

**TIMEKEEPING RULES SUMMARY* FOR HOURLY PAID EMPLOYEES
INCLUDING THOSE IN PROFESSIONAL, ADMINISTRATIVE AND SUPERVISORY
(PAS) JOB CLASSIFICATIONS**

***This document provides a summary only and is not intended as a substitute for University Policies or Human Resources' Compliance training. Individuals represented by a collective bargaining agreement should refer to the applicable agreement for more specific information.**

For additional and complete information, consult relevant University Policies at: <http://www.rochester.edu/working/hr/policies/> and the Compliance website at: <http://www.rochester.edu/working/hr/compliance/> or contact your HR Business Partner- contact information found at: https://www.rochester.edu/working/hr/contact/contact_list.html. You may also email ASK-URHR at ask-urhr@rochester.edu or the Office of Total Rewards - Compensation at hrcomp1@hr.rochester.edu.

Compensation issues are governed by federal and state law for which compliance is mandatory. Non-compliance by management exposes the University to legal liability and monetary penalties, while non-compliance by employees may subject them to discipline, up to and including termination.

“Minute-to-minute” timekeeping required: Hourly paid employees including those in PAS job classifications must be paid for every minute worked:

- “Clock-in time” is the minute employee begins work.
- “Clock-out time” is the minute employee finishes working.
- Every minute worked must be on-the-clock, recorded, and paid.
- Employees who perform work outside normal clock-in/clock-out time must record and report the time for manual entry.

“Work” means: Any time spent for employer’s benefit. **Examples:** Usual shift; changing into required work clothes which must be donned at work; shift changes (report); preparing for shift; all work-related work done at home (i.e., prep for a meeting; answering work emails, etc.).

- Cannot accept employee’s offer to work for free whether during regular shift, meal period, overtime, from home, or anywhere else. If employee performs work outside normal clock-in/clock-out time, s/he **must** record and report the time in accordance with department procedures.
- All work time must be paid even if the work was not authorized by supervisor or if employee was instructed not to do the work.

Overtime (University Policy #223): Employee must be paid at 1½ times “regular rate” for all time worked over 40 hours in a work week.

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Meal Periods (University Policy # 172): All employees, (salaried and hourly paid) must be provided at least a 30 minute uninterrupted meal period after working more than six (6) hours. For hourly paid employees it will be automatically deducted from time worked. **DO NOT INTERRUPT AN EMPLOYEE DURING A MEAL PERIOD.**

- “Uninterrupted” means no interruptions for any work reason.
- The 30 minute meal period is normally unpaid, **but** if employee does any work during that time (i.e. answers phone/page/questions, takes work to do, etc.), the **entire** 30 minutes must be paid.
- If meal period is interrupted, employee **must** take uninterrupted 30 minute meal period at next opportunity available within the shift.
- If no uninterrupted 30 minute meal period is taken, the employee must make the appropriate notation on the exception log, so that the time deduction for the meal period can be cancelled. Any manager with knowledge of a missed meal period that is not recorded by the employee must ensure that it is recorded and paid.
- Employees beginning work before 11 a.m. and continuing past 7 p.m. must be provided an additional paid, uninterrupted 20 minute meal period.

Rest Periods (University Policy # 172): Not required by law. If you provide 15 minute rest breaks, they count as paid work time.

Call-In Pay (University Policy # 214): Employees who are **not** on call, but who are called into work must be paid at least four (4) hours straight time pay even if less time is actually worked. And, if the additional time worked is overtime (i.e., puts employee over 40 hours), employee must be paid at overtime rate.

On-Call (University Policy # 220): Employees who are formally put “on-call” consistent with Policy, must be readily available to come to work within 30 minutes.

- Employees who are required to carry a cell phone or pager as part of employment need not be compensated for carrying one. But, they must be compensated if formally on-call (as defined above) or if they are called or paged and they engage in work.

Training Programs/Seminars: Considered work time unless **all** below are true:

- (1) Attendance is voluntary;
- (2) Attendance is outside normal work hours;
- (3) Program is not directly related to employee’s job; and
- (4) Employee does not perform “work” during seminar.

Travel Time: Whether or not time spent in travel is working time depends upon the type of travel involved. *Please contact your Human Resources Business Partner for any travel time questions.*