

Policies and Procedures Manual

Title: HOURS OF WORK (SCHEDULED HOURS & PAY BASIS, WORK WEEK, OVERTIME, TRAVEL PAY, CALL-BACK PAY)
Policy Administrator: Director of Human Resources
Effective Date: Dec-01-2016
Approved by: Vice President for Administration and Finance/Treasurer

Purpose

To ensure that employees are correctly compensated for their work, the College has established this policy concerning hours of work and the various circumstances in which employees are to be compensated, and on what basis.

Scheduled Hours & Pay Basis for Hours Worked

Regular full- and part-time employees have scheduled hours.

- A. For *non-exempt hourly paid employees*, an employee's scheduled hours represents the hours that the employee is scheduled and expected to work each week. However, regardless of scheduled hours, a non-exempt hourly paid employee will be paid hour-for-hour for all of the hours that he or she actually works.
- B. For *exempt salaried employees*, an employee's scheduled hours represent the normal expected effort – the average anticipated amount of time to fulfill the duties of the position. The effort normally expected of an employee who is employed full time in a position is forty (40) hours. However, the actual hours associated with fulfilling the duties may vary in any given week. Exempt salaried employees are paid on a "salary basis" – a pre-determined amount each pay period – and the pay amount is not reduced for fluctuations in the quality or quantity of the employee's work. Subject to certain exceptions set forth in federal and state laws, an exempt employee must receive the full pay amount for any work week in which the employee performs any work, regardless of the number of days or hours worked.

Both non-exempt hourly paid and exempt salaried employees may be scheduled to work less than a full year¹. Supervisors should not require employees to work during a pay period when they are not scheduled to work. Non-exempt hourly paid employees

¹ A full year is 52 payroll work weeks for non-exempt hourly employees and 24 bi-monthly payroll work periods for exempt salaried employees.

who do work during a pay period when they are not scheduled must be paid for the actual hours they work. Exempt salaried employees who perform work during a pay period when they are not scheduled must be paid their full pay amount for the pay period, regardless of the actual number of hours worked in the period.

The Work Week

Payroll Work Week

The payroll work week is the seven (7) day period starting at 12:00:00 AM on Sunday and ending at 11:59:59 the following Saturday. Overtime pay, when due to non-exempt hourly paid employees, is calculated with reference to the payroll work week.

Standard Work Schedule

The following are considered “standard” full-time departmental work schedules:

1. Work 5 days per week, 8 hours per day for a total of 40 hours (standard full time work week in Dining, Facilities, Public Safety, etc.)
2. Work 5 days per week, 7.5 hours per day for a total of 37.5 hours (standard work week for administrative staff in most academic departments)

Actual departmental schedules and the regularly scheduled hours of individual employees may vary from the standard hours, in accordance with the needs of the department and the demands of the work.

Examples:

Morning	Lunch Period (Unpaid)	Afternoon	Hours Worked (and Paid for Hourly Paid Staff)
Start 8:30 am – 15 min paid break 10-10:15 – finish 12 Noon	12 Noon to 12:30 pm	Start 12:30 – 15 min paid break 2-2:15 – finish 5 pm	8 hours
Start 9 am – 15 min paid break 10-10:15 – finish 12 Noon	12 Noon to 12:30 pm	Start 12:30 – 15 min paid break 2-2:15 – finish 5 pm	7.5 hours

Meal and Rest Breaks²

Breaks for a meal (typically lunch) and rest are scheduled by supervisors to ensure proper coverage throughout business hours.

The *meal period* is unpaid. The length of a standard meal period for a full-time day of 8 or 7.5 hours is either *one hour* (for clerical and technical employees) or *one half (1/2) hour* (for dining services, facilities, public safety and health services employees). Employees must be completely relieved of all work responsibilities during the meal period. An employee is not relieved if he or she is required to perform any duties, whether active or inactive, while on the meal break.

Rest breaks are paid and are *15 minutes*, one each in the first half and the latter half of a full-time work day. Rest periods count as time worked.

Meal periods and rest breaks may not be used at the start of the working day (to report for work later than the scheduled start time) or end of the working day (to leave before the scheduled quitting time). Rest breaks may not be combined with each other or used to extend the meal period.

Employees may not be scheduled for, or work six (6) consecutive hours without a half-hour unpaid meal period. If an employee does work six (6) consecutive hours, the employee must be given a half-hour *paid* break at the end of the six (6) hours. The 15 minute rest breaks do not break the consecutive nature of the time worked.

