



Work Periods

Dear Reader:

The following document was created from the MTAS website ([mtas.tennessee.edu](https://www.mtas.tennessee.edu)). This website is maintained daily by MTAS staff and seeks to represent the most current information regarding issues relative to Tennessee municipal government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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The standard work period for most employees, such as dispatchers and secretaries, is one week (seven days). The law enforcement exemption allows work periods from one week to four weeks (seven days to 28 days). The most prevalent work periods for law enforcement are one week, two weeks, and four weeks. 29 C.F.R. § 553.230.

It should be noted that work periods are not necessarily the same as pay periods. For example, an employer may have a one-week work period but a two-week pay period. Two-week pay periods are actually quite common. If the work period is one week, as it always is for non-public safety employees, overtime is calculated for each of the one-week work periods in the pay period.

The employer can have pay periods that are shorter than the work period. This is very common for fire departments and, to a lesser degree, police departments, especially police departments working 12-hour shifts. Overtime is calculated at the end of the work period, encompassing both pay periods. There is a longer discussion later in this publication of the benefits of longer work periods when an employer uses shifts longer than the traditional eight-hour shift.

Work periods longer than one week only apply to bona fide police officers. Persons performing clerical duties or dispatcher duties are not bona fide police officers, even if the employer designates them as such. The definition applies to the duties performed by the employee, not the title of the employee. For employees with varied job duties, the tasks performed the majority of the time determine the employee's status. For example, if a police officer occasionally works as a dispatcher, the officer would still be subject to the law enforcement exemption.

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