



HR Committee Meeting
September 17th, 2026 @ 1:00 pm
VIA Conference Call & Town Hall
141 Main St, Townsend, DE 19734

1:00 p.m. HR Committee Meeting

- I. Call to Order:
- II. Opening Ceremonies
 - a. Roll Call:
 - b. Pledge of Allegiance:
 - c. Recognition of Visitors:
 - d. Announcements:
- III. Citizens Comments & Participation
- IV. Adoption of Agenda.
- V. Approval/Rejection of Meeting Minutes.
 - a. **ACTION ITEM:** Approval/Rejection of HR Committee Meeting Minutes from the August 27th, 2026, meeting.
- VI. **ACTION ITEM:** Continued discussion of Volunteer PTO as an Employee Benefit.
- VII. **ACTION ITEM:** Discussion and review of Draft PD Comp Time Policy.
- VIII. Ongoing Business Updates.
- IX. Discussion of future agenda items.
- X. Discussion regarding next meeting dates.
- XI. Adjournment.

Committee Meetings will be held both in person and in a virtual format.

Those wishing to attend virtually may dial **1(301)715-8592**. When directed, provide following meeting ID **827- 6421-7575#** and then the following password **361631#** to enter the meeting. If you choose to access the meeting online click the following link:
<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xjME1HV0ZOcHRxSHZ3QT09>

Residents will be able to view documents posted to the meeting tab on the Town website at <https://townsend.delaware.gov> or by joining the meeting via computer.

Townsend Police Department – Unpaid Overtime

1. Employees may elect compensatory time off (accumulated time – AT) for any approved overtime worked.
2. Whether the employee is classified as exempt or non-exempt under the overtime provisions of FLSA (Fair Labor Standards Act), the employee will accrue 1 ½ hours for each hour of overtime worked.
3. All requests to use accumulated time must be approved in advance by the immediate supervisor.
4. Employees will be authorized to use accumulated time only to the extent that the time has been accumulated.
5. It is not necessary to exhaust vacation time prior to using accumulated time.
6. Maximum accrual – The maximum accrued balance is as follows: 120 hours. The Police Chief may reduce the accumulated hours by authorizing / requesting the time be paid in cash, by requiring the employee to take the time off, or a combination of the two.

TOWNSEND POLICE DEPARTMENT COMPENSATORY TIME (ACCUMULATED TIME) POLICY

1. Purpose

The purpose of this policy is to establish uniform procedures for the earning, accumulation, use, and payment of compensatory time by eligible employees of the Townsend Police Department in accordance with the Fair Labor Standards Act ("FLSA"), applicable federal and state law, and Town policy.

For purposes of this policy, compensatory time may also be referred to as "Accumulated Time" or "AT."

2. Eligibility

FLSA non-exempt employees who are eligible to receive overtime compensation may, subject to this policy, receive compensatory time in lieu of cash payment for approved overtime worked.

Compensatory time under this policy shall not automatically apply to employees classified as exempt from the overtime requirements of the FLSA. Any compensatory time or additional compensation provided to an exempt employee shall be governed separately by applicable Town policy, employment terms, or other authorization.

3. Authorization of Overtime

Overtime must be authorized in advance by the Police Chief or the Chief's designee, except in emergency circumstances or situations in which obtaining prior authorization is impracticable.

Nothing in this policy authorizes an employee to work overtime without approval. However, all hours that the Town is legally required to treat as compensable work shall be recorded and compensated in accordance with applicable law.

4. Election of Compensatory Time

An eligible employee may request to receive compensatory time in lieu of cash overtime compensation for approved overtime hours.

The Town reserves the right, consistent with applicable law, to compensate overtime through cash payment rather than compensatory time based upon operational, staffing, budgetary, or other legitimate management considerations.

Compensatory time may only be provided pursuant to an agreement or understanding between the Town and the employee established prior to the performance of the overtime work. Each eligible employee shall acknowledge this policy and the compensatory-time arrangement in writing.

