

SUBJECT: On-Call Time Duty	NUMBER: PROC-107-022-20.005.10
	EFFECTIVE DATE: 03/18/09
APPROVAL: RA 3/18/09	

PURPOSE This procedure is provided to explain in greater detail ONR and the pay code(s) associated with it for employees being assigned On-Call Time Duty.

RELEVANT POLICY Executive Staff, Department of Administrative Services
HRSD State Policy 20.005.10, Pay Practices
SEIU Collective Bargaining Agreement Article 34

APPLICABILITY Department of Administrative Services (DAS) Non-Exempt Management Service, Non-Exempt Classified Represented, Non-Exempt Classified Unrepresented employees and Exempt Classified Represented employees.

ATTACHMENTS Authorization and Cancellation of On-Call Duty (Attachment A)

DEFINITIONS On-Call Duty (ONR) is when an employee has been assigned by their manager to be available for work outside his/her normal working hours.
Straight Time Accrued (STA) is banked time accrued on a one-to-one basis for time worked over 8 hours a day or 40 hours a week by SEIU represented FLSA Exempt employees.
Overtime (OT) is time and one-half compensation for employees non-exempt from FLSA.
Additional Straight Time (AST) is paid time for employee who are non-exempt from FLSA but have not yet the perimeters to qualify for OT.

GUIDELINES

- I. On-Call Time Duty must be assigned and cancelled in writing and notification sent to Operations Division Payroll Office using Attachment A.
- II. The time which the employee is authorized and assigned to be on-call is paid one hour (straight rate of pay) for every six (6) hours the employee is On-Call Time Duty for Non-Exempt Management Service, Non-Exempt Classified Represented, Non-Exempt Unrepresented employees and Exempt Classified Represented employees. Employees who are assigned On-Call duty for less than six (6) hours shall be paid on a prorated basis. The employee does not need to prorate ONR hours. OSPS is programmed to automatically prorate the 1/6 ratio.
- III. On-Call Time Duty hours shall not be counted as time worked for the purposes of determining eligibility of overtime. On-Call Time Duty pay shall be included in the calculation of the overtime pay rate.
- IV. Call Back Overtime (CBO) cannot be claimed during the time frame the employee is scheduled to perform On-Call Duty.
- V. An employee should not be subject to restrictions which would prevent the employee from using the time effectively for his/her own use while waiting to be called to work.

PROCEDURES:

- | <u>Step</u> | <u>Responsible Party</u> | <u>Action</u> |
|--------------------|---------------------------------|---|
| 1. | Manager | Discuss the responsibilities and guidelines for being On-Call Time Duty with the employee. Inform the employee regarding the proper recording and restrictions on ONR usage. |
| 2. | Manager & Employee | Completes the Authorization form for On-Call Time Duty (Attachment A) and employee and supervisor sign. When submitting Attachment A, be sure to list the actual hours the employee is to be on-call, writing the time in either military time or in AM/PM format. Two examples are provided below: |

Example A for those needing coverage from 5:00 pm to 8:00 am and 24 hour coverage on the weekend using Military Time:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start: 00:00	Start: 00:00	Start: 00:00	Start: 00:00	Start: 00:00	Start: 00:00	Start: 00:00
End: 08:00	End: 08:00	End: 08:00	End: 08:00	End: 08:00	End: 24:00	End: 24:00
Start: 17:00	Start: 17:00	Start: 17:00	Start: 17:00	Start: 17:00	Start:	End:
End: 24:00	End: 24:00	End: 24:00	End: 24:00	End: 24:00	Start:	End:

Regarding Holidays: When assigned, you will be On-Call during the holiday: ENTIRE 24 HOUR PERIOD
 Note: If a call is received on a holiday, the time worked is coded as either HP or CTH, regardless of FLSA status.

Example B for those needing coverage in various time increments and using the AM/PM format:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start: 6:30 pm	Start:	Start: 5:00 pm	Start: 7:00 pm	Start: 5:00 pm	Start: 6:30 pm	Start: 3:00 pm
End: Midnight	End:	End: 8:00 pm	End: 7:00 am	End: Midnight	End: Midnight	End: 8:00 pm
Start:	Start:	Start: Midnight	Start:	Start:	Start:	End:
End:	End:	End: 3:30 am	End:	End:	Start:	End:

Regarding Holidays: When assigned, you will be On-Call during the holiday: 8:00 AM TO 5:00 PM
 Note: If a call is received on a holiday, the time worked is coded as either HP or CTH, regardless of FLSA status.

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| 3. | Administrator | Approves the Authorization for On Call Duty (ONR) |
| 4. | Managerial Support | After all signatures have been obtained, keep original copy for your division records, make a copy for the employee, plus send a copy to Payroll. |
| 5. | Managerial Support | Once it is decided ONR duty is no longer required by the employee, obtain signatures to dissolve the ONR agreement, using the original copy stored with your division. Make a copy and send to Payroll.. |

AUTHORIZATION FOR ON-CALL TIME

Effective _____ you are approved to perform On-Call duty. The day(s) and hours specified below are only applicable when your supervisor schedules you to perform this duty. In the event that your manager finds it necessary to temporarily override the set day(s) and/or hours listed below, the revised scheduled shall be provided to both the employee and Payroll indicating any variances from this agreement. To record On-Call time, use the pay code ONR.

You are hereby authorized to be on-call to report to work on the following days and hours of the week **only** when given an assignment by your supervisor:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start:	Start:	Start:	Start:	Start:	Start:	Start:
End:	End:	End:	End:	End:	End:	End:
Start:	Start:	Start:	Start:	Start:	Start:	Start:
End:	End:	End:	End:	End:	End:	End:

For Holidays: When assigned you will be on call: _____

Per SEIU collective bargaining agreement, Article 32, Section 1, Article 34, Section 2 and HRSD State Policy 20.005.10 Pay Practices, on call time (ONR) is not counted as time worked towards the 40 hour work week or the eight (8) hour work day in order to qualify for over time pay. Shift Differential Earnings (SDE) is not applicable except during the time you are actually responding to a call which lasts at least 30 minutes or more and meets the requirements of the SEIU agreement, Article 26, Section 6.

An employee cannot claim On-Call time simultaneously while being compensated at their regular or premium rate of pay. The only exception to the above is when an employee has been assigned ONR duty by their supervisor for a specific holiday or furlough day. In those cases, an employee can claim ONR while also claiming either HO or LA.

On-Call Duty cannot be claimed by the employee on days where the employee is taking paid leave or unpaid leave for an extended period of time; one work week or more. Generally, ONR should not be assigned to employees on individual days where the employee is on all-day vacation or recovering from an illness.

When you respond to a call which requires attention, your ONR ceases, and then appropriate compensation begins. The pay code will vary based on your representation status and the applicable policy or collective bargaining agreement. If non-exempt from FLSA, the applicable pay code will be AST/CTS or OT/CTA. If exempt from FLSA, the applicable pay code will be STA. Once the call has been resolved, your ONR will begin again until the agreed upon ONR shift ends, and the other compensation will cease. **You cannot receive both compensations simultaneously.**

Note: If a call is received on a recognized state holiday, the valid pay code is HP/CTH regardless of FLSA exempt status.

Employee Name (printed)

OR Number

Date ONR assignment Cancelled

Employee Signature

Date

Employee signature for Cancellation

Supervisor Signature

Date

Supervisor signature for Cancellation

Administrator's Signature

Date

Date Sent to Payroll

Note: This On-Call Agreement replaces any existing On-Call Agreements previously filled out, making them null and void.