

Texas Tech University
Animal and Food Sciences

MEMORANDUM TO: All AFS Employees

SUBJECT: Vacation, Sick Leave, and Compensatory Time

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish a policy and procedure for overtime, compensatory time, and to include pertinent information about vacation and sick leave reporting.

Summarized from TTU OP 70.01 & TTU OP 70.17. Please refer to TTU OP 70.01 & TTU OP 70.17 for more information.

TTU OP Website- <http://www.depts.ttu.edu/opmanual/>

POLICY/PROCEDURE

1) Definition of Terms

a) Non-exempt Employee

An employee employed in a position designated as non-exempt (N) in the Personnel Pay Plan or an employee employed on an hourly basis. A non-exempt employee is subject to the recordkeeping, overtime, and compensatory time provisions of the university and the Fair Labor Standards Act (FLSA).

b) Exempt Employee

An employee employed on a monthly salaried basis in a position designated as exempt (e) in the Personnel Pay Plan. An exempt employee is exempt from the recordkeeping, overtime, and Compensatory time provisions of the FLSA.

c) Overtime

Hours actually worked in excess of 40 in a workweek by a non-exempt employee.

d) FLSA Compensatory Time

Compensatory time entitlements accrued by a non-exempt employee when the total number of hours actually worked during a workweek exceeds 40. FLSA compensatory time is accrued at 1.5 times the actual number of hours worked in excess of 40 during a work week.

2) Recordkeeping Requirements

Each non-exempt employee is required to maintain a daily record of actual hours worked and leave. Hours taken on a *Report of Hours Worked* form or with a time clock. **The employee's supervisor is responsible for assuring that the employee complies**

with this requirement and will certify that the report hours are correct. The *Report of Hours Worked* form should be completed and sent to the AFS Business Office within three business days of the next month.

Each administrator is accountable for filing complete and accurate records of hours worked by each non-exempt employee under the administrator's charge. Neither an employee nor an administrator shall disregard or circumvent the recordkeeping, overtime, or compensatory time requirements of the university by instructing or permitting an employee to file incorrect *Report of Hours Worked* forms or by any other means.

An employee cannot be employed partially in an exempt and partially in a non-exempt status. Each administrator appointing an employee to a non-exempt position is responsible for assuring that accurate records of the total hours worked by that employee are maintained.

Monthly salaried exempt employees are exempt from the completion of the *Report of Hours Worked* form and from the overtime/compensatory time regulations. When an exempt employee needs to take off vacation or sick time they must fill out a leave request and have this form signed by their supervisor. The form then needs to be forwarded to the AFS Business Office.

When taking vacation, make sure you have the proper vacation time accrued. Sick leave is for the days you are sick, not to be used for vacation because you don't have enough vacation time accrued.

3) Overtime Work

Non-exempt employees may work up to 30 minutes of overtime without prior permission as long as that overtime is occasional and not done on a regular basis (i.e. taking a 30-minute lunch rather than a 60-minute lunch 2 or more days in a row).

There will be no overtime unless approved in advance by your supervisor and by the Associate Department Chair. You must fill out the Overtime Approval Form and get the appropriate signatures prior to working any overtime.

If Compensatory time has been accrued all hours need to be used by August 31 of the fiscal year.

Compensatory time must be taken over vacation.

4) Place Where Work is Performed-Duty Point

Duty Point is the primary location where duties are required to be performed. No employee, whether or not subject to FLSA, shall accrue state compensatory time for work conducted at any location other than the employee's regular or assigned temporary place of employment unless the employee is traveling or has received prior written authorization from the chancellor to perform work elsewhere. In no event shall an employee's personal residence be deemed to be that employee's

regular or assigned temporary place of employment or duty point without the written approval of the chancellor.

A request for exception should include the type of work to be performed, how the time and productivity will be monitored, how it meets the business needs of TTU to have this person work from home, and the duration for which the exception is being requested.

5) Sick Leave

Report to your direct supervisor when you are going to be out sick.

To be eligible for accumulated sick leave with pay during a continuous period of more than three working days, employees must send their supervisor a doctor's certificate showing the cause or nature of the illness, or some other written statement of the facts concerning the illness that is acceptable to the supervisor. The employee's supervisor may require a doctor's certificate or other written statement of the facts for sick leave to be taken without a deduction in salary during a continuous period of three or fewer working days.

Upon return to duty after sick leave, employees should record such leave on the prescribed form. Employees exempt from submitting *Report of Hours Worked Forms* shall complete The *Application for Leave* and submit the same through normal administrative channels to the Personnel Records Office. Sick leave taken in excess of the employee's accrued Balance must be covered by compensatory time, vacation or a *Personnel Action Form* for leave without pay.

Faculty members must submit the *Application for Leave* for all sick leave taken, even though no classes were missed, if the absence occurred during the normal workday for regular employees and the faculty member was in paid status. See TTU OP 32.11 for faculty sick leave policy.

Attachments: Report of Hours Worked (non-exempt)
Application for Leave (exempt)
Overtime Approval Form

Effective Date:	<u>04/01/07</u>	Replaces:	<u>New</u>	Review Date:	<u>AUG ANNUAL</u>
Responsibilities:	Review-	Chair & Administrative Counsel	Policy/Procedure-	AFS Business Office	
Approved:	<u>Kevin Pond</u>				