

Effective 7/1/2024

17-33-11.7 Overtime for law enforcement personnel -- Exception.

- (1) As used in this section:
 - (a) "Nonexempt employee" means an county 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) This section does not apply to a county subject to Chapter 30a, Peace Officer Merit System in Counties of the First Class Act.
- (3) The legislative body of a county 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