

Effective 7/1/2024

10-3-1109.5 Overtime for law enforcement personnel.

(1) As used in this section:

- (a) "Nonexempt employee" means a municipal employee who is nonexempt under the requirements of the Fair Labor Standards Act of 1978, 29 U.S.C. Sec. 201 et seq.
- (b) "Overtime" means hours worked in excess of a nonexempt employee's work period.
- (c) "Regular hourly rate" means the hourly rate of pay a nonexempt employee receives for hours worked during a work period.
- (d) "Work period" means the maximum number of hours, within a specified number of consecutive days, that a nonexempt employee may work before the nonexempt employee is compensated for overtime.

(2) The governing body of a municipality that employs a nonexempt employee engaged in law enforcement activities may, except as otherwise required by a contract or a collective bargaining agreement, enact an ordinance or pass a resolution that:

- (a) designates a work period for the nonexempt employee that is the same as, or equivalent to, a work period described in Subsection 63A-17-502(2); and
- (b) compensates the nonexempt employee for overtime at a rate of one and one-half times the nonexempt employee's regular hourly rate.

Enacted by Chapter 151, 2024 General Session