

**PERSONNEL SERVICES BULLETIN 08-06**  
(Replaces PSB 03-3)

**TO:** Department/Division Heads

**FROM:** Dianna L. Berry  
Personnel Director

**DATE:** July 11, 2008

**RE:** **General Time and Attendance Policy**

**I. Purpose**

This policy contains guidelines governing the general application of the Kronos time-keeping system for all City employees. It is not intended to supercede specific time and attendance policies established by Departments/Divisions. It is also not intended to supercede any provisions in existing collective bargaining agreements. Where a conflict arises between this policy and an existing collective bargaining agreement, the language in the collective bargaining agreement will prevail.

**II. Definitions**

- A. Exception: A deviation from normal work patterns, when employees do not punch as expected. For example, if an employee is absent from work or punches in late, the system records that exception in the database.
- B. Kronos Grace Period: Values that determine whether employees' punches move backward to the previous round increment or forward to the next round increment. If a punch occurs after the Kronos grace period, it rounds forward to the next round increment. Graces work with rounds, which divide hours into even increments. For example, based on 15-minute rounding with a 7-minute Kronos grace period, if an employee punches in between 8:01 and 8:07, the punch is rounded back to the previous round increment of 8:00. If an employee punches between 8:08 and 8:14 (after the Kronos grace period), the punch is rounded forward to 8:15. If an employee punches at 8:00, the punch remains at 8:00. *Note:* The Kronos grace period in no way grants permission for employees to arrive to work or leave work early or late without supervisory approval.
- C. Punch: The time that marks the beginning or ending of a work interval, such as the beginning/ending of a shift or lunch period. Employees may be required to punch using a time card or a time stamp. Departmental/Divisional pay rules determine how punches round.

- D. Rounding: A unit of measurement that divides hours into even increments. When shift start or end times occur between these increments, the times move forward to the next increment or backward to the previous increment. The movement of these shift start and end times depends on the Kronos grace period. See example under the definition of Kronos grace period above.
- E. Schedule: A list of employees or groups and the hours that they are expected to work during a specified time period.
- F. Shift: A time period that an employee works. For example, 8:00 a.m. to 5:00 p.m., is a shift.
- G. Timecard: A record of an employee's attendance and hours worked.
- H. Time stamp: A method of recording an employee's attendance and hours worked that functions much as a time clock, however, is accessible through the computer network rather than a time clock.
- I. Work Period: The full, regularly scheduled workweek established for the employee's department or division.
- J. Work Rules: Work rules apply specific payroll rules to department/divisions. These rules determine how employee hours accrue. Work rules include, but are not limited to, the following items:
- A rounding rule
  - An exception
  - Breaks/Lunch Periods
  - Overtime

### **III. Hours of Work**

Each Department/Division is responsible for setting its hours of operation. Generally, these hours of operation are 8:00 a.m. to 5:00 p.m. The Kronos time-keeping system is designed to maintain an accurate record of working time, absences, and leaves for each employee in the department/division during each payroll period.

#### **A. Non-exempt Employees**

##### **1. Overtime pay and compensatory time**

Non-exempt employees are those who shall be eligible for receiving overtime earnings at a minimum of one and one-half (1½) times the regular hourly wage or accruing compensatory leave at a minimum of one and one-half (1½) times the overtime hours worked, as required by the Fair Labor Standards Act.

Generally, non-exempt employees will record his/her attendance and hours worked using a time clock or the computer time stamp method, depending on their department's/division's rules. Non-exempt employees are not permitted to clock in or time stamp and begin working prior to the start of their scheduled work shift, without the approval of their supervisor. Additionally, employees are required to clock out or time stamp out at the conclusion of their scheduled work shift.

