

1 **A RESOLUTION REAUTHORIZING INCREASED OVERTIME PAY FOR**
2 **CERTAIN EMPLOYEES OF THE FULTON COUNTY SHERIFF’S OFFICE AND**
3 **FOR OTHER PURPOSES.**

4
5 **WHEREAS**, on February 15, 2023, via Resolution 23-0086, the Board of
6 Commissioners (“BOC”) authorized the Fulton County Sheriff to implement increased
7 overtime rates for certain employees of the Fulton County Sheriff’s Office effective
8 March 1, 2023 through December 19, 2023 to assist the Fulton County Sheriff’s Office
9 with addressing challenges related to employee hiring and retention due, in part, to
10 higher overtime rates offered by competing jurisdictions; and

11 **WHEREAS**, the authorization from Resolution 23-0086 to provide increased
12 overtime rates expired on December 19, 2023; and

13 **WHEREAS**, following the expiration of the BOC’s authorization in Resolution 23-
14 0086, the Fulton County Sheriff continues to face difficulties in hiring and retaining
15 employees for the Jail Unit; and

16 **WHEREAS**, according to the Fulton County Sheriff, reinstating the authority to
17 offer increased overtime rates would assist with addressing the difficulties in hiring and
18 retaining employees currently faced by the Fulton County Sheriff’s Office, especially the
19 Jail Unit; and

20 **WHEREAS**, Fulton County desires to support retention of the Fulton County
21 Sheriff’s workforce and not risk the loss of valuable employees, especially in the areas
22 of public safety and law enforcement, due to compensation offerings in other counties;
23 and

24 **WHEREAS**, the BOC recognizes that unfilled public safety and law enforcement
25 positions pose safety risks, particularly at the Fulton County Jail; and

1 **WHEREAS**, the BOC continues to find it necessary to reauthorize increased
2 overtime pay to address staffing concerns at the Fulton County Jail; and

3 **WHEREAS**, Fulton County’s Overtime and Compensatory Time Personnel Policy
4 and Procedure (108-16) provides that overtime pay at the rate of one and one-half (1.5)
5 times a non-exempt employee’s regular rate may be offered, in lieu of earned
6 compensatory time, for employees of elected officials at the discretion of the applicable
7 elected official, but BOC approval is required to offer non-exempt overtime pay at a
8 higher rate; and

9 **WHEREAS**, Fulton County’s Overtime and Compensatory Time Personnel
10 Procedure (108-16) provides that exempt employees of elected officials may earn
11 additional pay at the rate of one (1) hour for one (1) hour worked over forty (40) hours in
12 a work week (“exempt overtime”) at the discretion of the applicable elected official, but
13 BOC approval is required to offer exempt overtime pay at a higher rate; and

14 **WHEREAS**, with the adoption of the 2024 budget, the BOC allocated
15 \$2,137,495 in Non-Agency for the Sheriff to pay double overtime pay for certain
16 employees.

17 **NOW, THEREFORE, BE IT RESOLVED**, the Sheriff shall be authorized to
18 implement an overtime rate in the amount of two (2) times the employee’s regular hourly
19 rate for hours worked over the established applicable work week or work period for non-
20 exempt and exempt employees in a position in the Jail Units (3302 & 3308) and who
21 hold a title in the deputy or detention officer series.

22 **BE IT FURTHER RESOLVED**, that this authorization does not extend to any
23 detention officer or deputy position outside of the Jail Units (3302 & 3308).

1 **BE IT FURTHER RESOLVED**, that this authorization for increased overtime is
2 effective beginning the next work week or period, whichever is applicable, and for as
3 long as the funds set aside in Non-Agency for double overtime remain available within
4 fiscal year 2024.

5 **BE IT FURTHER RESOLVED**, that exempt Fulton County Sheriff employees
6 must continue to utilize the County’s timekeeping system for accurate and timely
7 calculation and payment of exempt overtime.

8 **BE IT FINALLY RESOLVED**, that this Resolution will take effect upon its
9 adoption, and that all resolutions and parts of resolutions in conflict with this Resolution
10 are hereby repealed to the extent of such conflict.

11 **PASSED AND ADOPTED**, this ____ day of _____, 2024.

12 **FULTON COUNTY BOARD OF**
13 **COMMISSIONERS**

14 _____
15 Robert L. Pitts, Chairman
16

17
18 **ATTEST:**
19

APPROVED AS TO FORM:

20 _____
21 Tonya Grier,
22 Clerk to Commission
23

Y. Soo Jo
County Attorney
24

25 <https://fc0365.sharepoint.com/sites/CountyAttorney/CALegislation/Persnl/Resolutions/2024/Drafts/3.6.24 Resolution - Sheriff Double>
26 OT (2.28.24).doc