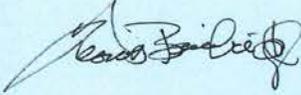


APPOINTING AUTHORITY APPROVAL: 	POLICY NUMBER: HR057 EFFECTIVE DATE: 06/09/08 AMENDED: 06/14/11 AMENDED: 01/14/13 AMENDED: 05/30/13 AMENDED: 03/17/14
AUTHORITY: OCSEA CONTRACT ARTICLE 13; DAS HRD-08; ORC 124.18; OAC 123:1-45-01; OAC 123:1-43- 01; OAC 123:1-43-02; OAC 123: 1-32-07(G); DAS MEMORANDUM 11/18/08	APPROVAL DATE: 06/09/08 AMENDED: 06/14/11 AMENDED: 01/08/13 AMENDED: 05/30/13 AMENDED: 03/17/14

I. Purpose:

The purpose of this policy is to establish a uniform method of accounting for hours worked by employees of the Industrial Commission of Ohio (IC).

II. Policy:

A primary obligation of the commission is to ensure adequate staffing and supervision during business hours so that employees may effectively perform their duties for internal and external customers. The IC's business hours are 8:00 a.m. to 5:00 p.m. and days of operation are Monday through Friday. Work hours are arranged to support the agency's operational needs and effectively deliver customer service. Employees shall be compensated for their work in accordance with the Fair Labor Standards Act.

Employees are responsible for accurately recording all hours worked, including arrival and departure times, lunch, schedule adjustments, tardiness, leave time, and overtime/compensatory time, on their timesheet. It is the responsibility of the supervisor to verify the accuracy of the timesheet. Full-time employees are expected to work a 40-hour work week. Employees shall be ready to commence work at their start time.

III. Applicability:

This policy applies to all employees of the Industrial Commission of Ohio.

IV. Work Schedules:

Unless operational needs or travel requirements dictate otherwise, employees shall not begin their workday prior to 7:00 a.m. or end their day after 6:00 p.m. Monday through Friday without specific supervisor approval. Work shall not be performed on weekends or at home without specific supervisor approval based on operational need requiring

unusual work hours. Security of confidential personal information must be taken into consideration when approving taking any work off site.

Employees who must report to work at some site other than their normal report-in location, which is farther from home than their normal report-in location, shall have any additional travel time counted as hours worked. An employee in authorized travel status should depart the regional/district/satellite office no later than 5:45 p.m.

A. Standard Work Schedule

The standard work schedule is the work schedule for all IC employees except for staff on designated flexible work schedules. The standard work schedule consists of fixed start and end time and five (5) eight-hour work days, Monday through Friday. Managers and supervisors may approve, change, and adjust work schedules based upon operational need, supervision, or to maintain adequate staffing levels during IC business hours of 8:00 a.m. to 5:00 p.m. Employees shall take at least a thirty (30) minute or a sixty (60) minute unpaid lunch break.

Work schedule options are as follows:

- 7:00 a.m. to 3:30 p.m. (30 minute unpaid lunch period)
- 7:00 a.m. to 4:00 p.m. (60 minute unpaid lunch period)
- 7:30 a.m. to 4:00 p.m. (30 minute unpaid lunch period)
- 7:30 a.m. to 4:30 p.m. (60 minute unpaid lunch period)
- 8:00 a.m. to 4:30 p.m. (30 minute unpaid lunch period)
- 8:00 a.m. to 5:00 p.m. (60 minute unpaid lunch period)
- 8:30 a.m. to 5:00 p.m. (30 minute unpaid lunch period)
- 8:30 a.m. to 5:30 p.m. (60 minute unpaid lunch period)
- 9:00 a.m. to 5:30 p.m. (30 minute unpaid lunch period)
- 9:00 a.m. to 6:00 p.m. (60 minute unpaid lunch period)

1. Schedule Adjustments

There may be occasions when a schedule adjustment within a work week is a reasonable solution to address a specific or short-term work schedule conflict, rather than the use of paid leave time based upon operational need. Schedule adjustment requests which involve leaving work early on Friday will be carefully scrutinized to ensure office coverage.

Schedule adjustments may be approved by the supervisor based upon the circumstance and operational need and must occur within the work week of the incident. Schedule adjustment may include start and end times. Elimination or reduction of a lunch break to less than 30 minutes shall not normally be considered.

