



2.16 REPORTING TIME WORKED

APPLICATION:

All Virginia Department of Social Services (VDSS) classified and restricted classified non-exempt and exempt personnel.

PURPOSE:

To provide guidance for reporting time worked.

AUTHORITY, INTERPRETATION, AND REVISION:

The Director of the VDSS' Division of Human Resource Management (DHRM) or designee is responsible for the agency's interpretation of this SOP and for its revision or rescission.

DEFINITIONS

Discretionary Breaks	Permissible breaks that managers may grant to those employees who work an eight-hour or longer day. One 15-minute rest break before and after the required lunch period is allowed. Breaks of this type are included in hours worked.
Exempt Employee	An employee not subject to the overtime provisions of the Fair Labor Standards Act (FLSA).
Lunch Period	Employees who work at least six consecutive hours are afforded a lunch period of at least 30 minutes. The lunch period is not included as hours worked unless employees are authorized to work.
Non-Exempt Employee	An employee subject to the overtime provisions of the FLSA.
On-Call Pay	Compensation supplement provided to employees who are required to be able to return to work when necessary.
Overtime Leave	Applies to positions covered under the Virginia Personnel Act (Chapter 29, Code of Virginia) including classified and restricted employees who are non-exempt (i.e., covered by the Fair Labor Standards Act) and thereby entitled to overtime compensation for overtime hours worked. Non-exempt employees must sign an Employee Agreement form prior to receipt of this type of leave.

VIRGINIA DEPARTMENT OF SOCIAL SERVICES

DIVISION OF HUMAN RESOURCE MANAGEMENT'S PROCEDURES FOR CLASSIFIED AND WAGE EMPLOYEES
REV: 07-01-2008

Shift Supplements Compensation supplement provided to employees who are required to work a second or third shift.

[Weekly Time Report](#) Form used to record hours worked and non-productive time.

Workweek VDSS workweek begins on Sunday 12:01 a.m. and ends on Saturday midnight.

A. Reporting Time Worked – Non-exempt Employees

VDSS must keep an accurate record of time worked in order to calculate employee pay and benefits. All non-exempt employees are required to accurately complete and submit a timesheet on a weekly basis to their immediate supervisor. Non-exempt employees must accurately record the time they begin and end their workday, as well as the beginning and ending time of each meal period. They must also record the beginning and ending time of any split shift (departure from and return to work). This is accomplished by drawing a diagonal line in the "Time Day Started" and "Time Day Ended" boxes for the appropriate day. The employee can then make two entries in each of these boxes.

Time worked includes all time that an employee is required to be physically engaged in work. Time worked is used to determine overtime pay required for non-exempt employees. The following provision is included as time worked:

Work Away from Premises or at Home: A non-exempt employee shall not be permitted to perform work away from the premises, job site or at home, unless approved in advance in writing by the division director. If approved, work performed off the premises, job site or at home by a non-exempt employee will be counted as time worked.

It is the employee's responsibility to sign their time record to certify the accuracy of all time recorded. It is the supervisor's responsibility to certify the hours as recorded by the employee are accurate. The timekeeper for the division will review and then initial the time record before returning the time record to the supervisor for submission to payroll for processing. In the event of an error in reporting time, immediately report the problem to the division timekeeper and immediate supervisor.

Altering, falsifying, or tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Non-exempt employees may not physically work in excess of 40 hours in any workweek without prior authorization by their supervisor/manager.

B. Time Not Worked – Non-exempt Employees

Per the Fair Labor Standards Act (FLSA), VDSS does **not** count the following provisions as time worked:

1. **Paid Leave:** Approved paid absences, including but not limited to sick leave, family personal leave, annual leave, holiday leave, FMLA, military leave, jury and witness duty, funeral/bereavement leave, and voting time off are not counted as time worked.
2. **Lunch Periods:** Uninterrupted time off for lunch is not counted as time worked.

C. Procedures for Non-Exempt Employees in Completing the Weekly Time Report

1. **When leave, holiday or overtime does not occur in a workweek**
 - complete the Weekly Time Report on a daily basis and
 - at the end of each workweek, sign the form, make a copy for your file, and give the original to your supervisor.
2. **When leave is taken in a workweek**
 - complete the Weekly Time Report on a daily basis;
 - in the "Leave Code" column on the Weekly Time Report, enter the code referenced on the [Leave Activity Reporting Form](#) for the leave taken; and
 - sign the form, make a copy for your file, and give the original to your supervisor at the end of each workweek.
3. **When a holiday occurs in a workweek**
 - complete the Weekly Time Report on a daily basis;
 - in the "Leave Code" column on the Weekly Time Report, enter "H" for the day in which holiday occurs, and
 - sign the form, make a copy for your file, and give the original to your supervisor at the end of each workweek.
4. **When hours worked exceed 40 within the same workweek**
 - complete the Weekly Time Report on a daily basis;
 - at the end of the workweek, if hours worked exceed 40 then go to the section "Type of Hours" column "Time-&-One-Half Pay" and insert the hours worked in excess of 40.
 - sign the form, make a copy for your file, and give the original to your supervisor at the end of each workweek.

