

## CITY OF FRISCO PERSONNEL POLICIES

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**Section:** ON CALL/CALL BACK **Effective Date:** 04/08/02  
**Approved by:** Ordinance 04-12-80 **Revision Date:** 03/08/16

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I. **STATEMENT OF PURPOSE:**

The intent of this policy is to outline the City of Frisco's policy regarding the administration of on-call personnel and call back. It is the intent of the City of Frisco to comply with all aspects of state and federal laws governing employee compensation, including the Fair Labor Standards Act (FLSA).

II. **SCOPE**

This policy applies to non-exempt supervisors, employees on-call, and those that are called back. On-call pay does not apply to certified Police Officers, certified Fire personnel, deputy chiefs, assistant chiefs, and chiefs. The department director or division head determines on-call status. Departments should have no more than one (1) supervisor for a division on-call and receiving on-call pay at a time.

III. **DEFINITION OF TERMS**

a. **Non-Exempt -**

An employee covered by the minimum wage and overtime provisions of the FLSA.

b. **On-Call Time -**

Employees who are free to use their time effectively for their own purposes (within the restrictions of this policy), so long as they leave word with the appropriate supervisory personnel as to where they can be reached, and who are required to respond within a response time determined by the department are considered on-call. Unless the employee is actually called out to work, time spent on call will not be included for purposes of calculating overtime. An employee who is free to perform personal activities, but is required to be available to summons via pagers, phone, or radio is not working

c. **On Call Pay -**

A form of pay designed to compensate employees who are restricted in their activities by their department director or designee. Employees will receive one hour of pay for each day they are assigned to be on-call. This one-hour pay does not count towards the allowable number of hours in a workweek or work period and is therefore not calculated as overtime. This pay does not apply to certified Police or Fire personnel on-call.

d. **Certified Police and Certified Fire Personnel –**

Certified Police personnel is defined as TCOLE certified Police Officers working an 80-hour/2-week work cycle including deputy chiefs, assistant chiefs, and chiefs.

Certified Fire personnel are defined by Local Government Code 142.0015 including deputy chiefs, assistant chiefs, and chiefs.

**IV. POLICY**

**Determination of On-call** - In departments or divisions where on-call status is utilized, all employees are required to participate in the on-call rotation as a condition of employment.

**Substitutes** - With the approval of the Director or Division Head, employees designated on-call may make arrangements for another employee to substitute/cover their on-call assignment. However, the employee originally scheduled on-call is responsible for obtaining a substitute and approval for a substitute. If no substitute is available, the on-call employee must cover the on-call assignment. Substitutes will be eligible for on-call pay only if they substitute for a 24-hour period.

**Readiness and Response of On-Call Personnel** - On-call personnel must be prepared to respond to call-backs at any time. For this reason, on-call personnel are not allowed to consume alcohol at any time while on-call. Additionally, if an employee is taking medication that can affect their preparedness, they must inform their supervisor and remove themselves from on-call status. Employees will not receive on-call pay for each day they are not prepared to or able to respond to call-backs.

On-call and stand-by personnel must respond to call-backs within a time set by their department.

On-call and stand-by personnel must monitor communication devices while on-call.

V. **DISCIPLINARY ACTIONS**

Employees who do not remain ready, violate, misuse, or abuse this policy shall be subject to disciplinary action up to and including termination.

VI. **RIGHTS TO CHANGE AND MODIFY**

The City of Frisco reserves the right to change, modify, revoke, or rescind all or part of this policy at any time with or without notice.