Overtime

As a condition of employment, employees may be required to work overtime as required by the operational needs of the College.

Work performed by non-exempt hourly paid employees beyond the normal daily work schedule must have the prior approval of the supervisor or department head. Work that is performed without prior approval must be paid, at the appropriate rate, but employees who perform work without prior approval may be disciplined, in accordance with the College disciplinary policy.

Non-exempt hourly paid employees are paid one and one half times their regular rate of pay³ (“time and one half”) for all hours worked in excess of forty (40) in a payroll work week.

Non-exempt hourly paid employees who are regularly scheduled to work less than forty (40) hours are paid at their straight time rates for all hours worked up to forty (40).

² Please contact Human Resources for rules that apply to employees in 24/7 service departments.

³ Please contact Human Resources for rules that apply to “shift” employees.

Examples – Hours Worked (*Hours Scheduled*):

Mon hrs wkd	Tues hrs wkd	Wed hrs wkd	Thurs hrs wkd	Fri hrs wkd	Total hrs paid
7.5 (7.5)	7.5 (7.5)	7.5 (7.5)	7.5 (7.5)	7.5 (7.5)	35 at straight time
8 (8)	8 (8)	8 (8)	8 (8)	8 (8)	40 at straight time
Mon hrs wkd	Tues hrs wkd	Wed hrs wkd	Thurs hrs wkd	Fri hrs wkd	Total hrs paid
7.5 (7.5)	7.5 (7.5)	7.5 (7.5)	8 (7.5)	8(7.5)	38.5 at straight time
8 (8)	8 (8)	8 (8)	9 (8)	9 (8)	40 at straight time + 2 at 1.5 times

For purposes of the calculation of hours worked for overtime, Vacation, Holiday and Personal Time hours are counted as hours worked; Sick Time hours are not counted as hours worked.

Duplication and Pyramiding. There shall be no duplication, pyramiding, or compounding of any premium wage payments.

Compensatory Time Off and Non-Exempt Employees. Because non-exempt hourly paid employees are paid time and one half for all hours worked in excess of forty (40) in a payroll work week, compensatory time off for working in excess of scheduled hours must be taken in the same payroll work week where it is “earned” and cannot be carried forward to a subsequent payroll work week. Compensatory time granted to be taken in the same payroll work week must be approved by the supervisor or department head.

Pay for Business Travel

Non-exempt hourly paid employees are paid hour for hour for all hours worked. For purposes of calculating working hours while traveling on College business, the following principles apply.

- Time spent working, even outside of an employee’s regularly scheduled hours, is compensable time.
- Commuting time – time spent going from home before the regular work day and returning to home after the end of the work day – is not compensable.
- For an employee who is assigned to work at a different location from their normal work location and who commutes to that location and returns home from it on the same day, the time spent traveling to and returning from the other work location is compensable, but only to the extent it exceeds the employee’s regular commuting time. For purposes of this calculation all campus locations and the Joyce Contemplative Center are considered the normal work location.

Example – Non-Exempt Employee Attends All-Day Conference at Wellesley College:

Commuting Time: Home to Campus and Back	Travel Time: Home to Wellesley College and Back	Compensable Time
30 minutes		0
	60 minutes	1 hour (2 X 30 minutes)

- Travel that is part of the regular job – e.g., employee works as a Van Driver – is compensable time, as is travel from one work site to another.
- “Travel away from home” is travel that necessitates an overnight stay. Travel away from home is compensable when it cuts across an employee’s workday, even during the corresponding hours on non-working days. With this exception, time when the employee is traveling and not working is not compensable.

Example – Non-Exempt Employee, Regular Working Hours 8:30 am-5 pm, Attends All-Day Conference at Georgetown University:

Description of Travel	Compensable?
Traveling to Georgetown, 4 pm – 8 pm, does no other work during trip	1 hour (4pm-5pm)
Traveling to Georgetown, 4 pm – 8 pm, works on plane (reads conference materials) 5 pm-7 pm	3 hours (4 pm-5 pm + 5 pm- 7 pm)
Attends conference 10 am to 3:30 pm	5.5 hours

(includes working lunch)	
Attends after-conference social function – attendance required 6 pm- 8pm	2 hours

Appendix A of this Policy, Non-Exempt Employees FLSA Travel Pay Chart, describes in more detail when time spent by a non-exempt hourly paid employee traveling is compensable and when it is not.

