

# HUMAN RESOURCES DEVELOPMENT

## SUPERVISOR'S MANUAL

**Subject: 4.02 Hours, Overtime and Pay Practices**

**Section: 4.0 Pay**

**Issuance Status and Effective Date: Revised April 2006.**

---

### 1. Established Work Week

For compliance with the overtime provisions of the Fair Labor Standards Act (FLSA) and for purposes of time recording, the University's work week begins at 12:01 a.m. on Monday and ends at midnight on the following Sunday.

Overtime under FLSA requirements is calculated on the basis of the number of hours worked within the established work-week. Any alteration to the established workweek requires advance written notification to Payroll.

The University reserves the right to modify the usual work hours during any given work week to accommodate the business needs of the institution.

### 2. Overtime

Staff are occasionally required, as a condition of their employment, to work more than their regularly scheduled hours.

Non-exempt staff are paid time-and-one-half their base hourly rate for all hours worked in excess of 40 in the established work week. The following information applies to **non-exempt staff**:

- a. The base hourly rate is calculated by dividing the annual salary by 26, rounded upward to full cents, and then divided by 80 for staff on a 40-hour schedule, or by 70 for staff on a 35-hour schedule, carried to six decimal places.
- b. Only actual hours worked are used in calculating overtime, with the exception of recognized holidays, which are treated as hours worked for overtime purposes. All other paid absences are considered hours not worked in calculating overtime.
- c. Staff on a 35-hour work week receive their regular straight-time hourly rate for hours worked in excess of 35 but which do not exceed 40, and time-and-one-half for hours over 40.
- d. Staff who work on a University-designated holiday receive pay for the holiday plus double their base hourly rate for all hours worked on that day.
- e. Staff who work on the seventh day of their scheduled week, i.e., Sunday for employees scheduled Monday through Friday, will receive double their base hourly rate, for all hours worked on that day. Double-time also applies to any work performed on Easter Sunday, irrespective of an individual's regular work schedule.

- f. Staff not previously notified, who are called back to work after the completion of their daily schedule or on a scheduled day off, will be paid a minimum of four hours straight-time pay if that amount is greater than the pay for the hours actually worked. Call-back pay is double-time for call-back on the seventh scheduled day, on Easter Sunday or on a recognized holiday. This provision applies only when there is no prior knowledge of a requirement to report for work before leaving at the end of the preceding shift.
- g. A regular full-time staffmember who works a continuous shift exceeding 12 hours shall be paid time-and-one-half for all hours over eight in that continuous shift, irrespective of whether or not 40 hours are worked in that work week.
- h. Overtime pay is not compounded on overtime already calculated, and when two different forms of overtime pay apply to the same hours, the employee shall be given the benefit of the greater amount.
- i. The opportunity for overtime will be made available on a fair and equitable basis to all qualified employees within the department and classification in which it occurs. Whenever individual preferences either to work or not to work in a given instance are involved, the qualified staff member with greater length of continuous service will be accommodated provided there is no loss of efficiency by doing so.
- j. All hours worked beyond the normal work schedule must be authorized in advance by the supervisor. Time sheets must be completed accordingly. If an employee accrues unauthorized overtime, he/she may not be paid for those hours, but with the supervisor's approval, may be required to take compensatory time off within the same work week. (See also **4.02, 3 Compensatory Time Off ( a & b )** ):

An employee who repeatedly works unauthorized overtime will be subject to disciplinary action, up to and including termination.

### **3. Compensatory Time Off**

- a. Compensatory time off, in lieu of overtime pay for hours worked over 40 in one week, is not allowed by FLSA nor the University.
- b. Compensatory time off in lieu of time worked over 35 hours up to and including (but not over) 40 hours may be granted. The limitation requires the compensatory time off be given to the staff member in the work week immediately following the week in which the excess hours occurred. Compensatory time off is considered as hours worked in the week when taken.
- c. Compensatory time off for exempt staff who work excessive hours is a prerogative of the supervisor. Exempt staff generally set their own professional pace and are expected to work occasional overtime to accomplish their responsibilities. Salary ranges for exempt positions have factored in pay and an extra week of vacation for reasonable overtime.

