



## HUMAN RESOURCES

### MEDICAL CENTER HUMAN RESOURCES POLICY NO. 502

A. SUBJECT: Work Hours and Schedules

B. EFFECTIVE DATE: October 1, 2011(R)

C. POLICY:

The Medical Center utilizes a variety of scheduling options in an effort to provide flexibility, improve productivity, allow for adequate rest and recuperation between scheduled shifts, and limit overtime. The purpose of this policy is to outline various work schedules and arrangements available for scheduling regular work time and attendance at meetings, seminars and workshops. This policy also defines what is considered worked time within the provisions of the Fair Labor Standards Act.

This policy applies to all Staff employees (i.e. non-Management) of the Medical Center. Department managers and supervisors will establish work schedules, meal and break policies for their departments in compliance with the Fair Labor Standards Act. Management reserves the right to change established schedules to adequately respond to changing organizational needs. The current Fair Labor Standards Act definition of time worked will be used to determine whether an employee is compensated for attendance at meetings, training workshops or seminars and travel time to locations that are not the employee's usual place of employment.

D. DEFINITIONS:

1. *Hours Worked* - The Federal Fair Labor Standards Act (FLSA) currently defines "hours worked" as "all time spent in physical or mental exertion (whether burdensome or not) controlled or required by the employer and pursued necessarily and primarily for the benefit of the employer or his business" and further as "all time during which an employee is necessarily required to be on the employer's premises, on duty or at a prescribed work place". Hours worked also include all time the employee in a non-exempt position is permitted to work by his or her manager on the premises, such as working during a meal period, or off the premises, such as voluntarily taking work home to complete.
2. *Exempt*- Employees who are exempt from the FLSA, i.e. overtime pay; it usually applies to administrative, executive, or professional employees who receive an annual salary, in equal payments over the year. Exempt employees are expected to work until the duties of their job are complete, without expectation of pay for extended hours.

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3. *Non-Exempt*- Employees who receive hourly wages and therefore subject to the FLSA, i.e. overtime pay.

## E. PROCEDURES

### 1. Work Schedules

Work schedules are determined by managers based on the needs of each department. At the time of employment, managers will advise employees of their individual work schedule and that necessary schedule changes will be at the discretion of management. Staffing needs and operational demands may necessitate schedule changes. In most instances, at least 2 weeks notice will be given to employees prior to making any permanent changes to their work schedules.

The Medical Center discourages mandatory overtime except in rare cases of business need that cannot be met by other available staffing means.

### 2. Flexible Scheduling

At the manager's discretion, flexible scheduling may be granted to allow employees to vary their starting and ending times each day within established limits. Non-exempt employees must work an established number of hours in the week and adhere to a core time, consistent with the service provided, when all employees must be present. Before approving flexible scheduling, the manager must consider issues such as staffing needs, the nature of the position and the employee's performance.

### 3. Work Break

At the manager's discretion, work breaks may be granted, not to exceed 15 minutes for every four hours worked. Break time may not be combined, added to meal periods, carried over, or used to offset arriving at work late or leaving early. Work breaks are considered time worked and therefore will be paid time.

### 4. Meal Break

Employees who work six consecutive hours or greater may take a meal break of at least 20 minutes. Meal periods do not count as time worked and therefore, non-exempt employees should not perform any work during their meal period without compensation. Non-exempt employees who do work during their meal period will be compensated however they must receive approval from their supervisor or a designee to work during the meal period.

### 5. Role Sharing

Role sharing occurs when one full-time position is performed by two persons working part-time. Depending on the role, an individual employee may perform all facets of the role, or each of the role sharers may do only certain aspects, dividing the complete task between them. The workday may be split, or the employees may work on an alternating schedule. Role sharing arrangements must be approved by department management.

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Certain positions in the Medical Center may not be eligible for role sharing due to the nature of the position.

6. Training Programs, Lectures, Meetings and Work-related Court Appearances (Non-exempt employees only)

For non-exempt employees, time spent in approved training programs, lectures, meetings and work-related court appearances under subpoena will be considered time worked and therefore be compensable unless all of the following criteria apply:

- Attendance occurs outside the employee's regular work schedule, and;
- Attendance is voluntary (it is not voluntary if attendance is required by the employer), and;
- The employee performed no productive work while attending, and;
- The content of the program, lecture, or meeting is not directly related to the employee's role or work. (It is directly related to the employee's role if it aids the employee in handling his/her present role, as distinguished from teaching the employee different, new or additional skills.)

7. Travel Time (Non-Exempt Employees only)

Travel time expended by non-exempt employees outside the regular work schedule going to or coming from meetings, seminars, training workshops and the like may be considered time worked depending on the kind of travel involved.

When a non-exempt employee travels overnight on business he or she must be paid for time spent in travel (except for meal periods) during his or her normal working hours and also for the same range of hours on non-working days, such as Saturday, Sunday and holidays. Travel time as a passenger on an airplane, train, boat, bus or automobile outside of working time is not considered work time.

Ordinary home-to-work travel is not considered compensable time unless an employee in a non-exempt position is required to report to a meeting place where he or she is to pick up materials, equipment, or other employees, or to receive instructions before traveling to the work site. Home-to-work travel time to a work site that is not the employee's usual place of employment may be compensable depending on the duration of the travel time and the nature of the request. If the additional home to work travel is performed for the employer's benefit and at its request, the travel time in excess of the time required to travel from home to the employee's usual place of employment is compensable.

8. Limits on Work Hours

Employees in Safety Sensitive Positions shall not be scheduled for more than 60 hours per work week or more than 12 hour shifts in a 24 hour period without written permission from their Area Administrator. For a List of Safety Sensitive Positions, refer to [Job Classes that require Drug/TB testing](#).

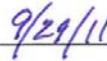
Employees in Safety Sensitive Positions may work more than a 12 hour shift with permission from the Area Administrator, but shall not be allowed to work for more than

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16 hours in a 24 hour period, nor for more than two 16 hour shifts in a 40 hour work week.

SIGNATURE:

  
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R. Edward Howell, CEO, UVA Medical Center

  
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DATE:

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Approved October 4, 1998

Revised December 2003, September 2006, September 2008, September 2011

Approved by Chief Human Resources Officer

Approved by Medical Center Administration