3.6.3 Hours of Work Policy

HOURS OF WORK POLICY

<table>
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<th>Effective Date:</th>
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<tbody>
<tr>
<td>Policy Number:</td>
<td>III – 3.6.3</td>
</tr>
<tr>
<td>Supersedes:</td>
<td>Not Applicable.</td>
</tr>
<tr>
<td>Issuing Authority:</td>
<td>President</td>
</tr>
<tr>
<td>Responsible Officer:</td>
<td>Associate Vice President, Human Resources &amp; Compliance</td>
</tr>
<tr>
<td>Applicability:</td>
<td>All Canisius College employees.</td>
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PURPOSE

The purpose of this policy is to define the normal work hours of the college.

POLICY

The college determines daily and weekly work schedules based on each department’s operational needs. Such schedules may be changed at any time at the discretion of the college to address varying conditions. All employees are expected to work their scheduled hours.

Non-exempt employees are normally scheduled to work 7.5 hours/day. Normal working hours are 8:30 a.m. to 5:00 p.m. Monday through Friday. Non-exempt employees, however, will be informed of their scheduled hours by their supervisor based on department needs. This shall not be construed as a guarantee of hours of work per day, or per week, or as a limitation on the right of the college to require reasonable amounts of overtime work. The number of hours in a non-exempt employee’s work week does not include the meal period, unless the person is actually on duty during that time. Non-exempt employees must accurately record all worked time using the record keeping system. The time record must accurately reflect any unpaid breaks (i.e. meal or breaks for breastfeeding mothers) taken during the workday. Adjustments to the assigned schedule cannot be made without prior approval of the supervisor.*

Under the Patient Protection and Affordable Care Act (PPACA), all regular part-time staff employees who work less than 30 hours per week shall record and report all hours worked to determine health benefits eligibility. For part-time faculty, Human Resources will use a formula that applies a ratio of work hours to credit hours taught to determine whether a part-time faculty member is eligible for health benefits. The ratio the college will use is 2.25 hours of credit for each credit hour taught. This crediting method takes into account time for preparation, teaching, grading, and similar activities needed to teach a course.

Exempt employees are paid on a salaried basis and are expected to give full professional attention to their work and to be normally available during business hours. Exempt employees are also required to work any hours necessary to perform the duties of the job. Exempt employees are not eligible for overtime or additional pay for hours worked or travel time outside their regular schedule.

*Note: Employees who may require adjustments to their assigned schedule as a reasonable accommodation for a disability should contact Human Resources.

DEFINITIONS

Exempt Employee: employees who primarily perform work exempt from or not subject to the overtime provisions of the FLSA and for whom overtime pay is not required by federal law.

Non-Exempt Employee: employees who primarily perform work subject to overtime provisions of the FLSA and for whom overtime pay is required by federal law.

PROCEDURES/GUIDELINES

Non-Exempt Employee Hours of Work Guidelines

Normal Working Hours

For most full-time non-exempt staff employees, normal working hours are 8:30 a.m. to 5:00 p.m. Monday through Friday. Excluding the one-hour, 30 minute lunch break, this amounts to a 37.5-hour work week. Part-time non-exempt staff employees work less than 30 hours/week with hours tailored to meet the department’s needs. Summer working hours for full-time non-exempt staff employees are from 8:30 a.m. to 4:30 p.m. with one half-hour lunch break. The schedule for Friday summer hours is announced annually by Human Resources. Any exceptions to the above schedule must be approved by Human Resources. Non-exempt staff employees will be notified in advance by the supervisor of any required variation in normal working hours.

Flexible Hours
To offer staff employees more flexibility, as well as to extend operating hours to the college's clients, the college will encourage supervisors to offer, where appropriate, "early" and "late" shifts. For example, one person could start at 8:00 am and conclude at 4:00 pm, while another could start at 9:00 am and conclude at 5:00 pm. The earlier start could enable quiet-time for report-running, while the later close could extend office hours. To avoid confusion, the shifts would be set for the school year. Full-time non-exempt staff employees would continue to work a 7.5-hour workday with a 30-minute lunch break. Flexible schedules can be offered only where there is strong support from the supervisor. The department's responsibility to meet its customer service needs is the determining factor.

**Modified Full-Time Schedules**

Variations on the full-time work schedule may provide opportunities for staff employees to exchange a 12-month schedule for a 9, 10, 11-month schedule. Most full-time fringe benefits remain intact, for instance health insurance, tuition waivers for dependents. Paid time off is decreased according to time worked. The needs of the department and the supervisor's recommendation are primary in any consideration for a reduced work schedule.

**Unpaid Breaks for Employees**

1. **Meal (Lunch) Periods:** Full-time staff employees must take a 30-minute lunch break. Part-time staff employees scheduled to work more than six hours per day must take at least one-half hour lunch break away from the work area. All other part-time employees may choose to take a lunch break of either one-hour or one-half hour. The lunch break is unpaid time for both full and part-time employees. Times for lunch breaks are assigned by the supervisor. No one may forego the lunch break in order to shorten the work day. Facilities for purchasing lunch are available on campus.

