Operating Procedures for Hours Worked, Overtime Pay and Call-back Pay

These procedures supplement the policy on Wage Administration for Clerical/Service Staff and Operations/Technical Assistants (VI.C.2). Refer to the policy for contact information and applicable definitions.

HOURS WORKED

Department heads have the authority and responsibility to establish and change work schedules. Changes in work schedules should be arranged and discussed with employees in advance, except in cases of emergency.

- The normal Workweek starting and ending day and time cannot be changed to avoid the payment of overtime.

- Nonexempt staff must receive pay for all Hours Worked. Work not authorized by the supervisor must also be counted as Hours Worked. However, nonexempt employees who work without authorization are subject to disciplinary action, up to and including termination.

- Records of Hours Worked should be maintained to the nearest one-tenth hour.

OVERTIME PAY

Nonexempt staff will be paid overtime for all Hours Worked in excess of 40 hours in any single Workweek:

- Overtime pay for nonexempt staff will be determined on the basis of all Hours Worked. Paid time during which no work is performed (i.e., vacation, jury duty, sick leave, bereavement leave, etc.) with the exception of University recognized holidays, will not be counted to determine eligibility for overtime pay.

- Employees attending appointments due to Worker’s Compensation will record time using the WC absence code. Hours recorded as WC will be included for the purposes of determining overtime.

- Authorization for overtime is given by department heads or their designated representatives on the determination of need, work load, emergencies or other demands that require work by employees with specific skills, training or experience. Overtime work should be scheduled to provide for fair and even distribution of overtime work among staff members whose job classifications are appropriate to the required work.

- Payment for overtime is made at the rate of one-and-one-half times the employee’s regular rate of pay. The regular rate on which overtime pay is calculated includes remuneration (or pay) for employment, and certain payments made in the form of goods or facilities customarily furnished by the employer. For example, where the employee’s
wages include lodging customarily furnished by the employer, the reasonable cost or the fair value of the lodging furnished must be added to the employee’s earnings before determining the regular rate. The regular rate does not include certain payments excluded by the FLSA (Section 7(e) of the FLSA).

- The use of compensatory time off for time worked is not allowed.

- No employee may work more than 16 hours (regular and overtime) in a 24-hour period. The maximum overtime an employee may work in any Workweek is 20 hours, allowing at least one full day off work per Workweek, except for approved emergency situations.
  
  - **Section 7(k) of the FLSA** provides that employees engaged in fire protection or law enforcement are subject to different requirements.

- University holidays: When work is required of an employee on a University holiday for which the employee is eligible to receive holiday pay, the actual number of Hours Worked is paid at the overtime rate and the normally scheduled hours for the holiday are reported for regular holiday pay.

- All holiday hours paid will be considered as Hours Worked for the purpose of overtime computation.

- Accurate time and attendance records are to be maintained in each department with daily and weekly total hours of regular time and overtime identified.

**CALL-BACK PAY**

Nonexempt, benefits-eligible employees will receive call-back pay when, after leaving a scheduled work shift, the employee is required to return to the workplace outside of the employee’s normal work schedule. Call-back pay is not provided when extra work is scheduled in advance or when employees are asked to extend their regular work shifts (either to stay past the end of the shift or to report to work early).

Employees compensated for call-back pay must receive a premium equivalent to two hours of regular pay and be compensated for all Hours Worked. All time worked in call-back status is included to determine overtime eligibility. The call-back premium payment is not included when calculating overtime eligibility.

**HISTORY AND UPDATES**

January 12, 2015: Operating procedures were revised and separated from related policy on Wage Administration for Clerical/Service Staff and Operations/Technical Assistants (VI.C.2). These procedures supersede the requirement that premium overtime be paid for all hours in paid status in any single Workweek. Overtime pay for nonexempt staff will be determined on the basis of all Hours Worked. Paid time during which no work is performed (i.e., vacation, jury duty, sick leave, bereavement leave, etc.) **with the exception of University recognized holidays**, will not be counted to determine eligibility for premium overtime pay.