



King County



KING COUNTY AUDITOR'S OFFICE

APRIL 1, 2025





Sixth Follow-up on King County Sheriff's Office Overtime: Calculation of Sheriff's Office Overtime Payments

King County is no longer underpaying Sheriff's Office employees for overtime they earned attending roll call meetings. In our prior follow-up report in 2022, this single issue made up the majority of underpayments to these employees. In addition, the labor contract for deputies and sergeants now specifies that these employees are paid for actual hours worked on an hourly basis and that their overtime rates are also paid on this basis. This resolved an overpayment issue and helped clarify how much overtime pay these employees should be eligible for under the Fair Labor Standards Act (FLSA).

Two overtime calculation issues remain to be addressed. In 2022, we estimated that one of these issues resulted in underpayments of overtime totaling around \$23,000 per year. The other issue resulted in overpayments of overtime totaling around \$18,000 per year. These amounts generally do not offset each other, since the issues often occurred to different employees on different paychecks.

This follow-up report is for recommendations made in a technical addendum to our [June 2017 audit](#) of King County Sheriff's Office use of overtime. In addition to the 12 recommendations made in the original audit, we made another eight recommendations (numbered 13 through 20) in the addendum that were specific to overtime pay calculations. Five of these eight recommendations were either completed or closed in prior follow-up reports.

Of the three remaining audit recommendations:

 1 DONE	 1 PROGRESS	 0 OPEN	 1 CLOSED
FULLY IMPLEMENTED Auditor will no longer monitor.	PARTIALLY IMPLEMENTED Auditor will continue to monitor.	REMAIN UNRESOLVED Auditor will continue to monitor.	NO LONGER APPLICABLE Auditor will no longer monitor.

See details below for implementation status of each recommendation.

Recommendation 13

AUGUST 3, 2020

DONE



Recommendation 14

CLOSED



The King County Executive should transition King County Sheriff's Office employees to an extended work period for overtime calculations (as allowed under section 7(k) of the Fair Labor Standards Act and allowed under the current collective bargaining agreement) so that elements of alternative schedules, such as roll call hours, will not regularly require payment of overtime.

STATUS UPDATE: In our [2022 follow-up report](#), we detailed how moving King County Sheriff's Office employees to an extended work period for FLSA overtime calculations would resolve two issues. The first issue was that the County was not appropriately compensating these employees for regular 50-minute roll call meetings outside their regular hours. Since our 2022 report, Sheriff's Office employees have transitioned to a different work schedule, and these roll call meetings are now part of their regular hours. This means the County is no longer underpaying employees for these meetings and extending the work period for overtime calculations is no longer necessary to address this issue. The second issue was that the County had guaranteed employees working a rotating schedule a regular amount of pay (even when their regular shifts were less than 80 hours over two weeks), but these additional payments were not included when calculating overtime rates as required by the FLSA. Since our 2022 report, the County bargained to pay employees on an "actual hours" basis, rather than a "guaranteed hours" basis. This means that the County is no longer making these additional payments, so it is no longer necessary to include them in overtime calculations.

Recommendation 15

DONE



The King County Executive should clarify and document:

- a) Whether Sheriff's Office employees are paid regular pay on an hourly or salaried basis**
- b) Whether Sheriff's Office employees are paid contractual overtime on an hourly or salaried basis**
- c) The method by which the Executive calculates overtime pay for both contractual overtime and overtime under the Fair Labor Standards Act.**

This may require consultation with the King County Police Officers Guild and other labor unions.

STATUS UPDATE: The labor contract for the deputies and sergeants now specifies that these employees are paid on an hourly basis and that overtime will be calculated on that basis as well.

IMPACT: By clarifying the basis for pay and overtime calculations allows the County to ensure it is paying the correct amount of overtime to Sheriff's Office employees under the FLSA.

Recommendation 16

DECEMBER 1, 2022

DONE



Recommendation 17

PROGRESS



The King County Executive should not pay more overtime than is required by the King County Police Officers Guild collective bargaining agreement for any hours worked under the Fair Labor Standards Act threshold (either 40 hours per week or an alternative work period allowed under provision 7(k) of the Act). Once the enriched rate is eliminated, the King County Executive should ensure that contractual overtime pay for hours worked under this threshold still includes time-and-a-half payments for additional pays (as listed in Article 7 of the collective bargaining agreement).

STATUS UPDATE: Since our 2022 follow-up report, the County has negotiated a new collective bargaining agreement that excludes non-hourly pay premiums from contractual overtime requirements. This addressed one of the three issues identified in our report, but not the other two. We estimated one issue would underpay employees around \$23,000 per year (or around \$84 per week, on average, for impacted employees) and the other would result in around \$18,000 in overpayments per year (or around \$21 per week, on average, for impacted employees).

WHAT REMAINS: The County should only pay the amount of overtime required by either the FLSA or the collective bargaining agreement, whichever is greater.

Recommendation 18

DECEMBER 1, 2022

DONE



Recommendation 19

DECEMBER 1, 2022

CLOSED



Recommendation 20

DECEMBER 1, 2022

DONE



Peter Heineccius conducted this review. If you have any questions or would like more information, please contact the King County Auditor's Office at KCAO@KingCounty.gov or 206-477-1033.