

Section 10. In an effort to reduce the FLSA overtime liability to the Employer and to reduce the hourly work week to a more manageable level, the adoption of a Kelly Day shall be implemented as follows:

- A. Pursuant to 29 CFR 553.23, the Parties agree that a Compensatory Time Off policy for "FLSA Overtime" is adopted in lieu of overtime payments in cash for normally scheduled tours. This policy is established to address the maximum of one ninety-six (96) hours to be worked in a fourteen (14) day work period. It is the objective of the Parties that each Employee will work an average of forty-eight (48) hours per week, which equates to one hundred six (106) hours in a fourteen (14) day work period. To address this situation, each Employee on a twenty-four (24) hour workday shall be entitled to compensatory time off on a regularly scheduled workday every twenty-one (21) day work periods. This compensatory time off shall be in the form of a twenty-four (24) hour work reduction day, and for purposes of convenience only shall be called a Kelly Day Off.
- B. Each Employee on a twenty-four (24) hour workday shall be entitled to a Kelly Day on a regularly scheduled workday in every twenty-one (21) day work periods. A Kelly Day shall consist of twenty-four contiguous hours of time off.
- C. Assignment of Kelly Days will as set in Appendix C of this agreement. When a Kelly Day becomes available, Employees shall be able to select vacated Kelley Days in the order of most senior to least senior.

- D. An Employee transferred from one shift to another shall have the ability to choose an open Kelly Day on the Employee's new shift.
- E. In the event of an Employee being mandated, Employee's shall have the ability to work their Kelly Day given that a shift is open.

Section 11. No Employee shall be mandated, ordered to work, during periods of vacation leave or the two days before or two days after their Kelly Day. Employees who are mandated to work by the chief or designee shall be compensated at their regular rate of pay, subject to the provision for overtime for total hours worked. The order of which an Employee is mandated shall be in a rotating order starting with the least senior to most senior Employee, with the only exception listed in this section.