Full-time staff employees are provided with two one fifteen-minute paid work breaks, one in the morning, and one in the afternoon. Times for work breaks are normally assigned by the supervisor.

Part-time staff employees who work seven (7) or more hours a day (not counting lunch break) will be entitled to two paid fifteen-minute rest periods (one in the morning, one in afternoon). Part-time staff employees who work fewer than seven (7) hours (not counting lunch break) will be entitled to one paid fifteen-minute rest period.

Abuse of work break privileges (for instance, overstaying allotted time) will result in disciplinary action.

Any employees who do not receive an uninterrupted meal break of at least 30 minutes are required to notify their supervisor and report the time worked on their time record. If an employee is interrupted more than twice and/or more than a total of 4 minutes for work related tasks, the employee will be paid for the entire 30-minute meal. Additionally, the supervisor will reschedule the 30-minute meal break later in the shift.

1. **Breaks for Breastfeeding Mothers:** Reasonable break periods of at least 20 minutes will be provided for a breastfeeding mother to express breast milk for her child up to three (3) years after the child's birth. Designated locations, other than restrooms, shielded from public view and free from intrusion from coworkers and the public will be provided for the breaks. Non-exempt staff employees will need to document and report the break as non-worked time. Breastfeeding mothers requiring these breaks should make the request to the immediate supervisor and communicate the frequency and duration of the breaks. Breaks may be taken up to once every three hours and are unpaid, unless paid break time is used. An employee may be required to postpone a break for no more than 30 minutes when she cannot be spared from her duties until appropriate coverage arrives.

**Paid Breaks for Exempt Staff Employees**

Paid work breaks are intended to be preceded and followed by an extended work period; thus, they may not be used to cover late arrival to work or early departure, extend the lunch break, nor may they be regarded as cumulative if not taken.

**Overtime**

Non-exempt employees must be paid for all hours worked whether preapproved or not. However, failure to obtain preapproval of overtime will be subject to appropriate disciplinary action. Non-exempt employees who work in excess of 40 hours during the work week, must be paid at the employee’s overtime rate for the hours worked in excess of 40 hours. Refer to the college’s Overtime Policy for additional information.

**Travel/Work Time**

On occasion, non-exempt employees may be required to travel for college related purposes. The following guidelines will be used when determining when travel time and travel-related activities are considered "work time" and therefore must be paid.

Activities considered work time include:

- Participating in any college related activities at a conference or seminar;
- Participating in social activities where attendance is required;
- Travel time for out-of-town college-related business, regardless of the day/time, if the employee is driving the vehicle;
- Travel time for out-of-town travel other than by car when leaving and returning in the same day;
- Traveling between work locations during the workday; and
- Travel time as a passenger in an airplane, train, boat, bus or automobile during hours that would be the employee’s normal workday, even if travel occurs on a non-work day.

Activities not considered work time include:

- Participating in social activities where attendance is not required;
- Sleeping;
- Non-work related meal breaks longer than 20 minutes;
- Traveling from home to a local airport, bus depot or train station, or vice versa;
- Traveling from home to an in-town conference. However, mileage may be reimbursable; and

Traveling from home to a regular designated work location or vice versa.

**Training/Conference Time**
Attendance at lectures, meetings, training programs, seminars or similar activities are counted as hours worked when the training is related to the non-exempt employee’s job. Non-exempt employees must obtain supervisory approval prior to attending such programs.

**Electronic Communications After Work Hours**

As with other types of authorized work, all time spent by non-exempt employees utilizing electronic communications for work purposes will be considered hours worked, is compensable and will count toward overtime eligibility as required by law. Therefore, to avoid incurring unexpected overtime expense and to minimize the college’s risks of unintentional violations of wage and hour laws, electronic communications should not be used outside of regularly scheduled work hours unless required by and specifically approved by the non-exempt employee’s supervisor. The immediate supervisor is advised to document the terms and conditions of this approval. This includes all types of work-related communication.

**RELATED POLICIES**

Overtime Policy

<table>
<thead>
<tr>
<th>Updates to 3.6.3: Hours of Work Policy</th>
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<tbody>
<tr>
<td>Revision: The language of this policy has been updated to reflect that the College’s standard business hours are 8:30 a.m.-4:30 p.m. Monday-Friday, with one half-hour lunch break for hourly employees; the language also reflects that flexible hours may be offered where appropriate.</td>
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<td>Rationale: Campus needs assessment.</td>
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[1] There are three (3) semesters per year, taken in order of their fiscal appearance: summer semester, fall semester, and spring semester. Although the summer semester may be made up of two (2) or even three (3) sessions, it will be treated as one semester for purposes of course entitlements.