



## **Work Schedules/Timekeeping/Classified Employees (6.40)**

---

### **PURPOSE**

The purpose of this policy is to establish uniform guidelines for the scheduling of work hours and maintaining time records.

### **POLICY**

It is the policy of Tennessee State University that all employees are required to adhere to prescribed work schedules as specified within these guidelines.

### **PROCEDURE**

#### Regular Work Schedules

- A. Regular working hours for most employees are 8:00 a.m. to 4:30 p.m., Monday through Friday with one hour for lunch. This schedule provides for 7.5 duty hours per day or 37.5 hours per week. There are approved exceptions where employees in some areas are hired for 40 hours per week and in some instances are on call during their lunch period. A grace period of six minutes will be allowed upon arrival or departure from the work site.
- B. When an employee is required to work a schedule other than those described in A., the employee's work schedule should be revised so as not to exceed the maximum regularly scheduled (37.5 or 40.0) hours during the work week.
- C. Employees shall perform approved overtime work when such work is scheduled at least 24 hours in advance. Scheduled overtime will be treated as any other work time with regard to unapproved absence. Additionally employees may be asked to extend their work days in order to respond to weather related problems or other unforeseen problems arising near the end of the work period.

#### Special Schedules Service Areas

- A. The officials designated below will establish work schedules for their departments within the framework of 37.5 (or 40.0 hours where approved for exception) per week in order to provide services to the public and the University Community:

1. Director of Physical Plant
2. Director of Safety and Security
3. Director of Libraries and Media Resources

B. All employees of service areas must provide their supervisors with telephone contact numbers for use in case of emergencies or other scheduling problems.

#### Other Special Services

All classified employees are required to conform to the working hours indicated in items above. Requests for deviations from these schedules must be submitted in writing to the vice president of the area.

#### Lunch Breaks

A one hour lunch period will be provided in the above schedule at a time established by department and activity heads, unless otherwise designated by the department head for specific service areas.

#### Rest Periods

Employees may be given a rest period of fifteen minutes each half day, work load permitting, as scheduled by department heads or supervisors. Rest periods are considered work time for pay purposes. Employees may not accumulate unused rest periods, nor are rest periods considered as employee's right.

#### Compensatory Time and Overtime

- A. As a condition of employment, classified personnel agree to accept compensatory time off as payment for hours worked in addition to their regularly scheduled hours in lieu of overtime pay.
- B. Working more than 37.5 hours (or 40.0 hours where approved for exception) per week is not authorized without advance approval of the appropriate Vice President and the President.
- C. The regular work week for calculating pay and overtime begins at 12:01 a.m. on Sunday and ends at midnight on Saturday.
- D. Compensatory time for hours worked in excess of 37.5 will be handled as follows:
  1. Compensatory time granted for hours worked between 37.5 and 40.0 will be at straight time (1.0 hour for 1.0 hour).
  2. Compensatory time granted for hours worked over 40.0 will be at time and one half (1.5 hours for each 1.0 hour).

3. Compensatory time not taken during the pay month in which it was earned will be banked, up to a maximum accumulation of 240 hours. Compensatory time hours must be recorded on the official University Time Report.
  4. Banked compensatory time is to be used before annual leave is used.
  5. Banked compensatory time will be paid upon termination of the employee; however, an official record of Compensatory Time must be provided as earned and maintained by the Office of Human Resources.
- E. In approved circumstances payment for overtime work will be made. These payments will be made at the straight time rate for hours worked in excess of 37.5 hours and up to 40.0 hours per week; premium rate overtime (one and one half times the regular rate of pay) will be paid from hours worked in excess of 40.0 per week.
- F. Hours worked on official holidays will be paid as premium rate overtime (time and one half). Employees who are required to work on official University holidays will be granted an equal amount of time off without charge to leave.
- G. For purposes of calculating compensatory time and overtime, holiday hours will be treated as hours worked. Hours taken as annual leave, sick leave, bereavement leave, etc., do not count as hours worked.

#### Emergency Call Back

A minimum of three hours will be paid to employees who are called back to work for emergency reasons (equipment failures, etc.) at times other than their regular work hours. Such emergency call back should not be confused with work scheduled in advance for normal non-duty hours or days.

In the event that an employee is called back and provided the employee works a 40 hour work week, premium rate overtime payment will be made in accordance with overtime provisions.

#### On-Call Time

- A. Employees may be scheduled for on-call time so that personnel will be available to provide repairs and/or services during normal off-duty hours. An employee on call may come and go freely but must leave a telephone number where he/she can be reached or carry a pager furnished by the University. When reached, the employee is expected to report to work. Employees are not paid for on-call time. If called in, the employee will be compensated as outlined above.
- B. The above does not preclude calling in additional employees who are not on-call.

#### Work Time Defined

Work time or "hours worked" is all the time an employee "is suffered or permitted to work." It is of no consequence where such work takes place (i.e., in the customary workplace or at home) so long as the work is officially scheduled and approved and time

records are approved by the employee's supervisor. Prior approval for work to be done outside the customary workplace must be given by the Vice President.

Work time includes most activities related to preparing for and "clean up" after performance of the employee's principal duties. Other examples of work time include setting up equipment, sharpening or cleaning tools, waiting for instructions, moving about the campus to perform assigned duties, attending departmental meetings, receiving emergency medical treatment for an on-the-job accident and other similar work related activities.

## Controlling Work Time

### A. Department Head

Each department head is responsible for exercising adequate supervision to ensure that employees are complying with established work schedules. The mere establishment or communication of work schedules does not relieve the department head of responsibility for controlling work time. The department head must ascertain and ensure that all schedules are followed by the employee.

The department head is responsible for controlling starting and stopping times and all work time, whether within or outside the usual work schedule.

### B. Employee

It is the employee's duty to comply with departmental work schedules and to avoid performing work that is "unscheduled" or "non-directed" outside of such schedules.

It is a violation of the Fair Labor Standards Act for employees to work approved overtime without being given compensatory time or overtime pay. It is the employee's responsibility to immediately report violations of wage and hour laws to the Personnel Office.

## Recording Work Time

- A. Work time must be recorded exactly the way it is worked, as to date and amount. "Doctoring" or otherwise falsifying time records clearly violates the Fair Labor Standards Act and University policy.
- B. Some examples of practices which are prohibited include but are not limited to the following:
  1. Recording only time worked on the premises while permitting the employee to take work home for which no work time is recorded
  2. Permitting employees to work while presumably taking a meal period and recording such time as hours worked.

3. Permitting employees to arrive "early" and perform work or leave "late" and perform work without recording it.
  4. Permitting an employee to leave early on a day in one work week and permitting the employee to report early, stay late or work during meal periods, as "make up" in another work week, without recording the "short" work time or the overtime work.
  5. Permitting employees to record only as much work time as the departmental budget will permit, without respect to the actual time worked.
- 

## **REFERENCE**

Reference to [TBR Policy No. 5:01:00:10](#)

Updated 10/2014