



TORRANCE COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 2024- 02

LAW ENFORCEMENT PERSONNEL FLSA §7K EXEMPTION

WHEREAS, in the course of providing services to the people of Torrance County, it is imperative that the Torrance County Sheriff's Office provide 24-hour service; and

WHEREAS, law enforcement personnel include certified deputy sheriffs employed by Torrance County; and,

WHEREAS, Section 13(b)(20) of the Fair Labor Standards Act (FLSA) provides an overtime exemption to law enforcement employees of a public agency for a 43-hour, 1-week work period, or an 86 hour, 2-week pay period; and,

WHEREAS, Public Employee Retirement Association Benefits do not accrue based on overtime payments to employees; and

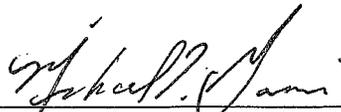
WHEREAS, Section 7(k) of the FLSA provides that employees engaged in fire protection or law enforcement may be paid overtime on a "work period basis" which may be from 7 consecutive days to 28 consecutive days in length, during which overtime pay may be required after a threshold number of hours worked,

NOW, THEREFORE BE IT RESOLVED that the Torrance County Board of County Commissioners declares that it avails itself of the FLSA § 7(k) exemption for the Torrance County Sheriff's Office for certified deputies, declaring an 86-hour overtime threshold for a 14-day work period for that department; and **BE IT FURTHER RESOLVED** that wages reported to PERA shall be reported on this basis.

DONE THIS 10th DAY OF JANUARY, 2024.

APPROVED AS TO FORM ONLY:

BOARD OF COUNTY COMMISSIONERS



Michael I. Garcia, County Attorney

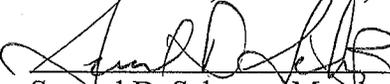
Date: 10 Jan 24



Ryan Schwebach, Chair, District 2



Kevin McCall, Vice Chair, District 1



Samuel D. Schropp, Member, District 3

ATTEST:



Linda Jaramillo, County Clerk

Date: 1-10-2024

