

City of Arcata and Operating Engineers Local 3
Special Event Traffic Control
Letter of Agreement – Overtime (19)
September 3, 2025

19 OVERTIME

- A. Overtime is hours worked in excess of 40 hours per week (vacation time, sick leave, holidays, and compensatory time off shall be included in these 40 hours per week). Such overtime shall be compensated as compensating time off or paid in cash at the rate of time and one-half (1-1/2) the number of overtime hours worked. Payment in cash shall be at the employee's regular rate of pay as defined by FLSA (Fair Labor Standards Act).
- B. Employees shall receive overtime compensated as compensating time off or paid in cash at the rate of twice (2X) the number of overtime hours worked over twelve (12) consecutive hours in a workday, (vacation time, sick leave, holidays, and compensatory time off shall be included as "hours worked" in the work week) if hours worked are at least 40 for the work period/work week. (added 2011-2013)
- C. Employees shall be entitled to overtime compensation or compensating time off at the employee's option.
- D. Overtime work shall be distributed equally in so far as possible among qualified career employees engaged in the same activities in the same department.
- E. Employees covered by this Agreement may accumulate a maximum of 240 hours compensating time off. Compensating time off in excess of 240 hours of compensating time off shall be paid at the employee's regular rate of pay as defined by FLSA.
- F. An employee who has accrued compensatory time off shall be permitted by his/her supervisor to use such compensatory time within a reasonable period of time after making the request if the use of compensatory time does not unduly disrupt the operations of the City. Compensatory time off must be used in increments of not less than one-quarter hour.
- G. Upon separation of employment with City, the employee shall be paid for the unused time at a rate of compensation not less than a) the average regular rate received by such employment, or b) the final regular rate received by such employee, whichever is higher.
- H. Employees may cash out up to eighty (80) hours of CTO per fiscal year. An employee may cash out up to twice (2X) per fiscal year, so long as the combined total hours cashed out for the fiscal year do not exceed the maximums listed above. The request is to be made at least one (1) week prior to the pay day in which the employee wishes to receive it. It is at the employee's discretion to submit applicable forms designating a different tax withholding.

1. **Employees required or who volunteer to work overtime for special events to set up and take down traffic control will be compensated as follows:**

1. **Employee shall receive a minimum of two hours compensated at twice their regular rate of pay. Such overtime shall be compensated as compensatory time off or paid in cash via payroll.**
2. **Additional hours worked for special event traffic control beyond two hours will be compensated as either compensatory time off or paid in cash via payroll at time and a half.**
3. **OE3 represented employees will not be required to work traffic control for the weekly Farmer's Market which occurs each Saturday at the Arcata Plaza.**
4. **Overtime created by scheduled Special Events to set up and take down traffic control shall not be considered Call-Back; the City may require employees to work with at least five (5) working days' notice.**

Representatives of the Operating Engineers Local 3 (OE3) and the City of Arcata hereby agree to the above amended terms to Article 19, related to the OE3 Memorandum of Understanding (MOU) 2025-2027. All other terms and conditions of the MOU remain unchanged. This change shall be effective following the signatures of all parties.

Agreed Upon By:

 Merritt Perry, City of Arcata	09/03/2025 _____ Date
 Art Frolli, OE3	09/19/2025 _____ Date