

ALABAMA DEPARTMENT OF HOMELAND SECURITY  
ADMINISTRATIVE CODECHAPTER 375-X-3  
EMPLOYEE WORK RULES

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**375-X-3-.01      Work Attendance.**

All employees of the Department shall be in attendance at their work in accordance with the rules regarding hours of work, holidays and annual, sick, military and special leaves of absence, with or without pay, as provided in the Rules of the Alabama Personnel Board.

**Author:** James M. Walker, Jr.

**Statutory Authority:** Code of Ala. 1975, §31-9A-5.

**History:** **New Rule:** Filed January 10, 2006; effective February 14, 2006.

**375-X-3-.02      Adoption By Reference.**

The Department hereby adopts by reference that portion of the Rules of the Alabama Personnel Board, as set out in the Alabama Administrative Code and identified as Rule Nos. 675-X-11 through 675-X-19, adopted on September 29, 1981.

**Author:** James M. Walker, Jr.

**Statutory Authority:** Code of Ala. 1975, §31-9A-5.

**History:** **New Rule:** Filed January 10, 2006; effective February 14, 2006.

**375-X-3-.03      Regular Work Week.**

A 5-day, 40-hour week shall be used for the purpose of calculating the pay of employees paid on a bi-weekly basis.

**Author:** James M. Walker, Jr.

**Statutory Authority:** Code of Ala. 1975, §31-9A-5.

**History:** **New Rule:** Filed January 10, 2006; effective February 14, 2006.

**375-X-3-.04      Attendance Reports Required.**

All department employees shall submit regular reports of attendance to the Director in the form and on the dates he shall specify.

**Author:** James M. Walker, Jr.

**Statutory Authority:** Code of Ala. 1975, §31-9A-5.

**History: New Rule:** Filed January 10, 2006; effective February 14, 2006.

**375-X-3-.05      Compensatory Time.**

(1) Notwithstanding any departmental policy to the contrary, it shall be the policy of the State of Alabama to use compensatory time, rather than wages to compensate employees subject to the provisions of the Fair Labor Standards Act for performing overtime work. Departmental overtime policies contrary to the overall state policy must be approved by the State Personnel Board. Approval by the State Personnel Board may be made in those cases where compelling reasons are cited by the appointing authority. Overtime, overtime compensation, and compensatory time are defined by the terms as used in the Fair Labor Standards Act.

(2) Payment for Accumulated Compensatory Time Upon Separation from State Service. Upon separation from state service a nonexempt employee, as defined by the Fair Labor Standards Act, is entitled to be paid for accumulated compensatory time. Employees other than persons designated as law enforcement officers by the Code of Alabama and persons designated as seasonal workers by the State Personnel Department are entitled to be paid for accumulated compensatory time earned but in no event for an amount greater than 240 hours. Those persons defined as law enforcement officers or seasonal employees are entitled to payment for earned accumulated compensatory time upon separation from state service but in no event an amount greater than 480 hours.

(3) Accumulated compensatory time obligations are not transferable from department to department. Any accumulated compensatory time obligation must be liquidated by the department in which the obligation was incurred, prior to the transfer.

(4) Exempt employees, as defined by the Fair Labor Standards Act, are not entitled to payment for accumulated compensatory time upon separation from state service or upon transfer within state service.

(5) Use of Compensatory Time. Accumulated compensatory time shall be used before annual leave is used. This rule shall not be

interpreted to require the loss of accumulated annual leave as prescribed by Alabama Personnel Board Rule 670-X-13-.05

**Author:** James M. Walker, Jr.

**Statutory Authority:** Code of Ala. 1975, §31-9A-5.

**History: New Rule:** Filed January 10, 2006; effective February 14, 2006.