



Ohio Administrative Code Rule 3352-5-06 Working hours.

Effective: July 31, 1999

(A) Workweek. Wright state university's workweek begins at midnight Friday and continues to midnight the following Friday.

(1) The normal workweek for one hundred per cent full-time equivalency salaried and hourly staff is forty hours. Office hours are normally Monday through Friday from eight-thirty a.m. to five p.m. However, since the university operates, at least in part, at all hours during the entire year, hours and days will vary according to university and departmental requirements.

(2) Salaried staff who are one hundred per cent full-time equivalency should follow established office hours and normally should be scheduled for no more than forty hours per week; however, as executive, administrative, or professional employees, demands of their positions may require more than a forty-hour week to accomplish the work of the university. Salaried staff do not receive pay or earn compensation time for overtime work as they are exempt from the overtime provisions of the Fair Labor Standards Act.

(3) Faculty should consult the Wright state university faculty handbook for information on teaching loads and office hours.

(4) Bargaining unit employees should refer to their contract for information on hours of work.

(B) Mealtime and rest periods for hourly staff.

(1) Normal daily work hours for one hundred per cent full-time equivalency hourly employees span eight and one-half hours and allow for eight hours of paid time and a half-hour unpaid mealtime. Two fifteen-minute paid rest periods are permitted during each full eight-hour shift. Mealtime and rest period times are arranged by the supervisor.

(2) Rest periods are provided to break the work routine, increase efficiency, and reduce fatigue. In



some instances, by agreement, supervisors permit employees to combine their rest periods with their lunch periods. This practice is acceptable as long as it does not interfere with efficiency or result in fatigue for individuals whose work is excessively strenuous, dirty, dusty, hot, or cold. When these conditions exist, a rest period is essential.

(3) The half-hour meal period is not included in computing hours worked.

(4) Unused rest periods are not cumulative. A one-hour meal period plus rest periods is not permissible.

(C) Overtime for hourly staff.

(1) Overtime work can be required. Overtime should be distributed as fairly as possible by area supervisors among those qualified to do the work.

(2) If practicable, A twenty-four hour notice will be given when an employee is required to work overtime. However, if the situation does not permit advance notice, an employee still can be required to work overtime.

(3) Because public employers are covered by the requirements of the Fair Labor Standards Act, as well as the Ohio Revised Code, Wright state university must comply with the wage and hour provisions of the Fair Labor Standards Act and the Ohio Revised Code. Therefore, all supervisors in the university should use the following guidelines:

(a) All overtime worked in a workweek must be reported on the time card for the period in which it was earned.

(b) All time cards must accurately reflect the actual hours worked by the employee.

(c) Time worked cannot be informally banked for future use by either the university or the employee.

(d) Hourly paid employees can work overtime only with the explicit approval of the supervisor. Statutory overtime cannot be waived by agreement between the employer and the employee. The



supervisor is responsible for ensuring that the employee does not work overtime unless specific permission has been granted.

(e) All employees employed to work forty hours per week on a routine eight and one-half hour shift must take a thirty-minute unpaid lunch break in which they do not perform any work. It is preferred that employees not eat lunch at their work station. An employee who takes lunch in the work area and performs duties such as answering the telephone, filing, and answering inquiries, is considered to be working and should be paid for the time.

(f) It is a requirement that all time worked be paid or recorded for compensatory time on the time card for the pay period in which the overtime was worked. If an employee is in active pay status more than forty hours in one normal workweek, the employee may choose to accumulate compensatory time or be paid for the overtime.

(i) The employee may elect to receive the overtime payment at the rate of one and one-half hours pay for each hour worked.

(ii) The employee may elect to accrue compensatory time at one and one-half hours for each overtime hour worked; or,

(iii) The employee may request time off during the same workweek and, if granted, shall be able to take one hour off for each hour worked; or,

(iv) Employees other than security and police officers may accumulate a maximum of two hundred forty hours of compensatory time. Security and police officers may accumulate a maximum of four hundred eighty hours of compensatory time. When the employee's compensatory time balance reaches the maximum, the employee will automatically receive a cash payment for each overtime hour above the maximum accrual. Compensatory time may again be accrued again when the balance is reduced below the maximum.

(g) Except for the limited circumstance described in paragraph (C)(3)(f)(ii), of this rule, federal law requires that all time must be paid on the pay date for the pay period in which the overtime was worked.



(h) Hourly paid employees who wish to volunteer their services to Wright state university may do so as long as the voluntary hours worked are in a capacity dissimilar to the employee's original appointment type or classification. In those instances, the time is considered voluntary, and it will not be included in the calculation of overtime.