

## Human Resources Branch Memorandum

<b>SUBJECT:</b> <b>Arduous Pay Differential Request Procedures for FLSA-Exempt Employees</b>	<b>NUMBER:</b> <b>HRB 18-012</b>
	<b>DATE ISSUED:</b> <b>July 2, 2018</b>
<b>DISTRIBUTION:</b> <b>CDFW Employees exempt from the Fair Labor Standards Act (FLSA)</b>	<b>EXPIRES:</b> <b>N/A</b>

Action Required       Informational Only       Control Agency Directive

### Purpose

The purpose of this memorandum is to inform employees of the California Department of Human Resources (CalHR) Arduous Pay Policy and provide employees with the California Department of Fish and Wildlife's (CDFW) procedures on requesting the Arduous Pay Differential.

### Authority

- [California Department of Human Resources \(CalHR\) Manual Section 1702](#)
- Government Code section 21224
- Bargaining Unit (BU) Contracts
- [Pay Differential 62 Arduous Pay \(Fair Labor Standards Act Exempt Employee Differential\)](#)

### Policy

Arduous Pay provides eligible FLSA-exempt employees compensation for performing work that exceeds the normal demands of state service employment for a period of at least two weeks or more. The work must be extraordinarily demanding, time consuming, and significantly exceed their normal workweek.

Eligible employees may receive up to four (4) months of pay per fiscal year, or per event for emergencies, if the following conditions are met:

1. There is a nonnegotiable deadline or extreme urgency;
2. Work exceeds normal work hours and normal productivity;
3. Work is unavoidable;
4. Work involves extremely heavy workload;
5. Employee is eligible for no other compensation, and
6. The circumstances that support this pay differential are documented.

An employee may be paid \$300 per workweek, up to \$1200 total per pay period. Additional information can be found in [CalHR Manual Section 1702](#).

### Procedure

1. Employee submits CalHR 777 form with timesheet and required documentation to

supervisor.

2. Supervisor reviews all documents, obtains Branch Chief/Regional Manager approval, and submits to:

*Veronica Boles, Transactions Manager  
Human Resources Branch (HRB)  
P.O. Box 944209, Sacramento, CA 94244-2090.*

3. Veronica Boles or designee reviews CalHR 777 forms and submits to the Director or designee for approval. CalHR 777 forms for represented employees will be submitted to CalHR for approval.

### **Form**

1. [CalHR Arduous Work Pay Request Form \(CalHR 777\)](#)

### **Contact**

If you have any questions, please contact Transactions Manager, Veronica Boles, at 916-653-7592.