



# Mendocino County

## Legislation Text

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**File #:** 19-0735, **Version:** 1

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**To:** Board of Supervisors

**From:** Child Support

**Meeting Date:** September 17, 2019

**Department Contact:** Anne Molgaard

**Phone:** 472-2800

**Item Type:** Regular Agenda

**Time Allocated for Item:** 15 Mins

**Agenda Title:**

Discussion and Possible Action Including Adoption of Resolution Authorizing an Alternative Work Week Allowing the Utilization of a 9/80 Work Schedule for the Department of Child Support Services  
(Sponsor: Child Support Services)

**Recommended Action/Motion:**

Adopt resolution authorizing an alternative work week providing for the utilization of a 9/80 work schedule for the Department of Child Support Services; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

Ordinance No. 363 was adopted in 1956, with multiple amendments since; Ordinance No. 4342, passed August 18, 2015 to amend certain sections of Title 3 Personnel; Mendocino County Code Section 3.04.100 - Hours of Work establishes the County work week for pay purposes.

**Summary of Request:**

Pursuant to Mendocino County Code 3.04.100 Hours of Work (A) All County employment is based on a forty (40) hour week, or such other number of hours as the Board of Supervisors may designate by resolution. The County work week for all departments shall be computed from 0001 hours Sunday through 2400 hours the following Saturday (i.e., midnight Saturday through midnight Saturday) for pay purposes; provided, however, that the work week for any department may be changed to a different workweek by resolution of the Board of Supervisors.

The Department of Child Support Services desires to offer a 9/80 alternative work schedule to employees who wish to enroll in this type of schedule. Employees have requested this schedule and it is not designed to avoid overtime requirements in the law. The Interim Director has determined that this change for some employees will not prejudice customer service. The office will remain open Monday through Friday, and 8:00-5:00, including lunchtime.

Under a 9/80 alternative work schedule, enrolled employees work eight (8) 9-hour days and one (1) 8-hour day for a total of 80 hours during the two-week period. The Department of Labor - Fair Labor Standards Act (FLSA) (29 CFR Section 778.105) permits employers to designate FLSA workweeks for employees to utilize a 9/80 scheduled in which their FLSA workweek begins four (4) hours after the start of their shift on their 8-hour day. An official designation of an alternative workweek is crucial to ensuring compliance with FLSA

regulations.

The Department of Child Support Services hereby requests the Board adopt a Resolution authorizing an alternative workweek for the department that allows for a 9/80 alternative work schedule.

This alternative workweek will begin at 1201 hours (12:01 p.m.) on Friday and will end at 1200 hours (12:00 noon) on Friday of the following week.

In submitting this request, the Department of Child Support Services acknowledges that the utilization of such schedule requires strict adherence and monitoring in order to be compliant with FLSA regulations. If not followed, the result is that an employee could work 44 hours in one week without overtime compensation. The Department of Child Support Services further acknowledges that enrolled employees may not flex or alter their schedule in any way that jeopardizes the 9/80 work schedule.

The department, through Human Resources, has engaged in required discussions with affected bargaining units regarding the implementation of schedule changes.

**Alternative Action/Motion:**

Do not adopt Resolution; return to Department with direction.

**Supervisory District:** All

**vote requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**budget clarification:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Janelle Rau, Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Lindsey Dunham, Deputy Clerk I

Date: September 24, 2019

Final Status:**Adopted**

Executed Item Number: **Resolution** Number:  
19-348

