

**ORDINANCE NO. .**  
**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,**  
**STATE OF CALIFORNIA**

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**ORDINANCE AMENDING SECTION 2.71.100 OF THE SAN MATEO COUNTY  
ORDINANCE CODE REGARDING COUNTY EMPLOYEE OVERTIME**

The Board of Supervisors of the County of San Mateo, State of California,

**ORDAINS** as follows:

**SECTION 1.** Section 2.71.100 of Chapter 2.71 of the San Mateo County Ordinance Code is hereby amended in part to read as follows:

**2.71.100 - Overtime.**

[...]

(b) The Director of Human Resources shall allocate all job classifications to the following prescribed work groups:

1. Work Group 1: Employees in Work Group 1 are covered by the FLSA and may be compensated for overtime worked either by monetary payment or by compensatory time off, at the option of the employee. Compensatory time off which accrues in excess of 80 hours must be liquidated by monetary payment. All monetary payments for overtime must be paid not later than the next bi-weekly payroll following the pay period in which the overtime was worked.
2. Work Group 2: Employees in Work Group 2 are exempt from the FLSA and such employees may be compensated for overtime worked only by being allowed compensatory time off. Effective December 31, 1973, no more than

240 hours of such compensatory time off may be accumulated at any one time.

3. Work Group 3 has been deleted.
4. Work Group 4: Employees in Work Group 4 are exempt from the Fair Labor Standards Act. Such employees may be compensated for overtime only if explicitly provided for by act of the Board of Supervisors and in the manner so provided, including as part of ratifying a collective bargaining agreement.
5. Work Group 5: Employees in Work Group 5 are exempt from the Fair Labor Standards Act. Such employees may be compensated for overtime worked either by monetary payment or by compensatory time off, at the option of the employee. Compensatory time off which accrues in excess of 80 hours must be liquidated by monetary payment.

[...]

**SECTION 2. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be effective 30 days from the date of its passage.

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