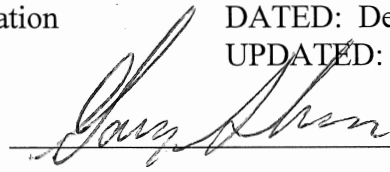

POLICY: VII: 04 – On-Call and Call Back Status and Compensation
Procedure Review: Annually

DATED: December 2020
UPDATED: January 2021

APPROVED: Executive Director of Facilities and Construction: _____



INTRODUCTION

It is necessary to establish on-call procedures as it pertains to Facilities Management (FM) employees. The FM administration received approval by the Business Services AVP and Senior VP of Administration and Finance to supplement traditional compensation to employees when supporting activities associated with after business hours call-backs. These guidelines supersede the existing university policy 1336, On-Call Status and Compensation, as it relates to on-call compensation and serves as a reference to the exceptions granted and as a source for compensation decisions.

PURPOSE

To establish a consistent procedure to identify and compensate FM employees who are required by the university to respond to emergency or essential work situations related to their duties and responsibilities. This policy works with university policy 1336 to clarify compensation for employees called back to perform work beyond the employee's normal scheduled hours of work. Call-back compensation for non-exempt employees is mandatory and is not awarded on a discretionary basis.

RESPONSIBILITIES

- A. Executive Director of Facilities and Construction – Responsible for the overall implementation of this procedure.
- B. Directors, Managers, and Supervisors – Responsible for ensuring employees in their area(s) are informed of this procedure and for proper reporting and verification of time records prior to submitting for payroll processing and time card approval for work orders.
- C. Payroll Assistants – Responsible for utilizing and following pay practices to construct accurate pay records, identifies and corrects pay cycle errors before authorizing leave accrued or issue for monetary payment.
- D. Work Control Staff – Responsible for documenting the dates/times on the FM Emergency Log.
- E. Employees - Responsible for complying with policies and procedures related to time and attendance and confirming compensatory leave time earned and paid overtime is correct for each pay cycle. Also responsible for charging out correct time on work orders.

DEFINITIONS

Call-Back Pay - A non-exempt employee who is called back to work shall be compensated for the hours actually worked or three hours, whichever is more, and in compliance with the Fair Labor Standards Act. Travel time to and from home is not considered hours worked.

Call-Back Status - When a classified, non-exempt employee is called back to work in response to emergency or essential work situations directly related to their official duties and responsibilities.

Essential Work - Work that is deemed by a department to be critical enough to justify the employee's extended availability beyond the normal work schedule.

Exempt Classified Employee - An employee who is exempt from the overtime provisions of the Fair Labor Standards Act and is therefore not required to receive overtime pay for hours worked in excess of 40 in a workweek.

Non-Exempt Classified Employee - An employee who is not exempt from the overtime provisions of the Fair Labor Standards Act and therefore must be paid at a rate of time and a half for every hour worked over 40 in a workweek.

On-Call Status - A classified, non-exempt employee who is required by their supervisor/department to be available to respond to emergency or essential work situations related to their official duties and responsibilities shall be considered on-call.

Restricted On-call Status - A classified, non-exempt employee is considered in restricted on-call status if the employee is required to remain by a phone or at a certain location and cannot use their personal or non-duty time effectively while on-call. Restricted on-call hours are to be counted as hours worked and compensated accordingly.

Unrestricted On-call Status - A classified, non-exempt employee is considered in unrestricted on-call status if they are free to spend non-duty time as they choose. If an employee only has to leave word as to how he/she can be contacted or carry a pager/cell phone, they are considered unrestricted and therefore not entitled to compensation.

APPLICABILITY

This policy applies to classified, non-exempt employees who are working in a position that requires their availability to be called back to work in response to emergencies or work that is deemed essential, and that is related to official duties and responsibilities.

POLICY

The university maintains specific requirements and procedures related to compensation for positions that require on-call status. Compensation for call-back work will follow the On-Call Status and Compensation policy as well as FM Policy I: 29 Electronic Time and Attendance System.

PROCEDURES

Call-backs for after-hours work - An unrestricted, on-call, non-exempt employee is called-back to work by FM Work Control Center staff. The employee performs the necessary work. The employee is allowed compensation for three hours of work or for the actual hours worked, whichever is greater. If the total time for numerous call-backs falls within the same three hour window of the original call, the employee will receive total compensation of three hours or the actual time worked, whichever is greater. The three hour compensation is only for calls which the employee is not already being compensated.

Example 1: An employee receives one call-back and completes it within 3 hours:

- An employee is on-call and receives a call-back at 6:00 p.m. The employee performs the necessary work. It took the employee a total of 30 minutes to complete the work. The employee will receive a total of three hours compensation.

