

<b>NORTH CAROLINA DEPARTMENT OF COMMERCE</b>		<b>POLICY # HR 31</b>
<b>Title:</b> Hours of Work		
<b>Effective Date:</b> September, 1997	<b>Administering Authority:</b> Human Resources Dir.	
<b>Revisions:</b>		
<b>Statutory Authority (if applicable):</b> G.S. 126		

**Purpose:** To provide guidelines to employees on what is considered "hours worked".

**Policy:**

**How To Determine Hours Worked**

Whenever an employee is required or permitted to be at the work site or any other location requested by management is considered "hours worked." The concept of "hours worked" is based upon the required presence of an employee at the work site or any other location requested by management. An employee shall be paid for time on the job even if the activities performed by the employee are not considered "work" in the traditional sense.

Hours worked without the specific approval or permission of an immediate supervisor will not be considered hours worked. Managers and supervisors are responsible for limiting overtime worked by employees to situations of justified need.

**Meal Time**

Those employees who are subject to the Fair Labor Standards Act must be relieved of duty for at least 30 consecutive minutes for a meal period during the day. This time must be uninterrupted and will not be counted as hours worked or paid time since the employee is free to use the time as they wish. Any meal period less than 30 minutes will be considered as hours worked and the employee must be compensated.

Subject employees should make every effort to leave the work site for meal periods. Subject employees who remain at their work site and perform work during the meal period with permission from an immediate supervisor will record the time as hours worked and will receive compensatory time off. Such activity strictly requires the prior approval and permission of the Division Director or designee.

**Other Work Time**

The time spent during mandatory training sessions, seminars, and similar meetings, whether they occur during the regular work schedule or not, will be considered work time and will be compensated in accordance with this policy.

**TRAVEL**

**Home To Work** Normal travel between home and the work site is not considered work time.

**Home To Work on Special One-Day Assignments in Another City**

If an employee receives a special one-day assignment that requires travel to another city or state, the

travel time is considered work time less time for a bona fide meal period and the time an employee normally spends in home-to-work travel.

### **Travel That's All In A Day's Work**

If an employee is required to travel to other multiple job sites, in the same general geographical area, during a workday, the time spent in travel is considered work time. If an employee completes such an assignment after normal working hours, all travel that is in excess of the employee's normal commuting time will be compensable.

### **Travel Away From Home Community**

If an employee is required to travel to another location and stay overnight then any travel time that corresponds to normal working hours on either regular work days or non-work days will be considered work time and used to calculate overtime compensation. Travel time occurring outside of regular working hours on regular work days or non-work days shall be considered time earned. Time earned for travel outside of regular work hours may be awarded as time off on a straight-time basis. Such time will not be used for calculating compensation.

### **Late and Early Arrival**

An employee who arrives at work later than scheduled may be permitted to make up the deficit by working that much longer at the end of the work day if this is consistent with the work needs of the agency. Otherwise, the tardiness shall be charged to the appropriate leave category. Supervisors shall be responsible for taking appropriate action to correct any abuse or misuse of this privilege including deductions from the employee's pay.

If an employee reports to work early they may, with the supervisor's advance permission, begin work at that time and leave at a correspondingly early hour from the workstation.

### **Late and Early Departure**

No employee may work later than their normal departure time unless approved by their supervisor. Employee departure from work before their normal departure time requires approval of the supervisor. Employees must charge early departure to vacation, sick leave, or compensatory time.

### **Normal Operating Hours**

The normal hours for the Department of Commerce are 8:00 a.m. - 5:00 p.m. Individual Divisions and/or Commissions may establish other work hours which best suit the needs of their agency and the clients they serve.

### **Variable Work Schedule (Flex Time)**

The Department of Commerce offers a variable work schedule to employees. The Commission Head or Division Director designates how the unit will be staffed to meet the requirements of the particular unit and is responsible for providing adequate staffing for the unit during the hours employees are scheduled to work.

Supervisors are responsible for arranging operating procedures that are consistent with the needs of the agency and client needs, and at the same time, can accommodate, as much as possible, the employees' choice daily work schedule within the established limits. Employees must get prior approval from their supervisor for any change in their work schedule.