

CALIFORNIA INSTITUTE OF TECHNOLOGY
STAFF PERSONNEL MEMORANDA

Subject: <p style="text-align:center">Employee Timekeeping Meal, Rest and Recovery/Cool Down Periods, Make Up time</p>	Memo No. 11-3 Pages: 7 Date: January 14, 2015
Approved by: Julia McCallin, Associate Vice President for Human Resources	

(This supersedes memo 11-3, dated December 21, 2011)

1.0 Policy

It is Institute policy that all employees who are on a bi-weekly payroll accurately record their time worked. Campus non-exempt employees and JPL hourly/overtime eligible employees are to accurately record any absence, when they start and end work, and when they take meal periods.

Any falsification or misrepresentation of time, effort, or attendance information may result in disciplinary action, up to and including termination.

2.0 Definitions

2.1 Start Time

The time an employee begins to perform work for the Institute on a given day.

2.2 End Time

The time an employee stops performing work for the Institute on a given day.

2.3 Work Schedules

A work schedule is the employee's established start and end times for daily work hours, which have been approved by the employee's manager or designee, or on campus, the Payroll Activity Monitor.

2.4 Timecard Approver/Manager

A manager or his/her designee, or on campus, a Timecard Approver, is an individual who is responsible for verifying and approving each assigned employee's timekeeping record.

2.5 Payroll Activity Monitor (PAM) at campus

A Payroll Activity Monitor is an employee who is responsible for reviewing and assuring that campus exempt and non-exempt timekeeping records are accurate for employees in his or her assigned area.

2.6 Meal Period, Rest Period, Recovery/Cool Down Rest Period, and Split Shift Premium
Premium pay for campus non-exempt employees and JPL hourly/overtime eligible employees is one hour of pay at the employee's regular straight time rate of pay. Employees are entitled to premium pay when a Meal, Rest, or Recovery/Cool Down Rest Period is not provided. Employees may receive a maximum of one meal period premium per day, one rest period premium per day, and one recovery/cool down rest premium per day.

A premium for a split shift up to one hour at minimum wage will be paid if legally required.
Note: "Rest period" is the same as "break."

3.0 Meal Periods

3.1 Meal Periods for Campus Non-Exempt Employees and JPL Hourly/Overtime eligible Employees

An employee may not work for a period of more than five (5) hours without being provided an unpaid meal period during which the employee is relieved of all duty for a minimum of an uninterrupted 30 minutes. The meal period must begin prior to the beginning of the employee's sixth hour of work, i.e. an employee cannot work for a period of more than 5 hours without a meal break.

<u>Start Time</u>	<u>Meal Period Starts No Later Than</u>
7:00 a.m.	Noon
7:30 a.m.	12:30 p.m.
8:00 a.m.	1:00 p.m.
4:00 p.m.	9:00 p.m.

Managers are required to provide timely meal breaks to all campus non-exempt employees and JPL hourly/overtime eligible employees, who are expected to take their meal periods when provided.

Note: If a meal period is not provided, the Institute will provide meal premium pay for the missed or late meal period as provided in 2.6 above. However, if an employee voluntarily elects to work through all or part of the meal period or voluntarily elects to take a late meal period, premium pay will not be provided.

With manager approval and in consultation with Human Resources, an employee whose work shift lasts no longer than six (6) hours in one day may request to voluntarily waive the right to a meal period. The employee must sign a meal waiver form.

An employee whose work lasts longer than ten (10) hours in one day is entitled to a second meal period of at least 30 minutes. The meal period must begin prior to the beginning of the employee's eleventh hour of work, i.e. an employee cannot work for a period of more than 10 hours without a second meal break.

Note: An employee may request to voluntarily waive the second meal period if the first meal period has not been waived or missed and the employee has worked not more than 12 hours in a workday. The employee must sign a meal waiver form.

3.2 On-Duty Meal Periods for Campus Non-Exempt Employees and JPL Hourly/Overtime Eligible Employees

When the nature of an employee's work prevents the employee from being relieved of all duty during his/her meal period, the employee's manager may schedule a paid on-duty meal period within the shift, subject to approval by Human Resources. Before a paid on-duty meal period is granted, the employee must sign an on-duty meal period agreement indicating he/she voluntarily agrees to work a paid on-duty meal period. The employee or Institute may revoke that agreement at any time.

