

Procedure: 4.2.1p OFTC Official Business Hours, Working Hours, Overtime, and Compensatory Time, and Record Keeping

Purpose

All employees of Oconee Fall Line Technical College are covered by the wage and hour provisions of the Fair Labor Standards Act (FLSA) unless specifically exempted. The Fair Labor Standards Act of 1938, as amended, established minimum wages rates, maximum work hours, overtime pay requirements, equal pay standards, and child labor restrictions for employees covered by its provisions. OFTC has established local guidelines governing required record keeping requirements.

Related Authority:

- TCSG State Board Procedure 4.2.1.p
- TCSG State Board Procedure 4.2.2.p
- Fair Labor Standards Act of 1938, as amended
- Office of Planning and Budget (OPB) Policy Governing Work Hours, Payment of Overtime, and the Granting of Compensatory Time

Definitions

Core Business Hours

The time period during a normal business day that employees working a schedule with flexible starting and ending times are required to be present at work. Example would be core hours from 9:00 a.m. until 3:00 p.m. An employee with these core hours could be permitted to begin his/her work day between 7:00 a.m. and 9:00 a.m. and end his/her day between 3:30 p.m. and 5:30 p.m. inclusive of an unpaid lunch period of at least thirty (30) minutes.

Exempt Employees

Employees who, because of their job duties, are not subject to the minimum wage, overtime and recordkeeping provisions of the Fair Labor Standards Act. Exemptions from the Act are narrowly defined and an employer must prove that the exemption rules apply.

Hours Worked:

Generally, all time spent on an employer's premises or at a designated work place is considered "hours worked" when an employee is required or permitted to perform services of benefit to the employer, except for meal periods of at least thirty (30) minutes (in length) or other periods when the employee is entirely free from duty. Also included as "hours worked" is any work which the employee performs for the employer's benefit outside of established work hours on or

off the employer's premises (i.e., time spent before, after, or between regular working hours). Unrecorded hours worked during a work week/work period by an employee on or off the employer's premises must be counted as "hours worked" if the employer knows or has reason to believe that the work is taking place and whether or not the work is performed with the employer's approval.

Non-Exempt Employees

Employees who are covered by or subject to the minimum wage, overtime and recordkeeping provisions of the Fair Labor Standards Act.

Regular Rate

The hourly rate used to calculate overtime payments. If an employee is paid solely at one hourly rate of pay (i.e., for hourly-paid staff in the System Office or technical college), this is the individual's "regular rate". The regular rate of a salaried employee is calculated by dividing the individual's total compensation (including annual salary and any additional salary supplements, shift differentials, etc.) by 2,080 hours. NOTE: if an hourly-paid employee receives additional compensation, these monies are also factored into the calculating of his/her "regular rate".

Procedure:

Official Business Hours

Pursuant to State of Georgia policy and with the exception of a regular, salaried employee working less than full-time (e.g., thirty (30) hours per week) salaried employees of the OFTC shall either work, utilize paid leave or holidays, or be placed on authorized or unauthorized leave without pay for forty (40) hours each seven (7) day work week/work period. Within these parameters, the President shall establish the official and core business hours for the college. The President shall ensure that employee work schedules are established to facilitate the effective and efficient operation of college.

The official business hours of Oconee Fall Line Technical College are from 8:00am until 6:00pm, Monday thru Thursday and 8:00am until 1:00pm on Friday. During this time ALL offices will be open for business, unless administratively or operationally unfeasible due to such factors as inclement weather. All offices shall be adequately staffed during official hours to provide the necessary services to employees, officials, the public, and as applicable, current and prospective students.

Working Hours

The scheduled working hours of each employee (to include an unpaid meal period and, as applicable, breaks) will be established in conjunction with the needs of the assigned work unit. No employee shall report to work prior to 7:00am with the exception of personnel who open

and supervise the opening of the facility. No employee shall work later than 10:00pm or the closing time as set by facilities. Managers may permit an employee to work desired hours provided the proposed schedule is consistent with college guidelines, work unit operations, and the schedule of other employees. Work schedules may vary from employee to employee dependent upon the type of work, work unit location, and the needs of the work unit.

Participation in an alternate work schedule may be rescinded if there are performance or attendance problems present or other work-related issues as determined by the immediate supervisor. Employees should be provided advance notice of a modification to his/her work schedule.

Overtime and Compensatory Time

As a condition of employment, all newly hired employees must complete an Understanding Concerning FLSA Compensatory Time form. The designation of a position's exempt and non-exempt status shall be based on criteria established by and through the Regulations of the Fair Labor Standards Act (FLSA) to include a thoughtful analysis of each position's assigned duties and responsibilities. These exemptions are narrowly defined. An employee's position job title is not a factor in determining whether the position is determined to be exempt from the FLSA.