#### 4. Work Schedules

- a. Office Staff: The standard non-exempt workweek is 35 or 40 hours. The non-exempt 35 hour workweek is typically Monday through Friday, 8:30 a.m. to 4:30 p.m., with one unpaid hour for lunch. All exempt staff are scheduled to work a minimum 40 hours per week, excluding lunch which is unpaid time. Each University department has its own operating needs that govern its hours and schedule.
- b. Non-office Staff: The standard work week for regular coverage is 40 hours, Monday through Friday, with starting times, unpaid lunch periods, and stopping times as determined by the departments affected. For departments that require continuous coverage, the department will schedule and rotate according to need. Scheduling will provide the opportunity for employees to earn 40 hours of pay per week and to regularly have two consecutive days of rest after five days of work.
- c. Lunch breaks are determined according to operational requirements, but are not less than one-half hour, nor scheduled later than five hours into a shift, except for continuous coverage employees.
- d. Lunch periods for continuous coverage employees are not scheduled, however a meal is allowed during normal duty hours without cessation of pay at a time when it will not interfere with duties.
- e. Rest Periods/Coffee Breaks: There is no formal break period for those employees who have the opportunity to take refreshment in the normal course of their duties without interference with their work. Employees without such an opportunity, when periods of sustained manual duties or equipment operation are required, will be scheduled for a paid rest period, not to exceed 15 minutes, approximately midway through each four-hour segment of their shift.
- f. All changes in the standard work-week must be approved by the department's Senior Officer and processed through HRD to ensure legal documentation and coordination with Payroll.
- g. Staff may not regularly alter a one hour unpaid lunch break to shorten the workday. The minimum lunch break is one-half hour. Continuous coverage operations or other prior-approved schedules for second and third-shift employees may be excluded from this restriction.
- h. Work schedules are not guarantees of employment, but a customary practice of providing stable hours of employment as much as reasonably possible.
- i. **Flexible Work Schedule Program:** The University offers the possibility for regular full-time nonunion staff to participate in a flexible work schedule program in an effort to afford employees the opportunity to better balance competing demands on their time, both personally and professionally. The business needs of the University of Hartford will continue to be the primary focus and must guide the various arrangements as well as the number of employees who will be eligible for these flexible programs. An employee who is interested in participating in a flexible work schedule will be responsible for developing a proposal and presenting it to his/her supervisor.
- j. It is understood that all work, other than occasional work, will be done on site at the University of Hartford, unless specifically authorized in writing by the department's Senior Officer and approved in writing by HRD. Work from home is not a defined benefit nor is it an entitlement. It

is solely at the convenience of the University and is terminable with a two week notification.

## **5. Shift Differential**

The following differentials apply to non-union non-exempt staff:

- a. A shift differential of 45 cents per hour will be paid for all hours actually worked by an employee regularly assigned to work on the second shift.
- b. A shift differential of 55 cents per hour will be paid for all hours actually worked by an employee regularly assigned to work on the third shift.
- c. The shift differential is included in the base hourly rate in calculating overtime.
- d. The shift differential is **not** included in payments made for hours not worked, such as vacations, paid absences and holidays.
- e. The first shift begins and ends between the hours of 4:00 a.m. and 8:00 p.m. The second shift begins and ends between the hours of 12:00 noon and 1:00 a.m. the following day. The third shift begins and ends between the hours of 8:00 p.m. and 9:00 a.m. the following day. Specific shift times are determined by departmental needs.

## **6. Time Reporting**

- a. Time worked is considered the hours an employee is required to be available at a particular site for service, even if no service is performed. Generally, these are hours during which the University controls the employee's activities, even if the activity is dormant. An employee on call, but who has freedom to otherwise pursue normal outside activity, and an employee traveling, who is not traveling for the purpose of transporting goods or equipment, is not necessarily considered to be working. The matter of determining working time is legally subtle, and questions should be referred to HRD.
- b. Compliance with FLSA requires time records be kept that accurately reflect all hours worked on each workday of the work week. Non-exempt staff are required to complete daily time sheets, indicating all hours worked, denoting time in and out including unpaid breaks. Exempt employees are required to complete bi-weekly absence reports. Time sheets (biweekly) and absence reports are submitted to Payroll for processing. Supervisors are directly responsible for the accuracy and timely submission of these documents. Failure to do so is a violation of the federal Fair Labor Standards Act as well as University policy.
- c. Any falsification of time records, or recording time for another employee, is strictly prohibited and may result in disciplinary action, up to and including immediate dismissal.

