

West Virginia Northern Community College

Employee Work Schedule and Records Rule

Rule Number: NC-2009

Effective Date: November 1, 2017

Date Approved by WVNCC Board of Governors: September 28, 2017

Authority Reference: Fair Labor Standards Act; WVCTCE, Title 135, Procedural Rule, Series 8

Replaces previous rule dated: Classified Staff Work Schedule and Records Rule, March 1, 2009

Rule:

Work Week: Consistent with the State of West Virginia standard work week, the College's standard work week begins at 12:00 a.m. on Saturday and ends at 11:59 the following Friday and consists of 37.5 hours a week based on 1.00 FTE. The work week is a basic measurement; hours for one week cannot be combined with another week for purposes of determination of such matters as compensatory time, overtime, or completion of full work week.

Applicable: This rule is applicable to all employees with the exception of nine-month faculty.

Regular Work Schedule: The College operational work hours are scheduled to serve the needs of our students and communities consistent with the mission and daily operational needs. Based upon the position functions and services in each area, employees will have an established work schedule. Schedules will be established by the supervisor, approved by the President or designee and on file by July 1 of each year in the Human Resources Office. The work schedule should include any modifications routinely made to accommodate changes in yearly activities, such as adjustments in work hours during non-class times. The College and supervisors reserve the right to assign and schedule employees in accordance with operational needs and requirements.

Schedule Adjustments/Alteration: Adjustments to the work schedule to accommodate an event or needs of the institution may be made in order to further the mission and the strategic initiatives of the College. Long term or permanent changes in work schedule shall be made with a notification to employee of at least fifteen (15) calendar days, unless the change is caused by an emergency or an immediate operational need. Should an alteration be necessary, supervisors are to adjust work schedules within the week whenever possible.

The College may provide for temporary, non-emergency adjustments in an employee's work schedule with prior request from employee. Temporary adjustments may not affect the needs of the institution. The College and/or supervisor may need to temporarily adjust schedules in order to meet needs because of absences of others, peak period demands, and special events. Supervisors have the authority to approve temporary short-term adjustments concerning the needs of the institution or employee to create a better alignment with work/life balance. The College and supervisors reserve the right to adjust an employee's work schedule within the week.

Operational Hours: The institutional President or designee may establish a workweek based on the needs of the institution while maintaining a base work week of 37.5 hours.

Overtime/Compensatory Time: Non-exempt employees may be asked to work beyond thirty-seven and one-half (37.5) hours per week. Work hours beyond this normal period must be arranged between the supervisor and employee with approval from the Chief Human Resources Officer in advance if the hours exceed forty (40) in a one week period. Supervisors have the authority to approve up to forty (40) hours

in a one week period without prior approval. Overtime Request forms are provided for request over forty (40) hours. Non-exempt employees may choose to receive compensatory time off in lieu of overtime pay.

Overtime pay for non-exempt employees is calculated at the rate of one and one-half (1.5) times the regular hourly rate, which is the total base salary, plus any incremental pay, divided by 1,950 (1.00 FTE) hours. Overtime does not commence until forty (40) hours have actually been worked within one (1) work week. Regular hourly pay, also known as “straight time,” is paid for work time between thirty-seven and one-half (37.5) hours and up to and including forty (40) hours in a work week.

Only actual hours worked are included in calculation of overtime. Pay which is received for holidays, annual leave, sick leave, comp-time, workers compensation, emergency leave, or work release time is not counted as working hours for purposes of overtime.

Holiday Pay: When a non-exempt employee is required to work on any designated institution holiday, that employee has the option to receive regular pay for the holiday plus substitute time off or additional pay at the rate of one and one-half (1.5) times the number of hours actually worked. The time off must be used within a six-month period following the holiday.

When an exempt employee is required to work on any designated institution holiday, that employee shall be given substitute time off on an hour-for-hour work basis.

Lunch Periods: Full-time employees shall be scheduled for a one-hour lunch period or one-half hour lunch period each day. Lunch periods are not included in the number of hours worked per week. Each supervisor is responsible for determining the length of and the time for the lunch period; however, when possible, the employee’s preference shall be considered. Lunch periods may not be taken at the beginning or end of the work day unless the actual work time is less than six (6) hours. All non-exempt employees are required to take a minimum of one-half hour lunch break any day in which the employee works six (6) or more hours. Occasionally a non-exempt employee is required to work through lunch or is required to participate in a working lunch; the employee must be compensated for hours worked while performing official College business.

Other Break Periods: Employees may be granted a rest period not to exceed 12 minutes per half day worked. Additional unauthorized time away from the work area must be credited against an appropriate leave accrual. Break periods shall be granted at the discretion of the supervisor. An employee may be required to work without a break period based on operational needs, without additional compensation. Break periods may not be taken in conjunction with lunch periods, at the end of the work day, or accumulated. Breaks within authorized time periods are recorded as work hours.

Emergency Situations: In the event that an emergency exists, the President, in conjunction with local or state public safety officials, has the authority to comply with the emergency situation and close the institution. Such a declaration will be transmitted to the chancellor of the Council for Community and Technical College Education. The President, working with public safety officials, will determine when the emergency condition no longer exists. Should an employee be required to work by the President or her/his designee during a declared emergency, the time worked shall be compensated according to the provisions of Series 8. Work time lost by any employee during a declared emergency will be considered regular work time for pay purposes and will not require that the time be charged to annual leave nor is there a requirement that the time be made up.

Recordkeeping: Recordkeeping shall consist of the employee’s time card utilizing the College official timekeeping system. Each employee is required to complete a regular work schedule each July 1. The schedule must be approved by the supervisor and submitted to the Human Resources Office. Any significant changes are reviewed and approved by the President.

If there is a change to an employee’s normal work schedule on a permanent basis, the supervisor is required to notify the Chief Human Resources Officer immediately in writing utilizing the proper form. Recordkeeping requirements may change as determined and approved by the President.