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BENEWAH COUNTY
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Index to: COUNTY RESOLUTION

# BENEWAH COUNTY
# RESOLUTION NO. 2026-26

## A RESOLUTION OF THE BENEWAH COUNTY BOARD OF COMMISSIONERS AMENDING SECTIONS XI.D, OVERTIME/COMPENSATORY TIME POLICY, AND XII.A, VACATION LEAVE, OF THE BENEWAH COUNTY PERSONNEL POLICY

**WHEREAS,** the Benewah County Board of Commissioners is the governing board of Benewah County and, pursuant to the Idaho Constitution and Idaho law, has authority to establish the terms and conditions of County employment, subject to applicable limitations and restrictions; and

**WHEREAS,** the Benewah County Personnel Policy was adopted on September 23, 2019, with an effective date of October 1, 2019, and has since been revised from time to time; and

**WHEREAS,** the Board has reviewed the Personnel Policy provisions governing compensatory time and vacation leave and finds that amendment of those provisions is in the best interests of the County and its employees; and

**WHEREAS,** the revised text of Sections XI.D and XII.A is set forth in Attachment A, which is incorporated into and made part of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BENEWAH COUNTY, IDAHO,** that the Benewah County Personnel Policy, as previously adopted and revised, is amended by replacing Sections XI.D and XII.A with the revised provisions set forth in Attachment A.

**BE IT FURTHER RESOLVED** that these amendments shall take effect upon notification by the County Clerk that all processes and procedures necessary to implement them are in place.

**BE IT FURTHER RESOLVED** that a true and correct copy of this Resolution and Attachment A shall be maintained with the official Personnel Policy and made available to all current and new County employees, including through the County's website or other customary means of distribution.

**BE IT FURTHER RESOLVED** that any further revision or amendment to the Benewah County Personnel Policy shall be adopted by resolution and distributed or made available to employees as required by County policy and applicable law.

DATED this 14th day of September, 2026, at a regular meeting of the Benewah County Commissioners upon motion made, seconded, and approved by vote of the Board.

ATTEST:

By: _____
Janeen LeWan, County Clerk

BENEWAH COUNTY COMMISSIONERS
BENEWAH COUNTY, IDAHO

By: _____
Robert Short, Chairman

# ATTACHMENT A

## REVISED PERSONNEL POLICY PROVISIONS

## XI. COMPENSATION POLICIES

### D. Overtime/Compensatory Time Policy

1. In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as exempt (salaried) or non-exempt (hourly) for purposes of complying with the federal Fair Labor Standards Act (FLSA). Exempt employees perform work that qualifies for the professional, executive, or administrative exemption and do not qualify for overtime compensation. Employees should contact their office/department supervisor, Elected Official, or County Clerk for further clarification of the employee's FLSA status.

2. Overtime for non-exempt, hourly employees will be allowed only when authorized by the appropriate supervisor or when absolutely necessary in an emergency. Employees may not work any hours outside of their scheduled workday unless the supervisor has given advance authorization for the unscheduled work. Employees may not start work early, finish work late, work during meal breaks, or perform any other extra or overtime work unless authorized to do so and reported on the employee's timesheet. Any employee who fails to report, or inaccurately reports, any hours worked will be subject to disciplinary action, up to and including termination.

3. Non-exempt employees entitled to overtime compensation will either accrue compensatory time or receive overtime pay, as established by policy adopted by the Board of County Commissioners. Compensatory time or overtime pay for work in excess of 40 hours per week, or in excess of the work-period interval established for law enforcement officers or firefighters, will be computed at one and one-half (1.5) hours for each additional hour worked. The Board of County Commissioners has set a maximum accumulation of 40 hours of compensatory time for full-time regular employees working 40 hours per week and 35 hours of compensatory time for full-time regular employees working 35 hours per week. Any compensatory time over that amount will be paid in the next pay period unless otherwise approved by the supervisor/department head. This approval must be submitted in writing to the Clerk's Office for processing, and a copy will be maintained in the employee's personnel file. A maximum of two weeks of compensatory time may be carried with approval. Part-time regular employees and temporary employees are not allowed to accrue compensatory time.

## XII. EMPLOYEE BENEFITS

### A. Vacation Leave

### 1. Vacation Leave Accrual

Vacation leave is available to full-time regular employees who have completed the equivalent of one (1) year of full-time employment. Vacation leave accrues at the start of employment and is credited on the employee's anniversary date of employment as follows:

a. Full-time regular employees who have completed the equivalent of one (1) year of full-time employment will receive five (5) working days of annual vacation leave per year for the next two (2) years of employment. Employees in this accrual tier may maintain a maximum

vacation leave balance of ten (10) working days, representing two (2) years of annual accrual.

b. Full-time regular employees who have completed the equivalent of three (3) years of full-time employment will receive ten (10) working days of annual vacation leave per year. Employees in this accrual tier may maintain a maximum vacation leave balance of twenty (20) working days, representing two (2) years of annual accrual.

c. Full-time regular employees who have completed the equivalent of ten (10) years of full-time employment will receive fifteen (15) working days of annual vacation leave per year. Employees in this accrual tier may maintain a maximum vacation leave balance of thirty (30) working days, representing two (2) years of annual accrual.

**2. Vacation Leave Carryover and Payout**

Vacation leave is intended to provide employees with time away from work for rest, relaxation, and personal well-being. Employees are expected to use accrued vacation leave on a regular basis. The County reserves the right to require employees to schedule and use accrued vacation leave to maintain reasonable leave balances and minimize the County's financial liability. Department Heads and Elected Officials may require employees to use accrued vacation leave when operationally feasible if an employee's accrued balance approaches the maximum allowable accumulation.

Employees may carry forward unused vacation leave from one anniversary year to the next and continue to accrue vacation leave during the following year. Vacation leave may be accumulated to a maximum balance equal to two (2) years of the employee's applicable annual vacation accrual.

An employee's accrued vacation leave balance shall not exceed the maximum allowable accumulation. Any vacation time over that amount will be paid in the accrual pay period.

Any accrued vacation leave balance in excess of the maximum allowable accumulation held by an employee at the time this revision is adopted, and previously approved for excess accrual and use, must be used within the six (6) months immediately following adoption of this revision, or within any shorter period previously approved by the supervisor. At the end of the applicable period, any excess accrued vacation time that has not been used will be paid out.

Vacation leave shall not be converted to cash at the employee's request except:

a. Upon separation from County employment, in accordance with this policy and applicable law; or

b. As provided under this section for vacation leave that exceeds the maximum allowable accumulation.