D. Guidance for Supervisors/Managers of Non-Exempt Employees in the Review and Approval of the Weekly Time Report

- review the Weekly Time Report for discrepancies,

- sign and maintain in the supervisor/manager file (if there is no disagreement in hours worked), or as instructed by your division director.
- If there is disagreement in the hours worked as recorded by the employee, clarify concerns with employee, then make changes to the Weekly Time Report, initialing and dating.
- If overtime pay (1 ½ times the hourly rate of pay) is required,
 - make a copy of the Weekly Time Report for your file, or as instructed by your division director, retain for five years or until audited, whichever is later, and then destroy and
 - send the original form to Payroll.
- If overtime leave (1 ½ times leave) is required,
 - have the employee also complete a Leave Activity Reporting form in addition to the Weekly Time Report,
 - sign and make a copy of the Leave Activity form, and
 - attach the copy of the Leave Activity Reporting form to the original weekly Time Report and place in your supervisory/manager file, and send the original Leave Activity Reporting form to the Leave Coordinator in your division for entering data into CIPPS.

E. Guidelines for Managers When Adjusting Non-Exempt Employee Work Schedules

General

Management can adjust an employee's work schedule temporarily within a workweek to avoid overtime liability or to meet operational needs. At management's discretion, employees' schedules can be adjusted to meet the employees' personal needs (Source State DHRM Policy 1.25, Hours of Work, dated, 11/10/2004).

1. Substituting Work Hours for Leave Taken in the Same Workweek

An employee taking approved annual or sick leave during a given workweek may also be asked to work additional hours during that same workweek. With the approval of the employee, the agency may substitute the additional hours worked for the hours of leave taken, thus reducing or eliminating the need for the employee to use leave. Managers should be cautious when changing the kind of leave requested by an employee and approved by the supervisor, and should ensure that employees are able to use their leave as intended within the business demands of the agency. For example, it is not acceptable for an agency to substitute compensatory leave for sick or annual leave without the employee's permission (Source State DHRM Policy 1.25, Hours of Work, dated, 11/10/2004).

2. Employee's Responsibility

- complete the Weekly Time Report on a daily basis,

- for the date extra hours are worked, enter in the column "number of Hours to Substitute Offset Absence On", the number of substitute hours and the date to which the substitution applies, e.g., "2 hrs for 04-11-05", and
- sign the form, make a copy for your file, and give the original to your supervisor at the end of each workweek.

Reminder: This may require the employee and supervisor to resubmit a new Leave Activity Reporting form to the division Leave Coordinator.

3. Manager/Supervisor's Responsibility

- review the Weekly Time Report for discrepancies, and sign and maintain the Weekly Time Report in the supervisor/manager file if there is no disagreement in hours worked. Weekly Time Reports will follow the retention schedule according to the Library of Virginia's Records Retention and Disposition Schedule, General Schedule No. 2 Fiscal Records which states "5 years or until audit, whichever is longer, then destroy.
- If there is disagreement in the hours worked as recorded by the employee, clarify concerns with employee, then make changes to the Weekly Time Report, initialing and dating. Maintain the form in the supervisor/manager file or as instructed by your division director.
- If the employee has submitted a leave form, you have signed and forwarded to your division's leave coordinator, you will need to coordinate this change with the division's leave coordinator.

F. Required Recording of Hours Worked by Exempt Employees - General

Receipt of straight-time pay or straight-time compensatory leave requires prior authorization by the supervisor/manager

1. When Requesting Straight-time Pay

- complete the [Weekly Time Report](#) form inserting the hours of straight-time pay only in those workweeks in which straight-time pay is authorized, and
- sign the form, make a copy for your file, and give the original to your supervisor/manager at the end of the workweek.

2. When Requesting Straight-time Compensatory Leave

- completion of the Weekly Time Report is not required
- complete the [Leave Activity Reporting form](#), sign and give this form to your manager at the end of the workweek in which straight-time compensatory leave is authorized

3. When Requesting On-Call Pay

- completion of the Weekly Time Report is not required
- complete the [On-Call Pay form](#), sign and give to your supervisor/manager at the end of the workweek

G. Procedures for Managers of Exempt Employees

1. When Authorizing Straight-Time Pay

- make a copy of the Weekly Time Report for your file, or as instructed by your division director and
- send the original Weekly Time Report form to Payroll
- retain a copy of the Weekly Time Report for five years or until audited, whichever is later, and then destroy.

2. When Authorizing Straight-Time Leave

- review the Leave Activity Reporting form for accuracy,
- sign and make a copy of the Leave Activity form and place in your manager file, or as instructed by your division director, and
- send the original Leave Activity Reporting form to the Leave Coordinator in your division for entering data into CIPPS.

3. When Authorizing On-Call Pay

- review the On-call Pay form for accuracy,
- sign and make a copy of the On-Call Pay form and place in your manager file, or as instructed by your division director, and
- send the original On-Call Pay form to payroll