

Working Schedule

Effective: July 26, 1991

UDOT 05-70

Revised: January 7, 2020

Purpose

To have the Utah Department of Transportation (Department) comply with the Department of Human Resource Management Rules concerning working hours and to ensure employee productivity is continually sustained during normal working hours.

Policy

WORK SCHEDULES

1. Normal work schedules will be determined based on the needs of the Department with consideration for employees' personal needs and desires.
2. Employees who are non-exempt from the Fair Labor Standards Act as identified by the Department of Human Resource Management are not to work before, beyond, or outside their normal hours or are not to work overtime unless authorized. An accurate record of all time worked is to be kept.
3. Regular workdays may be shifted within the work week, but employees must be given reasonable notice of a change in their regular work schedule. This does not apply to an employee being called to respond to an emergency situation or where working hours need to be aligned with the working hours of contractors.
4. Employees' work schedules need to be maintained by the operating unit and be made available to inspection and audit by the Department, State, or other regulatory agencies.
5. All full-time employees may take a minimum of a 30 minute uncompensated lunch break.

WORK WEEK

The basic workweek for a full-time employee consists of 40 working hours per week.

An alternative work schedule for an employee may be adopted, where practical, at the sole discretion of the Group or Region Leader or designee, providing that the hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, are adequately staffed where services are required. An alternative work schedule may be assigned to an employee based on the season or an employee's job assignment to meet necessary business requirements. The Group or Region Leader or

designee may, on a temporary or permanent basis, adjust the work schedule of individuals or units to provide adequate services.

An employees' work schedule may be either continuous or intermittent within any 24-hour day. Management reserves the right to require employees to work overtime in order to meet the demands of unforeseen emergencies and to provide services to the public.

The work schedule for the employee will be constant until it is changed by the Group or Region Leader or designee.

ON-CALL TIME

On-call compensation will accrue at a rate of one hour compensation for every twelve hours the employee is on-call where the nature of an employee's work requires that he or she be available for work on-call during an off work time period. The one-hour of compensation will be pro-rated at 15 minutes of compensation for every three hours on-call.

An employee may be called out for emergencies even though the employee has not been notified as being on-call.

Credit for the on-call time will be recorded as time eligible for compensation but will not be recorded as hours worked. Any time actually worked during the on-call period will be recorded as hours worked, not as on-call time. See DHRM Rule R477-8-4(8)(c) for more on-call work conditions.

Conditions of on-call time:

1. The employee is considered to be on-call only if the manager or supervisor has specifically instructed and agreed in writing that the employee be available for call to duty. See On-Call Agreement below.
2. On-call status will be designated by a supervisor and must be in writing and documented in UPM on an annual basis. Carrying a beeper or cell phone does not constitute on call time without this written agreement.
3. Time is considered on-call time when the employee has freedom of movement in personal matters but must be able to respond within time limits designated by the manager or supervisor.

TRAVEL TIME

1. Normal commuting time from home to work and back is not counted towards hours worked. No time will be recorded as work hours unless the work has been pre-authorized while the employee is a passenger on any work-to-home or home-to-work travel. The employee may be disciplined for working without pre-authorization.

2. Employees required to meet at a specific work location before traveling to the work site will be paid from the time they are to be at that location. They will be paid up to the time they arrive back at that location at the end of the work period if they return to that location at the end of the work period. Employees should not be allowed an excessive amount of traveling time that is a part of the hours of work time.
3. An employee who is required to report to a work site that is farther than his or her regular commuting time will be paid for the difference.
4. Time employees spend traveling from one job site to another during the normal work schedule will count towards hours worked.
5. Employees who travel on official state business will be paid for time spent traveling except for meal periods during their normal working hours of their regular working days. Employees must also be paid for time spent traveling during normal working hours on non-working days such as Saturday, Sunday, and holidays.

Travel time as a passenger on an airplane, train, boat, bus, or other public transportation outside of regular working hours will not be considered as hours worked.

Background

This policy has been developed in compliance with the Department of Human Resource Management's requirements for state agencies.

Definitions

FLSA – Fair Labor Standards Act

ON-CALL AGREEMENT

Employee Name: _____ EIN: _____

Supervisor Name: _____ Division/Office: _____

Agreement Terms and Conditions:

I hereby agree to be placed in an on-call status with the Department of Transportation and understand that management has required that I make myself available to return to work during management specified dates and time frames.

My signature also denotes the following:

- 1) I acknowledge that I have freedom of movement in personal matters and that I am not being restricted to a specified location but have made myself available for call to duty.
- 2) I acknowledge that I will respond to a call or page within _____ minutes. If I am required to report to a specified work site, I will do so within _____ minutes.
- 3) I will be compensated at my regular hourly rate for on-call time at a rate of one hour for every 12 hours that I am in an on-call status.
- 4) All on-call time accrued will be reported on my time sheet for the pay period in which it was earned.
- 5) All time actually worked is to be reported on the State time sheet for the pay period in which it was earned. Any time actually worked during the on-call period is recorded in 15 minute increments as "hours worked."
- 6) Credit for the on-call time will be recorded as time eligible for compensation, but not recorded as hours worked. Any time actually worked during the on-call period will be recorded as hours worked, but not as on-call time.
- 7) Any breach of this agreement may result in disciplinary action.

Employee Signature: _____

Date: _____

Supervisor Signature: _____

Date: _____