

**SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION NO. 2026 - 083**

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**A RESOLUTION AMENDING RESOLUTION NO. 2012-164, A RESOLUTION  
ADOPTING THE 2012 SANTA FE COUNTY HUMAN RESOURCES HANDBOOK TO  
REPLACE THE 2008 SANTA FE COUNTY HUMAN RESOURCES HANDBOOK, TO  
MODIFY SECTIONS 13.11.4 AND 13.11.5 AND ADDING SECTION 13.11.6  
PERTAINING TO COMPENSATORY TIME AND STRAIGHT TIME PAY FOR FLSA  
EXEMPT EMPLOYEES AND CERTAIN EMPLOYEES NOT COVERED BY THE FLSA**

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**WHEREAS**, on December 11, 2012, the Board of County Commissioners (Board) of Santa Fe County (County) adopted Resolution No. 2012-164, a Resolution Adopting the 2012 Santa Fe County Human Resources Handbook to Replace the 2008 Santa Fe County Human Resources Handbook (Handbook); and

**WHEREAS**, Handbook Section 13.11.4 identifies those employees ineligible for compensatory time, including Division Directors, Deputy Directors, Department Directors, the Undersheriff, Attorneys, the Fire Chief, the Warden, and Doctors, and does not include Deputy County Managers, Deputy Clerks, the Deputy Chief Assessor, and the Deputy Treasurer; and

**WHEREAS**, Deputy County Managers, Deputy Clerks, the Deputy Chief Assessor, and the Deputy Treasurer are similarly situated to those ineligible for compensatory time in terms of level of responsibility and should therefore also be excluded from earning compensatory time; and

**WHEREAS**, the Fair Labor Standards Act (FLSA) does not govern compensation for elected officials and their appointees such as the Deputy Clerks, Deputy Chief Assessor, and Deputy Treasurer; and

**WHEREAS**, under the Handbook, FLSA exempt employees eligible to earn compensatory time are also eligible to earn overtime at straight time after accruing the maximum number of compensatory hours allowed, with written authorization from the County Manager; and

**WHEREAS**, under the Handbook, those FLSA exempt employees excluded from earning compensatory time are also unable to earn overtime at straight time regardless of the projects assigned to them and the volume of overtime required to accomplish those projects; and

**WHEREAS**, there are infrequent occasions when FLSA exempt employees, excluded from earning compensatory time by Handbook Section 13.11.4, are tasked with a long-term project so unusual and so demanding that significant and consistent overtime will be required to accomplish the project; and

**WHEREAS**, the Handbook should be revised to provide for some compensation to FLSA exempt employees and appointees of elected officials who are tasked with substantial work in addition to their usual duties in order to complete a long-term project.

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**NOW, THEREFORE, BE IT RESOLVED** that the Santa Fe County Board of County Commissioners hereby adopts the following amendments to the Handbook:

1. Sections 13.11.4 and 13.11.5 of the Handbook are repealed and replaced with the following:

**“13.11.4** Compensatory time for FLSA exempt employees, except Deputy County Managers, Division Directors, Deputy Directors, Department Directors, the Undersheriff, Attorneys, the Fire Chief, the Warden, and Doctors, is compensated at the rate of one hour of time off from work for each hour actually worked in excess of forty (40) hours per week. Department Directors, Division Directors, Deputy Directors and Deputy County Managers, the Undersheriff, Attorneys, the Fire Chief, the Warden, and Doctors are not eligible for compensatory time. Compensatory time off may be accrued, but only to a maximum of eighty (80) hours. Employees who are not covered by the FLSA, including Deputy Clerks, Deputy Chief Assessor, and Deputy Treasurer, are not eligible for compensatory time. Questions concerning compensatory time should be directed to the Human Resources Division.

**13.11.5** Straight Time. FLSA exempt employees who work over forty (40) hours per week and have eighty (80) hours of accrued compensatory time will not be compensated unless approved by the County Manager. FLSA exempt employees who earn overtime shall be compensated at straight time. Employees who are ineligible for compensatory time are not eligible for overtime pay except as set forth in Section 13.11.6.”

2. The Handbook is amended to add the following Section 13.11.6:

**“13.11.6** In those instances when the County Manager or applicable Elected Official gives a written assignment to any Deputy County Manager, Deputy Clerk, Deputy Chief Assessor, and Deputy Treasurer, Division Director, Deputy Director, Department Director, Undersheriff, Attorneys, Fire Chief, Warden, or Doctor to begin work on a project which the County Manager has determined is not a common type of assignment and is distinct from the employee’s routine responsibilities, yet within the employee’s job description, and which will demand consistent overtime for more than thirty days in addition to the employee’s usual work duties, temporary additional compensation may be authorized by the County Manager as follows:

- A. To initiate temporary additional compensation for one of the aforementioned FLSA exempt employees or appointees of Elected Officials, the County Manager shall issue a written authorization identifying:

1. The scope of the project;
2. The duties under that project which are not part of FLSA exempt employee or appointee of an elected official’s usual duties;
3. The anticipated frequency and volume of overtime required of the employee to complete the project;
4. The anticipated start and end dates of the project;

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5. The limit (if any) on the maximum number of hours that may be compensated pursuant to the determination; and
6. Any other terms and conditions on the additional compensation authorized.

B. On the designated start date, the FLSA exempt employee or appointee of an elected official shall be paid the equivalent of straight time based on the hourly rate which correlates to the employee's salary, for each documented hour worked in excess of forty (40) hours in each work week as a result of work on the project, subject to any limitations in the County Manager's authorization of additional compensation. Eligibility for additional compensation shall automatically terminate on the designated end date of the project, unless the end date is extended in writing by the County Manager.

C. The County Manager can amend or terminate the written authorization for additional compensation at any time, by providing the impacted employee with written notice of the termination or amendment, with changes in overtime compensation to be effective at the start of the next work week.

D. The straight time compensation for hours worked in excess of forty (40) hours in each work week does not qualify as PERA eligible wages."

3. All provisions of the Handbook not herein amended, or amended by previous amendments, shall remain in full force and effect.

**PASSED, APPROVED, AND ADOPTED THIS 30<sup>TH</sup> DAY OF JUNE, 2026.**

**SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_

Justin S. Greene, Chair

**ATTEST:**

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Katharine E. Clark  
Santa Fe County Clerk

Date: \_\_\_\_\_

07/01/2026

**Approved as to form:**

