

Non-exempt Employee Remote Work Guidelines

This guidance for supervisors, employees, and departments is designed to help in the establishment of temporary remote work arrangements for non-exempt staff.

We expect employees who are working remotely to perform their duties and be available for communication during core business hours (between 8:30am and 5:00pm), taking either a 30-minute or 60-minute lunch break, depending on whether their work schedule is 37.5 hours or 40 hours per week, respectively. Employees seeking exceptions (either on occasion for example, a medical appointment, or ongoing such as consistently starting an hour earlier or later than core business hours), must secure approval from their supervisors; you do not need approval from Human Resources.

Opportunities to work remotely (for exempt or non-exempt employees) are at the discretion of supervisors and may be withdrawn at any time.

Some employees are ineligible for remote work because the nature and/or scope of their duties requires their presence on campus.

Business & Operational Matters

Below are some of the questions supervisors should consider when the possibility of remote work arrangements emerges.

- How will the employee perform the responsibilities of the position in a way that meets the needs of the specific department and university?
- Will the employee's physical absence from campus have a negative impact on the ability to meet responsibilities that involve colleagues and/or those relying on the employee for specific services or outcomes?
- What mechanisms can be used to monitor time worked?
- How will the supervisor convey work expectations and accountability measures clearly to the employee?
- How will the supervisor ensure remote work opportunities are available in an equitable manner?

Fair Labor Standards Act (FLSA)

All non-exempt employees (on- or off-campus) who work overtime (pre-approved by their supervisors) in a week will receive compensation equal to 1.5x their regular hourly pay for each hour worked over 40 hours. For employees who work 37.5 hours, they will receive straight time until they reach 40 hours. Case Western Reserve defines a work week as the period between **Sunday at 12:01am through Saturday at 11:59pm**.

Per FLSA, non-exempt employees are not eligible to receive compensatory time for excess hours worked in a week. Federal law also prohibits non-exempt employees from volunteering to work additional hours.

During the COVID-19 reduced operations, supervisors may pre-approve overtime for non-exempt employees working on campus. For employees working remotely, Carolyn Gregory, Vice

President of Human Resources, must approve overtime for employees

Recording Time

The FLSA requires specific recordkeeping for non-exempt employees. As part of the university's compliance efforts, non-exempt employees must track their time in detail, including:

- Daily start time, end time, break time, and meal time
- Actual hours worked to the quarter hour (including overtime hours where applicable);
- Accrued sick and vacation time taken; and
- Any unscheduled time off.

Maintaining such records ensures that employees are paid in an accurate and timely manner.

Supervisors are responsible for making sure employees have accurately recorded their time in Human Capital Management Time Entry System (HCM).¹

Meal and Rest Breaks

Bona fide meals breaks of 30 minutes or more, during which a non-exempt employee is not expected to perform any work-related duties, do not count toward the employee's total work hours. Non-exempt employees are expected to take bona fide meal breaks daily. If an employee works through lunch on one or more days in a week, the employee and supervisor should arrange for shorter workdays within the week to avoid the possibility of overtime.

Rest periods (roughly 5-20 minutes) do count as hours worked and must be paid.

At CWRU, employees are given an unpaid 30-minute or 60-minute lunch. HCM will default to employees taking a lunch. If you work through your lunch, you **must** go into HCM and change the total number of hours worked so that you will be credited with that work time toward your total work hours for the week.

Non-exempt employees are expected to regularly take their lunch break. If a non-exempt employee works through their lunch break, start or stop times should be adjusted during that week to avoid working over 40 hours for the week, or the employee must obtain written pre-approval to incur overtime hours from their supervisor (if working on campus) or Carolyn Gregory, Vice President of Human Resources (if working remotely).

Training Time

Consistent with federal regulations, time employees spend in webinars or virtual meetings, lectures, or training is considered hours worked and must be paid, unless:

¹ HCM is an "exception time" record-keeping system. This means the system will default to 40 hours (or 37.5 hours) per week, with 8 regular hours (or 7.5 hours) pre-populated per day. The 40 hours worked during the week does not need to be 8 hours/day.

- Attendance is outside regular working hours; **and**
- Attendance is voluntary; **and**
- The course, lecture, or meeting is not job related; **and**
- The employee does not perform any productive work during attendance.

SUPERVISORY RESPONSIBILITY

Tracking Work Time

- Because non-exempt employees are to be paid for all hours worked, they are required to accurately record their work hours in HCM. This includes accounting for start time, end time, break time, and meal time. Supervisors must pay close attention to compensable work time.
- Supervisors must go into HCM and approve time on no less than a weekly basis.

Supervisor checklist for supporting employees working from home

Supervisors are expected to communicate expectations and deliverables.

1. Review technology needs and resources.

- Supervisors must identify technology tools staff use in their daily work such as computers, and determine whether the resources will be accessible to the employee working from home.
- Supervisors must also ensure employees know how to connect to the university VPN. Supervisors should provide all employees working from home contact information for the [U]Tech Help Desk, which can be reached at 216-368-HELP (4357).
- Supervisors should confirm their employees should set up call forwarding from their work phones, if applicable.
- Ensure the employee knows how to participate in video calls/meetings, including how to turn on your computer's camera and microphone.
- Supervisors should communicate how staff will communicate from home. Suggestions include Google Chat, Zoom, and Box.

2. Draft a work plan that includes daily and weekly expectations and milestones

- Supervisors should request employees send daily updates on their progress.
- Supervisors should regularly communicate response expectations.
- Supervisors should ensure they have their employees' cell phone numbers, and provide their cell phone numbers to employees.
- **Current performance standards are expected to be maintained by employees.**
- Conduct regular check-ins, including team meetings, if applicable.
- Remind employees that the university's confidentiality and professionalism policies still apply.