4.0 Rest Periods or Rest Breaks

- 4.1 A rest period is provided for each four-hour increment or major fraction thereof, in a workday to provide campus non-exempt employees and JPL hourly/overtime eligible employees the opportunity for rest and relaxation. Rest periods are provided on employer-paid time and must be free of all work.
- 4.2 Managers are required to permit employees a rest period of 15 minutes within each four-hour work increment or major fraction thereof. "Major Fraction Thereof" means anything more than 2 hours. For example, employees who work 6 hours and 1 minute are entitled to a second rest period, and 10 hours and 1 minute are entitled to a third rest period and so on.
- 4.3 Rest periods should be taken as near to the middle of the four hour segment of time as is practical.
- 4.4 Rest periods are not provided for employees whose total daily work time is fewer than three and one half hours.
- 4.5 Rest periods may not be used in lieu of completing an employee's full work schedule, and cannot be combined with a meal period or another rest period.
- 4.6 Reasonable rest periods are provided for lactation accommodation, such as breast feeding and expressing breast milk. To the extent feasible, this should be combined with an employee's regular 15 minute rest breaks. Consult with Human Resources for additional information.

5.0 Recovery/Cool Down Rest Period

- 5.1 To help prevent heat illness, a recovery period, or cool-down rest period, is afforded to an employee who regularly works outside. Recovery periods are provided on employer-paid time, must be free of all work, and do not take the place of rest breaks referenced in section 4.0.
- 5.2 Managers are to allow and encourage employees who work outside to take a cool-down rest period in the shade for a period of no less than five minutes at a time when the employee feels the need to do so to protect him or herself from overheating. Access to shade is permitted at all times.

6.0 Make Up Time

- 6.1 The Institute allows campus non-exempt employees and JPL hourly/overtime eligible employees who miss scheduled work time as a result of personal obligations to request the opportunity to make up the amount of time missed in the same workweek.
- 6.2 The Institute does not require or encourage employees who miss work time as a result of personal obligations to later make time up. Eligible employees may request to make up lost work time. Make up time is allowed only when it is sought by the employee and found to be consistent with the employee's desires and the Institute's business and staffing needs.

(NOTE: The Institute does not permit compensatory time off. See PM 11)

6.3 General

Eligible employees may request to make up hours of work that have been or would be lost as result of absence due to a personal obligation of the employee.

Make Up Time must occur within the same workweek in which work time was lost and can occur before or after the work time is lost.

Employees may not request to make up a full day of absence, or any portion of a full day. Full days of absence are to be charged to Leave Without Pay or to the appropriate Paid Time Off category.

Employees may request to use Make Up Time in a minimum of 30 minute increments. At JPL, Make Up Time will not be approved if the request is for less than a 30 minute increment.

The combined total of Make Up Time and straight time cannot exceed 11 hours in one day or 40 hours of work in the workweek.

Make Up Time will not be counted towards computing the total number of hours worked in a day for daily overtime purposes, except for hours worked in excess of 11 hours of work time in one day or 40 hours in one workweek.

Hours worked over 11 in one day or 40 in one workweek that includes make up time will be paid at overtime rates as provided in PM 11.

Employees are to submit a request in advance for each occasion to their supervisor to make up work time lost due to personal obligation. This request must be in writing and include when work time will be lost, when makeup time will be worked during the same week the personal obligation occurs, and employee signature. The request can be made up to 4 weeks in advance if the personal obligation event is known in advance and regularly occurs at a fixed time over a succession of weeks.

Makeup time will be paid at the employee's regular rate of pay up to a maximum of 11 hours in one day.

7.0 Accurately Reporting Time

7.1 Campus Non-Exempt Employees and JPL Hourly/Overtime Eligible Employees

It is the responsibility of each employee to report his/her actual time worked, in and out times for meal periods, and/or absences accurately and completely for each day. Any falsification or misrepresentation of time, effort, or attendance information may result in disciplinary action, up to and including termination.