## **7. Pay Procedures**

- a. Pay advances are to be discouraged, but may be made only upon recommendation of a dean or administrative department head, and require the approval of a Senior Officer. In no event will a pay advance exceed one-half of the next salary due, and must be deducted from the next two pays in equal amounts.
- b. All wages, salary and supplemental payments made to any employee are subject to withholding of federal and state income taxes and Social Security taxes (until the current FICA ceiling has been reached.) Supplemental payments are included in the employee's regular paycheck. A flat percent of withholding and Social Security will be deducted according to current regulations.

- c. All **regular, full-time** staff, as well as exempt part-time staff are paid every other Friday on a current basis. **Part-time** employees are paid every other Friday for the two-week period ending on the preceding Sunday. **Graduate** and **Research Assistants** are paid on the same schedule as part-time staff. **Adjunct faculty** are generally paid seven times each semester.
- d. No deduction, other than those mandated by law, will be made from an employee's pay without the employee's written authorization.
- e. The Connecticut General Statutes, Section 31-7(c), sets the requirements for the payment of wages upon termination of employment. When an employee voluntarily resigns, the employer must pay all wages in full no later than the next regular pay day, either in the regular fashion or by mail. When an employee is laid off, the employer must pay all wages in full no later than the next regular pay day, unless varied by the agreement of all parties involved. When an employee is discharged, the employer must pay all wages in full no later than the next business day following the date of the discharge.
- f. Annual salary adjustments do not become effective until the first day of return to work if an employee is on any type of leave of absence.

## 8. Secondary Assignments for Staff Employees and Double-Dipping

Staff will be paid for secondary assignments only if these assignments occur outside regularly scheduled work hours. Non-exempt employees will not be paid less per hour than their regularly assigned rate, and their total hours among assignments will be accumulated to determine weekly overtime. Secondary employing departments are responsible for overtime pay. In cases of part-time staff, when it is unclear who the primary department is, overtime costs may be shared pro-rata, but would be better if avoided completely.

Staff serving as adjunct faculty are expected to teach without charge to the University if the teaching is done during regular working hours.

## 9. Travel Reimbursement

The Treasurer issues procedures regarding the travel policy and reimbursement. Any employee driving his/her personal car on University business is reimbursed for mileage at an appropriate rate.

## 10. Student Employment Supervisory Responsibility

Federal Immigration law, University policy and legislation governing the Federal Work-Study Program mandate that a full-time student cannot work more than 20 hours in any given week while school is in session. The 20-hour limit refers to the total of any, and all, jobs on campus. **Graduate Assistantships, both full and half-time, must also be factored into this total.**

Supervisors responsible for hiring and overseeing student employees at the University must take the following steps before a job is offered:

- a. Ask the student if he/she has another job on campus (including graduate assistantship). If he/she does, verify the number of hours worked per week. Full graduate assistantships carry the equivalent of 20 hours per week. Half assistantships have the value of 10 hours per week.

- b. If employing the student will cause him/her to exceed the 20-hour per week limit, no offer of employment can be made.
- c. Any questions concerning the hours worked by a prospective student employee should be referred to the office of HRD.
- d. When hiring a new student, supervisors must verify that he/she has a social security number. The student cannot begin working if he/she does not have a social security number. If necessary, an On-Campus Worksheet (available in HRD) can be prepared which verifies that the student has a pending job offer. This form can be used when applying for a social security number.
- e. Once the student has accepted an employment offer, and if necessary, has obtained a social security number, a completed Roster Form must be submitted to begin employment. The student will have to complete a Form I-9 as well as appropriate tax forms. These forms should be attached to the Roster and forwarded to the Budget Office for processing.