

# University of Arkansas at Pine Bluff

## Faculty/Staff Handbook

Policy: **TIME AND ATTENDANCE**

Policy #: **8.3**

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This policy assures nonexempt employees at the University of Arkansas at Pine Bluff of its practice to accurately compensate them, to do so in compliance with all applicable state and federal laws, and to correct mistakes when they are called to its attention. It is expected, therefore, that all employees at the University of Arkansas at Pine Bluff will review their pay document promptly each time compensation is received, and report any perceived error to the Director of Administrative Services, Payroll Manager, or the Personnel Manager.

UAPB will fully investigate every report of perceived error or violation of this policy, take corrective action when appropriate, and will make a good will effort to avoid violations in the future. In addition, UAPB will not allow any form of retaliation against individuals who report alleged violations or who cooperate in any investigation of such reports. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including termination.

### *Definitions*

Nonexempt employees are those whose positions do not meet Fair Labor Standards Act (FLSA) exemption tests and who are paid or receive compensation at one-and-one-half times their regular rate of pay for hours worked in excess of 40 in a forty-hour workweek. Exceptions to the 40 hours per week standard apply to police officers who receive compensation at one-and-a half times their regular rate of pay for hours worked in excess of 43 hours in a workweek. This definition is based on provisions of the FLSA and state law (See <http://www.dol.gov/compliance/laws/comp-flsa.htm>).

FLSA does not require overtime pay for work on weekends, holidays, or regular days of rest, unless time worked causes the employee to work in excess of 40 hours during the work week, or, in the case of police officers, in excess of 43 hours during the work week.

### *Time Procedures*

The work schedule for nonexempt employees begins at 8:00 a.m. and ends at 5:00 p.m., with two 15 minute breaks – one in the morning and one in the evening - Monday through Friday excluding official UAPB recognized holidays or when the campus is otherwise closed, with a one hour break for lunch. In departments where shifts are required (e.g. Public Safety, Residential Services), nonexempt employees' work schedules will vary.

A nonexempt employee must maintain an accurate record of the total hours worked each day. The record must include all regular and overtime hours worked, any absences, late arrivals, early departures and meal breaks. The signature of the employee is required as an indication that the record is complete and accurate. The signature of the immediate supervisor is required for verification and approval.

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. A nonexempt employee will be expected to work overtime when necessary to meet the needs of UAPB. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the employee's supervisor's prior written authorization.

In lieu of overtime compensation, compensatory time off at the rate of not less than one and one-half (1½) hours may be awarded for each hour of employment for which overtime is required. Payment is made for compensatory time exceeding 240 hours with the exception of non-exempt public safety personnel who is paid for time exceeding 480 hours in accordance with OPM Policy 70.3 and DOL Fact Sheet #8.

A Nonexempt employee may not work any hours that are not previously authorized in writing by the employee's supervisor. A nonexempt employee will not be paid for voluntarily arriving at the work-site before their regular starting time or remaining at the work-site after their shift. No overtime, no matter how slight, may be worked without prior written approval from the supervisor.

A Nonexempt employees does not start work early, finish work late, work during a meal break or at their desk or work station, take work home, work weekends, or perform any other unauthorized extra or overtime work without written authorization from the supervisor. A Nonexempt employee is prohibited from performing "off-the-clock" work, i. e, work performed and not reported.

#### *Attendance Procedures*

To maintain a safe and productive work environment, UAPB expects employees to be punctual and reliable in reporting for scheduled work. Employees are hired to fulfill specific needs of the university. Nonexempt employees are expected to be at their jobs during their regularly scheduled hours. Attendance will be carefully monitored. When absent or tardy, it disrupts the work in the department. Therefore, absence from work will not be excused under circumstances that can reasonably be avoided. The following rules apply to all non-exempt employees:

- a. Regardless of the reason for absence or tardiness, the employee must always notify his or her supervisor as far in advance as possible, but no later than one (1) hour prior to the start of the scheduled work time. A department may designate another minimum notification requirement. Public Safety Officers require a four (4) hour prior notification.
- b. If, because of an emergency, the employee is unable to notify his or her supervisor, the employee should have someone contact the supervisor on his or her behalf.
- c. The employee is expected to give the reason for absence or tardiness and the date and time when he/she expects to return.
- d. Unless it is a prior approved leave of absence, the employee must call in each day of his or her absence.
- e. Chronic and repeated tardiness without acceptable reason is cause for disciplinary action up to an including termination.

- f. In the case of a prolonged absence, a leave of absence must be approved in advance. If the prolonged absence is due to personal illness, a physician's release will be required prior to return to work.
- g. If the employee is absent without notification, he or she will be considered as having abandoned the job and will be terminated.
- h. An excused absence occurs, provided the employee still has available leave time or the absence is otherwise approved, when the employee notifies the supervisor of his or her absence no later than one (1) hour prior to the start of the scheduled work time 4 hours for police officers, or as soon as possible in the case of an emergency. An unexcused absence occurs when an employee fails to notify the supervisor of his or her absence, when notification is received less than one (1) hour prior to the start of the scheduled work time (4 hours for police officers), when permission is not granted by the supervisor for justifiable reasons, or in any case when there is no leave time available and the leave is not otherwise approved.
- i. Two consecutive days of unexcused absences will result in disciplinary action. Two or more incidents of unexcused absences within any six-month period will result in disciplinary action up to and including termination of employment.
- j. The university maintains attendance records for all employees. Written reprimands, which are placed in the employee's personnel file, become part of the employee's record.
- k. Employees are not allowed to use sick days for reasons other than personal illness, illness of an immediate family member or for the care of others as prescribed by federal or state law. Unless otherwise approved for leave under the Family and Medical Leave Act or to accommodate a disability under the Americans with Disability Act, a supervisor may require a physician's note when abuse of sick leave is suspected.
- l. If a supervisor confirms that the leave is being abused, a written warning may be issued and a copy placed in the employee's personnel file. Such warnings may lead to further disciplinary action up to and including termination of employment.
- m. Any non-exempt employee, who submits a false record pertaining to her or his time or attendance, misrepresents time worked, works beyond her or his work schedule without written authorization or otherwise violates any provision of the Time and Attendance Policy for Nonexempt Employees, may be subject to disciplinary action up to and including termination.

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Resource(s):

Approved by:

Approval date:  
Custodian: Human Resources