Time spent in rest, lactation, or recovery periods does not need to be recorded on an employee's time records because it is considered time worked.

Calculating the Duration of Hours Worked for Campus Non-Exempt Employees and JPL Overtime Eligible/Hourly Employees

The Institute does not round in and out times recorded in the timekeeping system. The timekeeping system records and totals actual time worked in a workday, workweek, and in a pay period. To calculate the duration of time worked, the Institute will use the following tenth of an hour increments:

Conversion Table for Total Time Worked in a Workday, Workweek or Pay Period

Minutes Worked	Decimal Equivalent Hours
1-2	0
3-8	0.1
9-14	0.2
15-20	0.3
21-26	0.4
27-32	0.5
33-38	0.6
39-44	0.7
45-50	0.8
51-56	0.9
57-60	1.0

For Example:

In = 8:05 a.m.
 Out = 12:00 p.m.
 In = 12:30 p.m.
 Out = 6:15 p.m.

Total Hours Worked = 9
 hours & 40 minutes
 Decimal Equivalent = 9.7

7.2 Campus Exempt Employees and JPL Weekly Employees

It is the responsibility of each employee to accurately report full day absences in accordance with his or her regular daily schedule. Any falsification or misrepresentation of time, effort, or attendance information may result in disciplinary action, up to and including termination.

Additionally, at JPL, it is the responsibility of each employee to report his/her labor effort and/or full-day absences each week, according to their weekly schedule.

7.3 Recording Time Using a Time Clock

Any campus non-exempt employee or JPL hourly/overtime eligible employee may swipe his/her Institute identification card or badge card at any electronic time clock located throughout the campus or JPL (unless otherwise specified by the manager). Swipes are used to record the start time and the end time of the employee's workday and the employee's meal period. The time clock will capture the time the swipe occurred and record it on the employee's timekeeping record.

7.4 Recording Time Using an Online Timekeeping System for Campus Non-Exempt or JPL Hourly/Overtime eligible employees

Each employee who does not record start time, end time, meal period and/or leave/absence by using a time clock may do so by using the online timekeeping system for each day of work in a pay period.

7.5 Recording Absences for Campus Exempt and JPL Weekly employees using an online timekeeping system

Each employee is to record absences on his or her regularly scheduled days of work for each pay period at campus and each week at JPL by using the online timekeeping system.

7.6 Approvals Required

An employee's timecard must be approved and certified by a manager or his/her designee. In addition, at campus each timecard must be reviewed and signed off by the PAM in the employee's organization.

7.7 Correcting Hours Reported and Leave Codes

If an employee has any previously unreported work time from a prior pay period, the employee must inform his or her manager, and at campus, the PAM.

If an employee needs to change any prior pay period Leave Code (i.e. Sick Family, Vacation) or absence, the employee must inform his or her manager and at campus, the PAM.

7.8 Accuracy and Authenticity of Time and Attendance Reporting

It is the responsibility of each employee to ensure that his/her timecard is accurate and complete. By approving the electronic timecard, employees attest that the submitted information is complete and accurate.

Any falsification or misrepresentation of time and/or attendance information may result in disciplinary action, up to and including immediate termination. Timecard Approver/managers and PAMs at campus are responsible for ensuring that the work and leave time report accurately reflects each employee's activity for each pay period. At campus, managers and PAMs are responsible for notifying Human Resources of any work schedule changes for employees in their assigned areas.

7.9 Off the clock work is strictly prohibited.

8.0 Exceptions

Exceptions to this Personnel Memorandum must be approved by the Associate Vice President for Human Resources for campus employees or designee, or by the Director of Human Resources or designee for employees assigned to JPL.

9.0 Related Personnel Memoranda/Policies/Documents

[Hours of Work](#)

[Other Leave of Absence](#)

[Bereavement Leave](#)

JPL Related Documents:

Timekeeping, Labor Charging, and Labor Allocation, JPLRules! DocID61772

Hourly/Overtime Eligible Timecard Entry Submission, JPLRules! DocID58872

Weekly Timecard Entry Submission, JPLRules! DocID70052

Correcting Timekeeping and Labor Charging Errors, JPLRules! DocID54255

Make Up Time FAQ's