duty assignment, procedures for scheduling, and other departmental guidelines. The SOP shall be approved by the DHR prior to implementing.

IV. EMPLOYEE RULES OF CONDUCT

An employee on an on-call duty assignment shall abide by the following rules of conduct:

- a. Remain in a "waiting to be engaged" status to be available to respond to situations outside of the regularly scheduled shift. During an on-call duty assignment while "waiting to be



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engaged,” an employee is allowed to engage in personal activities and are relieved of all work duties, but required to be accessible by phone or other means established by the department.

- b. Respond to the department and/or report to the worksite within the timeframe specified in the department’s SOP with no impairment from alcohol or any drugs in accordance with the City’s Substance Abuse Policy.
- c. Document all work requests received based on the department’s SOP.
- d. Failure to adhere to the policy and department’s SOP may result in disciplinary action, up to and including dismissal from City service.

V. COMPENSATION

If a non-exempt employee is immediately called back to work, in person or remotely, within 30 minutes after their regular shift ended and regardless of their on-call duty assignment, the employee will receive their regular pay rate and overtime pay, when applicable.

Non-exempt employees in a “waiting to be engaged” status and whose positions are approved by DHR for additional compensation for serving in an on-call duty assignment will be paid, in addition to their regular pay rates, according to one, and only one, of the following:

- a. A flat rate for each full **weekly** period of assigned on-call duty;
- b. A flat rate for each full **weekly** period of an on-call duty assignment, if a designated City holiday(s) occurs within that week;
- c. A flat rate for each **day** of regularly scheduled work hours on-call duty; **or**
- d. A flat rate for **any** designated City holiday(s) based on the regularly scheduled work hours.

The flat rate amounts will be calculated and published by the DHR at the beginning of each calendar year by reviewing the average hourly rate of salaries and other cost analysis.

VI. AUTHORITY

Fair Labor Standards Act and any applicable law.

VII. REGULATION UPDATE

The Department of Human Resources in consultation with the Chief Administrative Officer shall be responsible for modifications to this Policy.

RECOMMEND APPROVAL:

CHIEF ADMINISTRATIVE OFFICER/DESIGNEE



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APPROVED:

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MAYOR