Some departments/divisions have set up rounding and grace rules that will allow employees to punch in or time stamp in a few minutes prior to the start of their shift and punch out or time stamp out a few minutes after the conclusion of the shift (without earning overtime). The rounding and grace rules are designed for employee convenience. The Kronos time-keeping system will record the employee's exact time in/out; the rounding and grace rules will govern the point in time that the employee's pay begins to accrue. Employees should contact their department/division head or payroll officer for applicable rounding and grace rules. Supervisors are responsible for ensuring that their employees adhere to their departmental/divisional policies regarding rounding rules and grace periods. Additionally, supervisors must verify the accuracy of their employees' time records and monitor employee compliance with this policy.

Non-exempt employees are not permitted to work beyond their regularly scheduled workday (normally an eight hour workday), unless their supervisor approves the work before the work is done. In the event an employee works beyond the 8-hour workday, the employee's supervisor may adjust the employee's schedule within that work period to offset the extra time worked in order to maintain the 40-hour workweek without the accrual of overtime/compensatory time.

Additionally, non-exempt employees are not allowed to access their City email accounts outside of their normal workday without their supervisor's approval as this access could constitute the performance of work for which the employee would be entitled to compensation. Non-exempt employees who perform work outside of their regular scheduled workday without the authorization of their supervisor will be subject to disciplinary action as authorized by the City's Personnel Policies.

Because of budgetary restraints upon the payment of overtime, departments may seek to identify employees who desire to participate in a compensatory time off program and receive compensatory time off from work, rather than overtime pay, for hours worked in excess of 40 hours in a work week.

Enrollment in the Program: The FLSA requires an agreement be made between the employer and employees who desire to participate in a compensatory time off program in lieu of paid overtime. Attached to this policy is an agreement that departments may use if they desire to enroll employees in the compensatory time

program. This agreement is only to be used for non-exempt employees not covered by a collective bargaining agreement. Departments should refer to applicable collective bargaining agreements for those non-exempt employees whose positions are covered by a collective bargaining agreement.

The agreement to participate in the compensatory time off program between the employer and employee must be made prior to the performance of work. Participation in the compensatory time off program is voluntary, and employees are free to decline to participate in the program. All full time employees are eligible to participate in the compensatory time off program except those who are exempt from overtime under the FLSA.

**Accumulation of Compensatory Time:** When the business needs require personnel to work in excess of 40 hours in a work week, the department head, or his/her designee, will first attempt to meet the needs of the department by assigning work to those personnel who have elected to participate in the compensatory time off program. Approval from the department head or his/her designee must be granted before any compensatory time or over-time can be accumulated. All hours worked in excess of 40 hours in a workweek will be credited in compensatory time at a rate of one and one-half (1 ½) hours for each hour of actual work performed beyond 40 hours in a workweek. For example, if an employee were to work two hours in addition to 40 hours in a workweek, the employee would be credited with 40 hours of straight time and three hours of compensatory time. Employees must receive authorization to work beyond their regularly scheduled hours from their supervisor. The 40 hours of work during the workweek must be straight time. Any use of sick leave or vacation will be considered straight time, not time and one-half.

The Personnel Policies Section 618.02 sets the maximum accrual of compensatory time for City employees at 240 hours (representing 160 hours of actual overtime worked).

## **2. Tardiness**

The Kronos time-keeping system will be used to record the time worked by non-exempt employees. Employees are responsible for recording their time of arrival to work, and time of departure from work. Although some departments/divisions have rounding and grace rules for their employees, employee time records will reflect the actual time in or out.

The Kronos time-keeping system is not intended to replace supervisors. Supervisors will monitor excessive tardies and report/document the infractions, and take appropriate disciplinary action, as well as reporting tardies, as described in the Personnel Services Bulletin 93-9 (Performance Evaluations). Supervisors will not be able to manually adjust late punches without justification/comments in

the Kronos time-keeping system. The audits tab will track any change made to a punch. Therefore, proper documentation will be necessary for adjusted punches.

Tardiness has a negative impact on the productivity and readiness of the City organization. Employees who are tardy may be subject to disciplinary action. Employees should consult their department/division policies for rules governing tardiness.

