



Legislation Text

File #: RES. 2021-R046, **Version:** 1

To request that the Mayor issue an administrative regulation and the Chief Administrative Officer provide certain financial and activity reports to address certain findings regarding overtime set forth in Audit Report No. 2019-07 concerning a Citywide Payroll audit.

WHEREAS, the City must and will continue to pay all non-exempt employees under the Fair Labor Standards Act who work overtime hours as required by the Fair Labor Standards Act; and

WHEREAS, on January 10, 2019, the City Auditor issued the most recent version of Audit Report No. 2019-07 concerning a Citywide Payroll audit; and

WHEREAS, this audit's Finding #1 raises concerns that some supervisors are exposing employees to health and safety risks caused by working extended overtime hours over long periods; and

WHEREAS, this audit's Finding #1 further raises concerns that some supervisors are failing to monitor employees' overtime hours sufficiently to prohibit fraudulent overtime claims; and

WHEREAS, this audit report recommended that the City Administration adopt policies to prevent these failures by supervisors in the future; and

WHEREAS, section 5.05 of the Charter of the City of Richmond (2020), as amended, vests the power to issue administrative regulations addressing employment practices in the Mayor; and

WHEREAS, section 5.05.1 of the Charter of the City of Richmond (2020), as amended, imposes a duty on the Chief Administrative Officer to present adequate financial and activity reports as requested by the City Council; and

WHEREAS, to protect employees from unsafe working conditions and to prevent fraudulent overtime claims, the Council believes that it is in the best interests of the public and City employees who work overtime hours that:

1. The Mayor address the aforementioned audit findings by issuing an administrative regulation that requires supervisors to ensure that supervisors do not expose employees to the safety and health risks caused by working

extended overtime hours over long periods and monitor employees overtime sufficiently to ensure that overtime claimed by employees is not fraudulent while ensuring that each employee owed overtime pursuant to the Fair Labor Standards Act is compensated properly in accordance with the Fair Labor Standards Act and

2. The Chief Administrative Officer present monthly financial and activity reports to the Council's Governmental Operations Standing Committee showing, by agency and without information that identifies any individual employee, the number of overtime hours worked by each employee who was paid overtime during the previous month and the dollar value of the overtime paid to that employee;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Council requests that the Mayor address Finding #1 of Audit Report No. 2019-07 as issued on January 10, 2019, by issuing an administrative regulation that requires supervisors to ensure that supervisors do not expose employees to the safety and health risks caused by working extended overtime hours over long periods and monitor employees overtime sufficiently to ensure that overtime claimed by employees is not fraudulent while ensuring that each employee owed overtime pursuant to the Fair Labor Standards Act is compensated properly in accordance with the Fair Labor Standards Act.

BE IT FURTHER RESOLVED:

That, pursuant to section 5.05.1 of the Charter of the City of Richmond (2020), as amended, the Council requests that the Chief Administrative Officer present monthly financial and activity reports to the Council's Governmental Operations Standing Committee showing, by agency and without information that identifies any individual employee, the number of overtime hours worked by each employee who was paid overtime during the previous month and the dollar value of the overtime paid to that employee.