Schedule adjustments are approved by a supervisor on a case-by-case basis. Schedule adjustments are optional and shall not be used to cover absences in excess of four (4) hours. Schedule adjustments cannot be used to cover for unexcused tardiness or exhaustion of accrued leave.

Paid leave must be used if approved schedule adjustments do not constitute a 40-hour week. If the employee does not have sufficient leave balances to cover his/her absence, the employee will be placed in an unauthorized leave of absence and may be subject to disciplinary action. New accrual rates are affected whenever an employee is in a leave without pay status.

a) Planned Schedule Adjustments

The adjustment is temporary and shall not last more than six (6) months. Examples for consideration of a planned schedule adjustment include, but are not limited to: educational coursework, medical appointments, temporary transportation, and child/elder care issues. Extensions may be approved by the Director of Human Resources.

b) Unplanned Schedule Adjustments

These adjustments are for unforeseen circumstances or emergencies. For incidents which occur prior to the scheduled arrival time, the employee must make every attempt to properly call off. For emergency situations the employee may be required to provide evidence of the emergency. Examples of unforeseen circumstances include, but are not limited to: inclement weather, traffic delays, electricity outage, late school bus, early release of students from school, utility service repair or restoration, etc.

B. Flexible Work Schedule

When demands of the work regularly fluctuate the Director of Human Resources may approve a flexible work schedule designation. Examples of staff on designated flexible work schedules usually approved are: Directors and above, executive staff, office managers, Hearing Administrators, Hearing Officers, Information Technology staff and Commission Level Hearing staff. Where hours of work do not require flexing, staff shall maintain a standard eight-hour work day and follow standard call-off procedures. The maximum amount of sick leave usage and holiday pay per work day is eight (8) hours unless approved by a supervisor. The purpose of a flexible work schedule is to ensure operational needs are met, and no overtime or compensatory time is accrued. Flexible work schedules require good communication between the supervisor and employee to ensure operational needs, office coverage, and attendance expectations are achieved.

During any four (4) day period in a single work week, employees shall work no more than thirty six (36) hours except in situations that require unusual working hours due to an employee's position and with prior approval from their supervisor. During

holiday weeks, employees shall work no more than thirty two (32) hours without prior approval from their supervisor.

1. Temporary Designation

Based upon operational needs, the Director of Human Resources may approve the use of a flexible work schedule during a holiday week for employees who are normally not on a flexible work schedule (e.g. shared resource pool employees). Shared Resource pool employees who request four (4) hours or less of vacation leave will not have their request fall under the threshold guidelines. The maximum amount of holiday pay per work day shall remain eight (8) hours.

C. Compressed Workweek

A compressed workweek schedule requires prior written approval from the Director of Human Resources and is only approved when a specific business process warrants such a schedule. A compressed workweek schedule is when employees work full-time hours in less than the traditional 5-day workweek by increasing daily hours worked (e.g. 4, 10 hour days). A compressed workweek schedule may be considered for an individual employee or a small group of similarly situated employees based on operational need. The request must demonstrate how a specific business operation or goal is advanced as a result of a compressed workweek schedule and the parameters of how standard call-off procedures will be followed. Requests which involve the elimination of Monday or Friday from the workweek will be carefully scrutinized.

When an employee on a compressed work week schedule is on jury duty the employee usually will be scheduled to work a five (5) day standard hours of operation work schedule. For such employees the maximum amount of holiday pay per work day is eight (8) hours.

D. Lunch Periods and Breaks

Full-time employees shall take an unpaid lunch period of not less than thirty (30) minutes or more than sixty (60) minutes taken mid-day between 11:00 a.m. and 2:00 p.m. Specific times shall be determined by the employees' supervisor. As noted in section IV.(A)(1) of this policy, a schedule adjustment request which involves elimination or reduction of a lunch break to less than thirty (30) minutes shall not normally be considered.

For designated flexible work schedule employees, a minimum thirty (30) minute lunch shall be required unless operational needs dictate otherwise. With prior approval from their supervisor, flexible work schedule employees may work through their entire one (1) hour lunch period and adjust or flex their time.

