

**Sierra County
Amendment to the Sierra County Personnel Policy
Ordinance, 16-009**

Ordinance No: 23-004

Passed: October 17, 2023

Effective Date: 30 days

SIERRA COUNTY
BOARD OF COUNTY COMMISSIONERS
ORDINANCE No 23-004

AMENDING THE SIERRA COUNTY PERSONNEL POLICY ORDINANCE, ORDINANCE NO.
16-009

RECITALS

WHEREAS, the Sierra County Board of County Commissioners met upon notice of a regular meeting, duly published, at the Sierra County Administrative Offices, 1712 N Date St, Truth or Consequences, New Mexico 87901, on October 17, 2023; and,

WHEREAS, on Oct 17th, the Board of County Commissioners of Sierra County adopted Ordinance 23-004, the Sierra County Personnel Policy Ordinance, to establish consistent, basic policies and practices, and professionalism expectations concerning relations between the County and its Employees; and,

WHEREAS, Section 9.3 of the Personnel Policy Ordinance provides, in pertinent part, that “FLSA non-exempt, law enforcement or detention employee shall be paid overtime according to FLSA regulations in excess of eighty-six (86) hours per pay period permitted by 29 U.S.C. Section 207(k);]” and,

WHEREAS, in recognition of the invaluable contributions of our law enforcement and detention personnel, the Board of County Commissioners seeks to fully and fairly compensate its law enforcement and detention personnel, and to pay overtime in excess of eighty (80) hours per paid period.

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS:

1. Incorporation of Recitals. The foregoing recitals are incorporated by reference as a material part of the Ordinance Amendment as if the same were set out completely in the Ordinance Amendment.
2. Amendment. Ordinance 16-009 shall be amended as set forth in this instrument, and, except as expressly amended by this instrument, shall remain in full force and effect as written.
3. Amendment to Section 9.3 of Ordinance 16-009 Section 9.3 of this Ordinance is deleted in its entirety and the following Section 9.3 is substituted in its place:

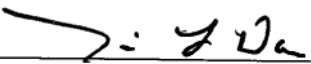
9.3 Overtime Pay: Only FLSA non-exempt employees shall be compensated for all time actually worked, whether or not the time is authorized. Failure to obtain authorization for

overtime shall result in disciplinary action, up to and including dismissal. The rate shall be one and one-half (1½) times regular pay for each hour of overtime. Only actual time worked will be used to calculate overtime; holiday, annual, sick and other leave hours shall not be considered actual working hours.

- A. Regular, Law Enforcement and Detention employees: such payment shall be made only in cases when an FLSA non-exempt employee works over forty (40) "actual hours" in a normal workweek.

APPROVED, ADOPTED, AND ORDAINED on this 17th day of October, 2023.

BOARD OF COMMISSIONERS OF SIERRA COUNTY




Travis Day, Chairman



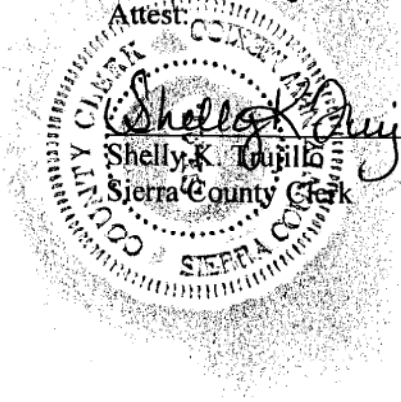
James Paxon, Vice-Chairman



Hank Hopkins, Commissioner

Attest:


Shelly K. Trujillo
Sierra County Clerk



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