Travel Time and Exempt Employees. Exempt salaried employees are paid a pre-determined amount each pay period and the pay amount is not reduced for fluctuations in the quality or quantity of the employee’s work, so exempt employees are paid the same regardless of their schedules when traveling.

Pay for Being “Called Back” to Work

Regularly scheduled non-exempt hourly paid employees, required by their department to be available to respond to requests for service outside the normal regularly scheduled hours of work, who report to back to work, will be paid time and a half for the hours they work, or the equivalent of 3 hours pay at the base rate, whichever is the greater amount.

Regularly scheduled non-exempt hourly paid employees, required by their department to be available to respond to requests for service outside the normal regularly scheduled hours of work, who report to back to work on a Sunday or a traditional Holiday, will be paid twice times base rate for the hours they work, or the equivalent of 3 hours pay at the base rate, whichever is the greater amount.

Before ending the call back shift and/or leaving the College campus, an employee called back to work must contact Public Safety and verify that there are no other remaining tasks to be completed.

Call back for Emergency Essential Personnel during a College closure due to inclement weather or other emergency will be governed by the College Inclement Weather Policy.

Different rules apply in the case of employees who reside on campus and are required by the nature of their work to be available to respond to service demands outside of their normal regularly scheduled hours of work.

APPENDIX A
Non-Exempt Hourly Paid Employees FLSA Travel Pay Chart

Travel Category	Compensable Time	Non-compensable Time
Commuting	<ul style="list-style-type: none"> • Performing authorized work-related errands while commuting from home to work or from work to home • Transporting or delivering materials or equipment to a job site prior to the start of the work day and/or returning materials or equipment after the end of the work day • Transporting other employees to work sites, to the office, or to their homes either before or after the workday at management request 	<ul style="list-style-type: none"> • Ordinary travel from home to work (commuting time)
Travel During Work Day	<ul style="list-style-type: none"> • Time spent in travel as part of the employee's principal job activity (i.e., travel between job sites). 	
One-Day Assignment in Another Town or City	<ul style="list-style-type: none"> • Time spent traveling to and returning from a one-day required assignment in another city or town regardless of whether employee is the driver or the passenger, regardless of whether the travel cuts across the normal work schedule after subtraction of normal commuting time. • Time spent at required conference, meeting, etc. 	<ul style="list-style-type: none"> • Normal commuting time will be subtracted. • Time not worked even if it cuts across the employee's regular work schedule (e.g., employee goes sightseeing instead of attending a conference session, the conference sessions are only from 9 a.m. to 3 p.m., etc.) • Meal periods and social activities where attendance is not required and work is not performed
Travel Away From Home (Overnight Stay)	<ul style="list-style-type: none"> • Any portion of authorized travel, including time spent waiting at an airport, bus station, etc., that cuts across a member's normal work schedule, including non-work days 	<ul style="list-style-type: none"> • Any portion of authorized travel, including time spent waiting at an airport, bus station, etc., that falls outside of normal work hours

	<ul style="list-style-type: none"> • If an employee travels between two or more time zones, the time zone associated with the point of departure determines whether the travel falls within normal work hours • Riding as a passenger when the member is required to perform work (for example, to serve as an assistant or helper, respond to email, take business-related phone calls, etc.) • Driving a vehicle, regardless of whether the travel takes place within or outside normal work hours • Time spent attending authorized conferences, meetings, etc. • Required attendance at meals or meal breaks where work is performed • Required attendance at social functions 	<ul style="list-style-type: none"> • Riding as a passenger outside of normal work hours where work is not required • Travel between hotel and meeting site • If an employee drives a car as a matter of personal preference when an authorized flight or other travel mode is available and paying for travel by car would exceed the cost of the authorized mode, only the estimated travel time associated with the authorized mode will be counted as hours worked • If the College authorizes hotel accommodations for overnight travel but the employee prefers to drive home each evening • Regular meal periods where work is not performed and attendance is not required • Voluntary attendance at social functions • Time spent outside of the conference or meeting (e.g., employee goes sightseeing instead of attending a conference session, the conference sessions are only from 9 a.m. to 3 p.m., etc.) • Time spent sleeping unless the member has the primary responsibility for the safety and welfare of students
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