



PROCEDURE 6.6.1P – SUPPLEMENTAL GUIDANCE No. 18-01

This Supplemental Guidance is used as clarification and in conjunction with LCCC *Leaves of Absence – Paid Leave Procedure 6.6.1P.*

There are two classifications of employee under Federal Labor Standards Act – non-exempt employees and exempt employees. Exempt employees are exempt from being eligible for overtime pay for hours worked over 40 in a work week as defined by the employer.

Non-exempt employees are paid for all hours worked, and they must be paid time-and-a-half (or allowed comp time at the same rate) for any hours over 40 worked in a work week. Exempt employees are not paid based on the hours clocked and they are not paid for working more than 40 in a workweek. Thus, an exempt employee may work more or less than 40 hours in a workweek and be paid the same. It is generally recognized however, that exempt employees, based on the responsibility/workload, etc., work over 40 hours in a week. They may work longer than eight-hour days on a somewhat regular basis; they may be expected to be available after hours and weekends. A common example of this is responding to email on Saturday mornings, etc.

LCCC employees are expected to be at work during core operating hours unless there is a justifiable absence – either a pre-approved absence or a health concern. If a non-exempt employee is absent, they are not paid. If an exempt employee is absent, they must follow protocol or the absences may be disciplinable. Supervisors must look at core operating hours, work product, and customer requirements for position before approving leave.

As a practice, LCCC requires that exempt employees take paid leave when they are gone in four and eight hour increments. Based on this practice, exempt employees only need to record leave in TimeClock in four- or eight-hour increments, i.e. they must record half and full days missed. It is part of an employee's job duty to be at work during core operating hours.

Employees are also expected to complete the work product based on the requirements of their position description. If the employee does not complete the work product within the normal work hours due to absences, it could be addressed as a performance issue.

In practice, if an employee has an appointment that takes them away from work for a part of a day, the expectation is that they will leave work to attend the appointment and return to complete the work day. Unless it is an emergent health concern, the supervisor may require that be pre-approved. This is intended for occasional and infrequent absences.

If an employee doesn't work at all on a given day, they must take eight hours of paid leave to be paid for that day. If they work less than four hours, they are given credit for four hours of work and they put in four hours of paid leave.