



County of Sacramento

November 29, 2016

Tom Mrizek, President
ETTI
P.O. Box 276072
Sacramento, CA 95827

Re: Fair Labor Standards Act (FLSA) and Compensatory Time-Off (CTO) Caps

Dear Tom:

The Office of Labor Relations and the Department of Personnel Services have recently reviewed the duties and scope of work for five specific classifications represented by ETTI. A determination was made that all of them are covered by the Federal Labor Standards Act (FLSA). The specific classifications are:

- Building Inspector I
- Building Inspector II, Range A/B
- Construction Inspector
- Senior Construction Inspector; and
- Construction Material Testing Lab Technician, Level I/II.

The labor agreement between ETTI and the County of Sacramento establishes that employees shall be compensated for over time worked in either cash or Compensatory Time-Off (CTO) at time and a half. The FLSA allows a maximum CTO accrual cap of 240 hours, unless an employee is engaged in public safety, emergency response, or seasonal activities for which an employee may accumulate 480 hours of CTO.

A review of the duties for these classifications suggest all but the Building Inspector I and Building Inspector II, Range A meet the seasonal activities exception. Therefore, employees in the other classes/range may accrue up to 480 CTO hours. Effective January 8, 2017, the Department of Personnel Services will implement the changes necessary to ensure compliance with the FLSA. The list of classifications and corresponding CTO caps are provided below:

Classification	Current CTO Caps	CTO Caps Effective January 8, 2017
Building Inspector I	240 Hours	240 Hours
Building Inspector II, Range A	240 Hours	240 Hours
Building Inspector II, Range B	240 Hours	480 Hours
Construction Inspector	No Cap	480 Hours
Senior Construction Inspector	No Cap	480 Hours
Construction Materials Testing Lab Technician, Level I	480 Hours	480 Hours
Construction Materials Testing Lab Technician, Level II	480 Hours	480 Hours

The Department of Personnel Services plans to implement these changes via the payroll system to ensure the caps, as indicated above, are established. If there are any employees with CTO hours exceeding the new caps such CTO hours will be paid to staff, through the normal payroll cycle. It is anticipated that these system changes will be implemented the first pay period of January 2017, starting January 8, 2017.

If you have any questions regarding these designations, please contact this Office in writing by December 13, 2016.

Sincerely,



VANESSA DE LEON
Labor Relations Officer

cc: Dee Contreras
Cassie Wilkins
Catherine Mitchell