5. Accrual Rate

For each hour of overtime for which compensatory time is authorized in lieu of cash overtime compensation, the employee shall receive one and one-half (1.5) hours of compensatory time.

Example: An employee who works four (4) qualifying overtime hours and elects, and is authorized to receive, compensatory time will receive six (6) hours of compensatory time.

An employee shall not receive both full cash overtime compensation and 1.5 hours of compensatory time for the same overtime hours unless specifically authorized under an arrangement permitted by law.

6. Maximum Accumulation

An employee may accumulate a maximum of **eighty (80) hours** of compensatory time.

Once an employee reaches the maximum accumulated balance, additional qualifying overtime shall be compensated through cash overtime payment unless the employee's balance is reduced below the maximum before the additional compensatory time is credited.

The Town-established eighty (80) hour maximum is an internal limit and applies notwithstanding any higher maximum accumulation permitted under the FLSA.

7. Use of Compensatory Time

Employees may request to use accumulated compensatory time at any time after it has been earned.

Requests shall be submitted to the employee's immediate supervisor as far in advance as reasonably practicable.

Requests to use accumulated compensatory time shall be granted within a reasonable period following the request unless the requested absence would unduly disrupt the operations of the Police Department, including its ability to maintain appropriate staffing and provide necessary public-safety services.

Approval or denial of a request shall be based upon legitimate operational and staffing considerations and applicable law.

Employees may only use compensatory time that has already been earned and credited to their accumulated balance.

Employees are not required to exhaust vacation leave before using accumulated compensatory time.

8. Management and Cash-Out of Accumulated Balances

The Town reserves the right, consistent with applicable law, to manage accumulated compensatory-time balances in order to address operational, staffing, and financial considerations.

The Police Chief may manage the scheduling and use of accumulated compensatory time within the Police Department and may recommend that an employee's accumulated balance be reduced through the use of compensatory time, cash payment, or a combination of the two.

Any discretionary cash payment or cash-out of accumulated compensatory time requires the prior approval of the Town Manager. The Police Chief shall not independently authorize a discretionary cash-out of accumulated compensatory time.

Upon approval by the Town Manager, the Finance Officer shall process the authorized payment in accordance with the Town's established payroll procedures and applicable budgetary requirements.

Nothing in this section shall limit or delay any payment of accumulated compensatory time that is required by federal or state law, including payment required upon separation from employment.

Any cash payment of accumulated FLSA compensatory time shall be calculated in accordance with applicable federal law.

9. Payment Upon Separation

Upon separation from Town employment for any reason, including resignation, retirement, termination, or death, an employee shall be compensated for all unused FLSA compensatory time as required by applicable law.

Payment shall be made at the rate required by the FLSA, which is no less than the higher of:

1. The employee's final regular rate of pay; or
2. The employee's average regular rate of pay during the final three (3) years of employment.

A payment required by law upon separation does not require discretionary approval by the Town Manager.

10. Recordkeeping

All overtime worked and compensatory time earned or used shall be accurately reported through the Town's established timekeeping and payroll procedures.

The official compensatory-time balance maintained by the Town shall control.

Employees and supervisors are responsible for ensuring that overtime, compensatory-time accruals, and compensatory-time usage are accurately documented and submitted within the applicable payroll period.

11. Compliance With Law

This policy shall be administered in accordance with the Fair Labor Standards Act, applicable regulations of the United States Department of Labor, Delaware law, and other applicable Town policies.

If any provision of this policy conflicts with applicable law, the requirements of applicable law shall control.

The Town reserves the right to amend, suspend, or discontinue this policy, subject to applicable law and any legally binding agreement.

Employee Acknowledgment

I acknowledge that I have received and reviewed the Townsend Police Department Compensatory Time (Accumulated Time) Policy. I understand that compensatory time may be provided in lieu of cash overtime compensation in accordance with this policy and applicable law.

Employee Name: _____

Employee Signature: _____

Date: _____

Police Chief/Designee: _____

Date: _____