Example 2: An employee receives one call-back and completes it in over three hours:

- An employee is on-call and receives a call-back at 6:00 p.m. The employee performs the necessary work. It took the employee a total of four hours and 30 minutes to complete the work. The employee will receive a total of four hours and 30 minutes compensation.

Example 3: An employee receives two call-backs within three hours of each other:

- An employee is on-call and receives a call-back at:
 - 6:00 p.m. The employee performs the necessary work. It took a total of 30 minutes to complete the work.
 - 8:00 p.m. The employee performs the necessary work. It took a total of 30 minutes to complete the work.

The employee will receive a total of three hours compensation. If this is the last call received, the employee will have responded to a total of two call-backs for a total of three hours of compensation.

Example 4: An employee receives two call-backs more than three hours apart:

- An employee is on-call and receives a call-back at:
 - 6:00 p.m. The employee performs the necessary work. It took a total of 30 minutes to complete the work.
 - 9:15 p.m. The employee performs the necessary work. It took a total of one hour and 30 minutes to complete the work.

The employee will receive a total of six hours compensation. If this is the last call received, the employee will have responded to a total of two call-backs for a total of six hours (three hours + three hours) of compensation.

Example 5: An employee receives numerous call-backs within three hours of the first call-back, and one call-back more than three hours after the first call-back, which takes less than three hours to complete.

- An employee is on-call and receives a call-back at:
 - 6:00 p.m. The employee performs the necessary work. It took a total of 30 minutes to complete the work.
 - 6:30 p.m. The employee performs the necessary work. It took a total of 15 minutes to complete the work.
 - 7:15 p.m. The employee performs the necessary work. It took a total of 15 minutes to complete the work.

- 7:20 p.m. The employee receives a call-back at 7:20. Upon completion of the 7:15 call-back, the employee starts the request and performs the necessary work. It took a total of 15 minutes to complete the work.
- 8:30 p.m. The employee performs the necessary work. It took a total of 20 minutes to complete the work.
- 9:30 p.m. The employee performs the necessary work. It took a total of 15 minutes to complete the work.

The employee will receive a total of three hours compensation for the first five call-backs as the calls happened during the three-hour window they were already compensated for. They will also receive a total of three hours compensation for the last call as it occurred after the previous three hour window of compensation. If this is the last call received, the employee will have responded to a total of six call-backs for a total of six hours (three hours + three hours) of compensation.

Example 6: An employee receives numerous call-backs within three hours of the first call-back, and one call-back more than three hours after the first call-back, which takes more than three hours to complete:

- An employee is on call and receives a call-back at:
 - 6:00 p.m. The employee and performs the necessary work. It took a total of 30 minutes to complete the work.
 - 6:30 p.m. The employee performs the necessary work. It took a total of 15 minutes to complete the work.
 - 7:15 p.m. The employee performs the necessary work. It took a total of 15 minutes to complete the work.
 - 7:20 p.m. They employee receives a call-back at 7:20. Upon completion of the 7:15 call-back at 7:30, the employee starts the current work request and performs the necessary work. It took a total of 15 minutes to complete the work.
 - 8:30 p.m. The employee performs the necessary work. It took a total of 20 minutes to complete the work.
 - 9:30 p.m. The employee performs the necessary work. It took a total of five hours 15 minutes to complete the work.

The employee will receive a total of three hours compensation for the first five call-backs as the calls happened during the three-hour window they were already compensated for. In addition, they will also be compensated for five hours and 15 minutes for the last call-back. If this is the last call received, the employee will have responded to a total of six call-backs for a total of eight hours and 15 minutes (three hours + five hours 15 minutes) of compensation.

Example 7: An employee receives numerous call-backs within three hours of the first call-back, and three additional call-backs more than three hours after the first call-backs started, which occur within another three hour window to complete:

- An employee is on-call and receives a call-back at:
 - 6:00 p.m. The employee performs the necessary work. It took a total of 30 minutes to complete the work.
 - 6:30 p.m. The employee is already on campus and performs the necessary work. It took a total of 15 minutes to complete the work.
 - 8:30 p.m. The employee performs the necessary work. It took a total of 20 minutes to complete the work.
 - 10:30 p.m. The employee performs the necessary work. It took a total of 15 minutes to complete the work.

- 11:30 p.m. The employee performs the necessary work. It took a total of 20 minutes to complete the work.
- 12:30 p.m. The employee performs the necessary work. It took a total of 1 hours 15 minutes to complete the work.

The employee will receive a total of three hours, 15 minutes compensation for the first three call-backs as they all occurred during the three-hour window they were already compensated for. They will also be compensated for three hours of compensation for the last three call-backs as the calls occurred during the three hour window already being compensated for. If this is the last call received, the employee will have responded to a total of six call-backs for a total of six hours, 15 minutes (three hours + three hours, 15 minutes) of compensation.

SANCTIONS

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

EXCLUSIONS

Exempt employees who are on-call or called back to work are not compensated for hours worked nor granted compensatory time.