When work responsibilities dictate, Industrial Commission Hearing Officers may work through their entire lunch period and flex their time without a supervisor's permission. Hearing Officers shall notify their supervisor of this lunch time adjustment as soon as possible after its occurrence.

Employees are granted two (2) fifteen (15) minute paid breaks that should be taken mid-morning and mid-afternoon. Specific times shall be arranged with the employees' supervisor. It is the responsibility of the employee to use paid breaks. If an employee chooses to work through the paid break, the employee shall not receive any additional compensation. Employees are not permitted to work through either of their paid breaks in order to adjust their start or end times. Employees cannot extend their lunch period by combining it with their paid breaks except in cases where the employee has been approved to participate in a Midday Wellness Program as expressed in HR049 Employee Wellness Program policy. Employees cannot combine their paid breaks to avoid taking an unpaid lunch.

E. Notification/Tardiness

Employees who are calling to report off sick or late shall do so within thirty (30) minutes of their scheduled start time. Tardiness is defined as arriving to work at a time later than the assigned start time without prior approval from their supervisor. Employees who are calling to report a late arrival shall do so as soon as reasonably practical prior to arriving at work. Tardiness may be excused where circumstances beyond an employee's control caused the tardiness. Employees are responsible for providing information sufficient for a supervisor to determine that the circumstances were in fact beyond the employee's control. Unexcused tardiness is subject to disciplinary action. Unexcused tardiness in excess of 30 minutes will be considered Absent without Leave (AWOL).

F. Overtime

1. Overtime Eligible Employees

- a) Overtime eligible employees who work more than 40 hours in any calendar week shall have the overtime work approved in advance by their supervisor.
- b) In an emergency situation, when no supervisor or other administrator is available to authorize the overtime work, and after exhausting all means of contacting the supervisor or other management representatives, the overtime eligible employee may choose to work the overtime.
- c) Overtime eligible employees who work overtime without prior approval shall be compensated for the time worked but may be subject to disciplinary action if it is determined that the situation was not an emergency.

- d) Employees shall not begin or end work more than five (5) minutes before or after their start and end time.
- e) Hours in an active pay status more than forty (40) in any calendar week shall be compensated at the rate of one and one-half (1 1/2) times the employee's total rate of pay for each one-tenth (1/10) of an hour increment over forty (40) hours. Sick leave and any leave used in lieu of sick leave shall not be considered as active pay status.
- f) Employees may elect to accrue compensatory time in lieu of cash overtime payment for hours in an active pay status of more than forty (40) hours worked in any calendar week. Compensatory time will be earned on a one and one-half time (1 1/2) basis.
- g) Employees' maximum accrual of compensatory time shall be two hundred forty (240) hours. When the maximum hours of compensatory time accrual are attained, payment for overtime work shall be made. Compensatory time must be used within three hundred sixty-five (365) calendar days from when it was earned; otherwise it shall be paid to the employee.
- h) Procedures for using compensatory time are the same as vacation leave and may be used in one-tenth (1/10) hour increments. Compensatory time is not available for use until it appears on the employee's earning statement and the compensation described in the earning statement is available to the employee.
- i) Employees cannot earn overtime or compensatory time when using compensatory time or leave time in the same work week unless the overtime opportunity occurs subsequent to taking compensatory time and/or leave time cannot be adjusted. Flexible schedule employees shall adjust the compensatory time used.

2. Overtime Exempt Employees

- a) Employees in this category should be authorized to have a flexible hour schedule.
- b) Employees who are required by their supervisor to be in active pay status for more than 80 hours in the same pay period may accrue compensatory time on an hour for hour basis for each one-tenth (1/10) of an hour increment over eighty (80) hours. Sick leave and any leave used in lieu of sick leave shall not be considered as active pay status.
- c) An employee is permitted to flex up to 80 hours in the same pay period. No compensatory time will be granted for work which could have been completed during an 80 hour flexible work schedule.
- d) The maximum amount of compensatory time which an employee may accrue is 120 hours. Any compensatory time accrued must be used within 180 days after accrual or it will be forfeited.

- e) Cash payment for accrued compensatory time is not permitted. Employees may not convert compensatory time to any other form of leave.
- f) Procedures for using compensatory time are the same as vacation leave and may be used in one-tenth (1/10) hour increments.
- g) All compensatory time balances will be forfeited upon termination of employment.