

## **1070.0.0 OFFICE HOURS/TIME KEEPING**

This policy establishes office hours and time keeping procedures for the Department of Human Services (DHS) and is applicable to all employees.

### **1070.1.0 Office Hours**

1070.1.1 All DHS offices will be open to serve the public between the hours of 8:00 a.m. and 4:30 p.m. at a minimum on the normal workdays Monday through Friday.

1070.1.2 Division directors/designees have the flexibility to establish individual employee working hours for their employees so long as all employees work a minimum eight-hour day.

1070.1.3 Deviations from a five-day, 40-hour workweek must be approved by the Governor. All requests for such deviations will be forwarded to the DHS Director.

### **1070.2.0 Time Keeping**

All divisions/offices will keep adequate records of time worked as required by the Fair Labor Standards Act (FLSA).

### **1070.3.0 Definitions**

1070.3.1 Time Sheet: A document used for recording time worked. The Weekly Time Sheet Short Form (DHS 1123), which can be accessed on DHS Share, is provided for this purpose and at a minimum must contain the following:

- A. The accurate identification of each employee (Name & AASIS Personnel #).
- B. Beginning and ending hours worked, including both regular and overtime hours.
- C. Holidays off, if applicable.
- D. Annual, sick, and other leave used, if applicable.
- E. Employee's signature.
- F. Supervisor's signature.

1070.3.2 Non-Exempt Employee: Employees who are eligible to earn compensatory time as defined by FLSA. All non-exempt employees are required to complete time sheets. Time sheet entries will include the beginning and ending time of all work periods, including extra hours.

1070.3.3 Exempt Employee: Employees who are not eligible for compensatory time as defined by FLSA. This policy does not prohibit supervisors from requiring completion of time sheets by exempt employees.

1070.3.4 Work Period: Continuous time that is compensable. For example, an employee who works from 8:00 a.m. to 11:30 a.m. with no breaks in excess of twenty (20) minutes would record 0800 to 1130 as a work period. A lunch break from 11:30 a.m. to

12:00 p.m. is non-compensable, therefore, not a work period. A return to work from 12:00 p.m. to 4:30 p.m. with no break in excess of twenty (20) minutes would be recorded as 1200 to 1630. All hours must be recorded using 24-hour clock time.

**NOTE:** Supervisors will control the scheduling of lunch and break periods to minimize disruption of work while fully complying with FLSA.

1070.3.5 FLSA Compensatory Time: Time earned by an employee classified as non-exempt under FLSA when the employee works in excess of his or her regularly scheduled shift.

A. If a non-exempt employee works more than forty hours in a workweek all time worked over forty hours will be entered, in addition to regular hours worked. Such extra hours will be considered as compensatory-time overtime and will be calculated on the basis of one and one-half hours for each extra hour worked.

**NOTE:** Since FLSA views the state as one employer, full or part-time non-exempt staff employed by other state agencies will be entitled to overtime when their total workweek exceeds forty hours. Which agency owes the overtime depends on days and hours worked. (Example: Nurse works 12 hour shift Sunday for UAMS and 40 hours for DHS. DHS owes 12 hours overtime for Thursday afternoon and Friday, since nurse had worked 40 hours by noon Thursday.) However:

- FLSA Regulation 553.30(a) provides an exemption for overtime liability for State employees who, solely at their option, work occasionally or sporadically on a part-time basis for the same public agency in a different capacity.
- DOL issued an Administrative Letter Ruling on October 10, 1985, determining that a state agency and an institution of higher education were considered to be separate employers. Thus, overtime was not an issue.

B. Time earned when the non-exempt employee works in excess of his or her regularly scheduled shift in a workweek when he or she has less than forty (40) hours of actual work time will also be recorded. These extra hours will be considered straight-time overtime and will be calculated on an hour-for-hour basis.

C. AASIS will automatically compute total hours for all overtime worked, including extra hours categorized as compensatory time and hours that are considered straight-time overtime.

1070.3.6 Workweek: A workweek is a regularly recurring period of 168 consecutive hours (7 days x 24 hours). The DHS workweek is Sunday through Saturday.

1070.3.7 Normal Schedule: A prearranged and regular schedule of hours normally worked in a workweek. The normal work schedule for each employee is documented in AASIS HR Master Data, Planned Working Time and at a minimum must define the time of day and the day of the week in which the employee's workweek begins.

#### **1070.4.0 Time Sheet Requirements**

1070.4.1 Non-Exempt Employee: DHS is required to maintain time worked records for all non-exempt employees. A time sheet must be completed for every week to reflect regular and extra hours worked; holiday time off; and annual, sick, and other types of leave used during the reporting period.

1070.4.2 Exempt Employee: FLSA does not require an employer to maintain time worked records on exempt employees. This policy does not require nor prohibit a supervisor from keeping time worked records on exempt employees.

1070.4.3 Records must be kept on all employees regardless of employee classification status to satisfy FLSA requirements (see DHS Policy 1031, Fair Labor Standards Act). Most FLSA required data elements are maintained in the employee's personnel file, payroll records, or in the leave system.

#### **1070.5.0 Responsibilities**

1070.5.1 Employees will accurately and consistently record all time worked on the time sheet for submission by each Friday preceding a pay week. Time worked records will be signed by the employee, attesting to the accuracy of all entries.

1070.5.2 Supervisors/Managers will:

- A. Make time sheets available for each employee for the recording of time worked.
- B. Sign each time sheet verifying the accuracy of the time recorded. Each time sheet will be compared to the Request for Leave form, DHS-1120, to verify the accuracy of time used.
- C. Ensure the proper posting of all used and earned time in AASIS.
- D. Retain all time sheet records for a minimum of three years.

#### **1070.6.0 Initiating Section/Department Contact**

Office of Administrative Services  
Policy and Administrative Program Management  
P.O. Box 1437/Slot Number WG3  
Little Rock, AR 72203-1437  
Telephone: 682-5835

#### **1070.7.0 Replacement Notation**

This policy replaces DHS 1070, Office Hours/Time Keeping, dated February 7, 2003, Office Hours dated April 30, 2002, and DHS 1024, Office Hours, dated July 21, 1982