A. Classification of Employees

- Non-Exempt: those employees who are covered by or subject to the minimum wage, overtime and recordkeeping provisions of the Fair Labor Standards Act.
- Exempt: those employees who, because of their assigned job duties, are not subject to the FLSA's minimum wage, overtime and recordkeeping provisions. Employees meeting the Act's criteria for executive, professional, administrative, computer and other defined exemptions are exempt from overtime compensation although their employment must comply with the record-keeping and equal pay requirements of the Act.

B. Compensatory Time

FLSA Compensatory Time

When a non-exempt employee actually works over 40 hours in a work week (pay period is defined as Monday thru Sunday each week) all hours OVER 40 are earned at a rate of time and one-half and are logged as *FLSA Compensatory Time*.

Example A. Employee works 45 hours July 3rd thru July 9th.

Employee would earn time and one-half for 5 hours of overtime.

Employee would log a total of 7.5 hours of FLSA Compensatory Time.

State Compensatory Time

When an employee has over 40 hours in a work week which are hours actually worked combined with any type of leave (holiday, annual, sick, etc.) then all hours OVER 40 are earned at a rate of time for time and are logged as *State*

Compensatory Time. Example B. Employee has 8 hours of holiday leave on July 3rd, 8 hours' holiday leave on July 4th, and works 10 hours on July 5th, works 10 hours on July 6th, and 10 hours on July 7th. Employee has a total of 30 hours actually worked plus 16 hours of holiday leave for a combined total of 46 hours for the week. Employee would log a total of 6 hours of State Compensatory Time.

Employees may carry balances of both FLSA Compensatory Time and State Compensatory Time. **Balances should not exceed 40 hours at any given time.** All compensatory time MUST be taken before annual leave. Every effort must be made to clear the books of compensatory time **within 90 days** of earning the time and ALL compensatory time must be clear of the books prior to June 30th each year.

C. Flex Time

Exempt employees who are required to work late or on weekends outside of their normal work schedule may alter their schedule during the week by using flex time. This time is time for time and excluded from FLSA rights and protections.

Record Keeping

Exempt Full Time Salaried Employees

Not required to keep record of hours worked.

Non-Exempt Full Time Salaried Employees

Employee Weekly Time Reports are to be completed weekly, approved by your supervisor. Your Supervisor will submit the approved time report to the HR/Payroll Office on Monday of each week. Time sheets should reflect the actual time worked or as close to the 15-minute increment as possible. These time sheets are maintained in the HR/Payroll office for FLSA reporting only. For more information, please refer to Understanding Your Time Sheet and Comp Time guidelines attached to this procedure. Employee Weekly Time Reports should be signed by the employee and your immediate supervisor.

Non-Faculty Part-Time Hourly Employees

It is the responsibility of all part-time employees to accurately and promptly submit Employee Weekly Time Reports to your supervisor in order to ensure prompt monthly pay delivery. Payment of Employee Weekly Time Reports will be in accordance with the College's established monthly payroll cycles provided that all employment paperwork has been received by Human Resources. Failure to complete employment paperwork will result in a delay of your paycheck to the following month.

Time sheets should reflect the actual time worked or as close to the 15-minute increment as possible. The normal pay period for OFTC is the 16th of the month through the 15th of the following month. Employee weekly time reports are to be completed weekly, approved by your supervisor, and submitted to the HR/Payroll Department by the 16th of each month. Some Departments within the College may have designated Payroll Reps who will collect time sheets for submission to the HR/Payroll Department. All Employee Weekly Time Reports and department payrolls must be signed by supervisors and/or approving authorities and submitted to the Payroll office, date and time stamped by the 16th of each month and by the close of the business day. Any time sheets and department payrolls received AFTER the 16th of the month will not be processed until the following month. If the 16th falls over a weekend (Saturday, Sunday or Holiday) the payroll spreadsheets and time reports must be received in the Payroll office by the next business day.

LEAVE REPORTS

- Annual, Sick, Personal, and Education Support leave will be processed electronically thru Employee Self Service (ESS). All other request for leave (Court, Jury, Voting, Administrative, and Official Business) will be reporting on the *Personnel Leave Report* form.
- If *Personnel Leave Report* form has not been previously submitted for time off during the week, approved *Personnel Leave Report* should be attached to the time sheet when submitting them to HR.
- Employees not working at his/her normal work site (i.e. training, peer meetings, etc.) must complete a *Personnel Leave Report* designating "official business", have supervisor approval, and submit to HR.

Adopted: 2/23/2017

Reviewed: March 21, 2018; February 25, 2019

Revised: