

MIDDLE TENNESSEE STATE UNIVERSITY

POLICIES AND PROCEDURES MANUAL

POLICY NO: IV:07:03

DATE: June 18, 1999

SUPERSEDES POLICY NO: IV:07:03

DATED: July 1, 1991

SUBJECT: Hours of Work, Classified Employees

APPROVED: James E. Walker, President \_\_\_\_\_

I. REGULAR WORK SCHEDULES

1. Regular working hours for 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.
2. All hours worked above 37.5 per week must be approved in advance by the appropriate approving authority.
3. Employees shall perform approved additional hours of work when such work is scheduled in advance. Failure to appear for scheduled work will be treated in the disciplinary process as any other unapproved absence. Additionally, employees may be asked to extend their work days in order to respond to weather related problems or unforeseen problems arising near the end of the work period.

II. SPECIAL SCHEDULES

Some departments are required to maintain weekend and evening hours. Those areas maintaining regular schedules differing from 8:00 to 4:30 should provide the Human Resource Services Office a written schedule of office hours to be maintained.

III. SCHEDULE FOR AGRICULTURAL EMPLOYEES

Whenever possible agricultural employees will conform to the 37.5 hour workweek. When deemed necessary by supervisory personnel they will work varying hours and schedules.

IV. TEMPORARY CHANGES IN SCHEDULE

Temporary changes in work schedule can be made at the discretion of the department head. Deviations from the normal schedule can include a temporary change in schedule to accommodate class attendance in conjunction with any of the MTSU educational benefits plans when such deviation is requested of and recommended by the employee's department head and submitted in compliance with MTSU Policy I:01:16. Approval of all changes should be based on adequate office staffing during regular hours and appropriate supervision during alternative hours.

## V. LUNCH PERIODS

A one-hour lunch period will be provided in the above schedules at a time established by department and activity heads.

## VI. 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. Employees may not accumulate unused rest periods.

## VII. TIME CALCULATIONS

1. For timekeeping purposes the workweek begins on Saturday and ends on Friday for most employees. However, a Monday through Sunday work week is used by some departments.
2. Holiday Pay
  - a. The approval and method of payment for hours worked on official University holidays is made at the discretion of the department head.
  - b. Employees who are required to work on official University holidays will receive their regular holiday pay for the day plus they will be compensated at a time and one-half time basis (premium pay) for the hours worked on the holiday by one of two methods as follows:

Employee shall receive overtime pay for the hours worked at the time and one-half rate.

The employee can elect to receive annual leave credit on an hour for hour basis (1.0 pay) plus receive cash payment at a half time rate (.5 pay). This combination totals time and a half.

For hours worked on a holiday, premium pay will be given regardless of the total number of hours worked in the week.

d. Employees who are required to work in a department that operates 24 hours a day will follow the same holiday pay procedure outlined above. However, if the employee's regular day(s) off fall on an official University holiday, 7.5 hours of annual leave balance for each applicable day.

3. Time taken as annual leave or sick leave does not count as hours worked for overtime or compensatory time computation purposes. Official University holidays will be counted as hours worked for overtime and compensatory time computation purposes.
4. Overtime
  - a. All overtime must be approved in advance by the appropriate approving authority.
  - b. Overtime will be paid at straight time for hours worked in excess of 37.5 hours and up to 40.0 hours per week; premium rate overtime

at one and one-half times the straight time rate will be paid for hours worked in excess of 40.0 per week.

- c. Agricultural employees are exempt from overtime pay provisions. (See MTSU Policy IV:07:07, Section B., Fair Labor Standards Act for exemption definition).

#### 5. Compensatory Time

- a. All compensatory time must be approved in advance by the appropriate approving authority.
- b. Time taken off during the same workweek in which extra hours were worked will be granted on an hour for hour basis, i.e., working 4 hours on Saturday and taking off 4 hours on Monday. Such situations will be considered a temporary change in schedule and will not constitute compensatory time.
- c. Compensatory time for hours worked in excess of 37.5 will be handled as follows:
  - i. Compensatory time granted for hours worked between 37.5 and 40.0 will be at straight time (1.0 hour for 1.0 hour).
  - ii. Compensatory time granted for hours worked over 40.0 will be at time and one-half (1.5 hours for each 1.0 hour).
  - iii. Compensatory time not taken during the pay period (month) in which it was earned will be banked, up to a maximum accumulation of 240 hours.
  - iv. Banked compensatory time is to be used before annual leave is used.
  - v. Agricultural employees are exempt from compensatory time provisions. (See MTSU Policy IV:07:07, Section B., Fair Labor Standards Act for exemption definition.)

#### VIII. EMERGENCY CALL BACK TIME

- 1. A minimum of two hours of premium rate overtime or compensatory time will be made to employees who are called back to work for emergency reasons (equipment failures, etc.) at times other than their regular work hours. Such emergency callback should not be confused with work scheduled in advance for normal non-duty hours or days. Emergency call back pay is not available to agricultural employees.
- 2. All employees in the physical plant and telecommunications departments must provide supervision with telephone contact numbers for use in case of emergency or other scheduling problems.

#### IX. ON-CALL TIME

- 1. 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 for work. Employees are paid only for time worked when scheduled to be on-call. If called in, the employee will be compensated as outlined in Section VIII above.

2. Item IX.1. above does not preclude calling in additional employees who are not on call.

#### X. 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, at home, or anywhere else.

Work time includes most activities related to preparing for and "clean-up" after performance of the employees' 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.

#### XI. CONTROLLING WORK TIME

##### 1. Department Head

Each Department Head is responsible for exercising adequate supervision to insure that employees are complying with established work schedules. The mere establishment or communication of work schedules does not relieve the Department Head of his/her responsibility for controlling work time. He/she must ascertain and insure 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.

##### 2. Employee

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

#### XII. RECORDING WORK TIME

1. 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.

2. Some examples of practices which are prohibited include but are not limited to the following:

- a. Recording only time worked on the premises while permitting the employee to take work home for which no work time is recorded.
- b. Permitting employees to work while presumably taking a meal period and not recording such time as hours worked.
- c. Permitting employees to arrive "early" and perform work or leave "late" and perform work without recording it.
- d. Permitting an employee to leave early on a day in one workweek and permitting the employee to report early, stay late, or work during meal periods, as "make up" in another workweek, without recording the "short" work time or the overtime work.
- e. Permitting employees to record only as much work time as the departmental budget will permit, without respect to the actual time worked.