On-call Status and Pay

Statement

Due to the responsibilities of some University positions, it is occasionally necessary for designated non-exempt personnel to be on an On-call Status to ensure adequate response to operations. The purpose of this regulation is to detail how On-call Status will be invoked and how employees will be compensated.

Nothing in this regulation is intended to preclude or limit the flexibility the University from calling non-exempt employees into work on an as-needed basis who are not on an On-call Status.

Entities Affected

Non-exempt employees who are subject to On-call Status.
Supervisors of non-exempt employees who are subject to On-call Status.

Background

No previous official University regulation existed.

Procedures

Supervisors will advise non-exempt employees of the start and end time of On-call Status.

On-call Status begins one hour after a non-exempt employee’s normal shift has ended and the non-exempt employee has left their assigned work location.
Non-exempt employees on On-call Status who are contacted to report to work must respond within a reasonable amount of time (i.e. within 30 minutes) of start time provided in the supervisor's instructions and must report ready to work.

Non-exempt employees on On-call Status shall be compensated at a rate of $1.00 per hour for each hour of the On-call Status.

Non-exempt employees who are called to work while on On-call Status shall receive their normal rate of pay (the $1 per hour On-call Status Pay is not included) for actual time worked or a minimum of two (2) hours, whichever is greater.

Should a non-exempt employee complete the work and return to On-call Status during the two (2) hour minimum time period, then get called back to work, a second two (2) hour minimum will not be paid until the initial two (2) hour minimum has expired. Travel time to the worksite is included in the initial two (2) hour minimum and will be paid at the non-exempt employee’s normal rate of pay.

For example: An employee on On-call Status gets called in for work at 1:00 a.m. and arrives at the worksite at 1:30 a.m. The employee’s two hour minimum pay began at 1:00 a.m. The task takes the employee 30 minutes to complete and the employee leaves the work premises at 2:00 a.m. At 2:30 a.m. the employee is called back to work again for another task. This employee will not be paid the two hour minimum again because this employee is still within the two hour minimum which began at 1:00 a.m. The employee will be paid their normal rate of pay until the task is complete. Another two hour minimum will be paid to this employee should the employee be called back to work after the initial two hour minimum has expired. Upon being notified for work, travel time from the non-exempt employee’s location to the worksite is included in the two (2) hour minimum and will be paid at the non-exempt employee’s normal rate of pay.

On-call Status time is exempt from overtime pay. Hours worked when called in while on On-call Status will count in calculating overtime pay for hours worked exceeding 40 hours in a work week. Calculation of compensation for hours worked will be determined as regular pay plus hours actually worked in access of an employee’s regular 40 hours. Hours in excess of 40 hours are subject to overtime compensation standards.

No non-exempt employees should be scheduled for On-call Status when units have adequate shift coverage.

This regulation does not apply to situations during the normal work week (i.e. Monday through Friday) where a non-exempt employee is informed of a pre-determined, specific reporting time prior to the end of the preceding work day.

This regulation does not supersede a supervisor’s authority to summon a non-exempt employee for work duty in the event of an emergency or on an as needed basis.
**Definitions**

**On-call Status**
A scheduled period of time, approved by a supervisor and starting one hour after a normal shift has ended and the non-exempt employee has left work, when a non-exempt employee must remain available to be called to work. *When called in to work while on On-call Status, an employee is not considered to be on On-call Status.* On-call Status resumes after employee has completed the work.

**On-call Status Pay**
Hourly rate of pay for the period of time when a non-exempt employee is scheduled to remain available to be called to work during a scheduled period of time. At the time this regulation was adopted, the hourly rate is $1.

**Responsibilities**

**Non-exempt Employee**
Remain available to be called in for work while on On-call Status and respond within a reasonable amount of time (i.e. within 30 minutes) of start time provided in the supervisor’s instructions.

**Supervisor**
Sets the start and end time of On-call Status and the non-exempt employee’s reasonable response time (i.e. 30 minutes).

Determines the non-exempt employee eligibility for On-call Status, and if needed maintains a current listing of employees who volunteer for On-call Status. This listing is to be organized by qualifications to perform assigned duties and ranked starting with the most senior employee (determined by seniority within job classification).
Violations

Violations of this regulation will be reviewed through normal University processes.

Interpreting Authority

Director of Human Resources

Statutory or Regulatory References

Fair Labor Standards Act

Relevant Links


Adoption Review and Approval

Recommended by Administrative Council 4/28/11
Approved by the President 5/4/11