### **3. Time Records**

Each employee is responsible for recording his/her own time. Employees are to punch in or time stamp in for work, and punch out or time stamp out when they leave work. Depending on department/division rules, employees may be required to clock in/out or time stamp in/out for lunch periods. Employees will be paid based upon their time records, and it is the responsibility of the employee to visually inspect their time records to see that time is accurately recorded. For those employees who use a time clock and are not able to visually inspect their timecards, a copy of the employee's timecard will be provided to the employee in the event the employee's supervisor changes/modifies the employee's time record. If a correction is needed, the employee should consult with his/her supervisor as soon as possible. Employees who consistently fail to punch in/out or time stamp in/out will be subject to disciplinary action.

Employees are not permitted to punch in/out or time stamp in/out for another employee. Employees who make time entries on the time records of another employee are subject to disciplinary action, up to and including termination.

## **B. Exempt Employees**

### **1. Overtime pay and compensatory time**

Exempt employees are those considered **not** eligible for overtime pay or compensatory leave, but may be eligible for consideration of customer service incentive pay or customer service leave time.

### **2. Salary deductions and absences**

Exempt employees are paid on a salaried basis. While the FLSA recognizes that public employees must be held accountable to the public they serve, generally, the exempt employee's salary is not subject to deductions for absences from work in a work period in which they have performed work. The FLSA affords the public employer the discretion to require exempt employees to use accrued leave when they are absent during a work period in order to maintain their salary. Generally, in the City of Oklahoma City, an exempt employee's salary equates to a 40-hour workweek. When an exempt employee is absent during a workweek, an amount

of leave may be charged to account for the absence in order to maintain 40 hours. In the event an exempt employee does not have sufficient leave to cover the absence, the FLSA allows for deductions to be made from an exempt employee's salary for absences for personal reasons or because of illness or injury of less than one workday:

- (a) When permission for use of accrued leave has not been sought or has been sought and denied;
- (b) When accrued leave has been exhausted; or
- (c) When the employee chooses to use leave without pay.

If an exempt employee is absent due to an FMLA-qualifying condition, and has no accrued leave to cover the absence, the employee's salary can and should be docked for the absence. The reduction in the exempt employee's salary while absent for an FMLA-qualifying condition will not jeopardize the employee's exempt status.

The employer may impose penalties of any amount in good faith for infractions of safety rules of major significance. Safety rules of major significance include those relating to the prevention of serious danger in the workplace or to other employees, such as rules prohibiting smoking in explosive plants, oil refineries coal mines, reporting to work intoxicated, and threatening other employees.

The employer may make deductions from pay of exempt employees for unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace conduct rules. Such suspensions must be imposed pursuant to a written policy applicable to all employees. Thus, for example, an employer may suspend an exempt employee without pay for violating a generally applicable written policy, such as a policy prohibiting sexual harassment, violence in the workplace, drug and alcohol violations and violations of state and federal laws.

### 3. **Proportionate Pay**

An employer is not required to pay the full salary in the initial or terminal week of employment. Rather, an employer may pay a proportionate part of an employee's full salary for the time actually worked in the first and last week of employment. In such weeks, the payment of an hourly or daily equivalent of the employee's full salary for the time actually worked will meet the requirement. However, employees are not paid on a salary basis within the meaning of these regulations if they are employed occasionally for a few days, and the employer pays them a proportionate part of the weekly salary when so employed.

#### **4. Time Records**

Exempt employees will have pre-populated timecards in the Kronos system. The Kronos system will automatically credit an exempt employee with eight (8) hours for each workday; exceptions, such as for vacation/sick leave, will need to be entered as needed.

#### **IV. Administration**

Each City Department shall be responsible for administration of the time and attendance rules pertaining to its employees.

The Personnel Department shall be responsible for general oversight and interpretation of the issues governed by the Fair Labor Standards Act; provide advice and guidance to all City Departments regarding applications of the FLSA; and the coordination of all FLSA activities between the City and the United States Department of Labor, Wage and Hour Division.

