

Compensable Time, Meal and Break Periods, and Flexible Work Scheduling (Staff)

College Defined Work Week

The College's standard office hours are Monday through Friday from 8:30 a.m. until 4:30 p.m. As an institution that provides in-residence services for students, there are many employees involved with the operations of the College that do not work these standard business hours. For that reason, and consistent with applicable wage and hour laws, the College defined work week for purposes of calculating wages and overtime begins at 12:01 a.m. Monday through 12:00 midnight Sunday which equals 168 hours within the pay week.

For non-exempt employees, all hours worked will be paid in accordance with the defined work week.

Paid Work-time

Work hours, meal breaks and rest periods vary according to operational need and are scheduled by the manager.

- **Exempt employees** are employees classified as exempt from overtime are expected to work as many hours as necessary to fulfill the responsibilities of their position. Typically, that is at least 35 hours per week for full-time employees and often more depending on the operational demands at the time. Exempt employees who work beyond their "regular schedule" (including nights and weekends) are not entitled to additional compensation or compensatory time off.
- **Non-exempt employees.** Work-time is defined as all time spent by an employee performing activities which are job-related. This includes the employee's regular work time, plus time spent performing job-related activities which benefit the employer. Work done at home or at a place other than the normal work site is work, and the time must be pre-approved by the manager and counted (e.g. looking and responding to email, returning phone calls). Other examples of paid activities are work related travel, meetings or training that occurs outside of regularly scheduled hours. See Travel Time pay below for more details.

The College does not condone "working off the clock". Employees are expected to accurately report all hours worked on their official time record and seek advance approval from their manager if the need should arise to work hours above their regularly scheduled hours. Checking and responding to Saint Joseph College emails after scheduled work hours on a mobile device such as a smartphone, tablet and laptop is considered performing work outside of "normal working hours." Managers are accountable for authorizing hours worked beyond an employee's

regular schedule and for approving, in a timely manner, all hours worked in a pay period in accordance with the College payroll schedule.

Managers who manage non-exempt/hourly paid staff should be aware of their regular schedules and appropriately plan overtime based on operational needs. Non-exempt employees must track all hours worked each week and prior manager approval is required before working overtime. Managers may ask their employees to work additional hours during particularly busy times of the year and employees are expected to be flexible when these needs arise in order to support the College.

The Federal Labor Standards Act (FLSA) requires employers to pay their non-exempt employees for all hours that they are required or permitted to work—this is sometimes referred to as “compensable time.” Compensable time includes all time in which an employee is performing productive work and all hours the individual remains available for the next assignment.

Employers must keep track of the number of compensable hours non-exempt employees work during a workweek. To determine how much of an employee’s time is compensable, several factors must be examined, including whether employees should receive wages for rest and meal periods, while waiting for assignments, when they are on-call or when they are attending lectures or meetings.

Meal and Break Periods

Meal periods are scheduled by managers and may be staggered to provide adequate office/service coverage. Maine law requires that employees be given at least a thirty-minute unpaid rest break (that may be a meal period) if they work 6 consecutive hours or longer. In exceptional circumstances, an employee may voluntarily request that this meal period be waived on a specific day to accommodate an alternative schedule such as an external, personal appointment. This flexibility is not intended to be a permanent schedule change or waiver of the meal period.

If adequate office/service coverage is not available during an employee break period, the manager is expected to provide this coverage. During this break period, the employee must be completely relieved of all work related duties. The employee is not relieved if they are required to perform any duties, whether active or inactive, while eating.

Periodic morning, afternoon, or evening paid breaks of no more than 15 minutes, although not required by state and federal law, may be permitted with the manager's approval if the workload permits. Unused breaks cannot be accumulated for later use, late arrival or early dismissal, credited for paid-time off, or taken incrementally. In certain working conditions (e.g.,

extreme heat or cold), more frequent paid breaks may also be approved by the manager. When the operation is able to support break periods, employees are expected to return to job duties in a punctual manner. Staff are required to stay on campus during the paid break time. If there is a need to leave the employee must seek manager approval and clock out.

Non-exempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period.

Flexible Work Scheduling

The demands of a position may require schedule flexibility in order to complete the responsibilities. Nonetheless, every effort should be made to follow the official hours of the College to ensure availability for coordination of work within and across departments.

Flextime may be granted for specific individual situations and brief designated periods of time with the approval of the direct supervisor, the area Vice President and Human Resources. Requests for flextime should be submitted in writing to an employee's supervisor. As individual flextime arrangements are not intended to be permanent, they will be reviewed every six months.