

CLINTON HOSPITAL

POLICIES AND PROCEDURES

Hospitalwide X
Interdepartmental _____
Intradepartmental _____
Review Responsibility Human Resources

Effective Date: October 1, 2012
Date Deleted/Replaced: _____
P&P Control # HR - 43 - 12
Replaces P&P Control #: HR - 43 - 11

Working Off-the-Clock

PURPOSE & POLICY STATEMENT:

Clinton Hospital has established this policy to ensure that its non-exempt employees are compensated in accordance with all applicable state and federal laws.

- A.** Clinton Hospital is committed to compensating every employee for all the work they perform. Clinton Hospital prohibits all off-the-clock work (performing work that is not reported in the Kronos timekeeping system). Non-exempt employees may not perform any work without compensation. No member of management may request, require, or permit other employees to perform work without compensation.
- B.** Every employee must comply with this Policy and immediately report any possible violations. Clinton Hospital will investigate all violations of this Policy promptly and thoroughly. Employees who violate this Policy will be subject to discipline, up to and including termination.

SCOPE:

This policy applies to all employees of Clinton Hospital, except that if any conflict exists between this policy and a collective bargaining agreement provision, the applicable provision of the collective bargaining agreement will control.

DEFINITIONS:

Non-Exempt - A “Non-Exempt” employee is subject to the minimum wage and overtime provisions of the Federal Fair Labor Standards Act (the “FLSA”) and Massachusetts state law. A non-exempt employee will be paid overtime if they work over 40 hours in a work week.

Work – “Work” means any activity that employees are required, requested, or permitted to perform in the interest of Clinton Hospital or for Clinton Hospital’s benefit.

APPROVAL:

REVIEW/REVISED:

Vice President, Human Resources 9/28/12
Date

Date

Off-The-Clock Work – “Off-the-clock work” means any work performed when a non-exempt employee’s time was not recorded, either manually or by an electronic time keeping device, and the employee was not paid for the time worked.

RESPONSIBILITY:

Employees are responsible for recording all time worked and for not working off the clock.

PROCEDURE:

Non-exempt employees must clock in before beginning work and clock out when no longer performing work.

If an employee’s meal period is interrupted or missed for any reason such that the employee does not receive a 30-minute consecutive uninterrupted meal period on each day that the employee works more than six consecutive hours, it is the employee’s responsibility to report the missed or interrupted meal period. It is the employee’s responsibility to select the “no lunch” option offered on the Kronos time clock after he/she has clocked out at the end of work.

Working “Off-the-Clock:”

Non-exempt employees may not work off-the-clock at any time, even if a manager asks the employee to do so. No one is authorized to instruct any employee to work off-the-clock.

Examples of prohibited off-the-clock work include but are not limited to:

- Performing work before an employee has clocked in or after an employee has clocked out;
- Employees booting up or powering down computers while the employee is not clocked in;
- Performing work during the employee’s meal period and not reporting the missed or interrupted meal period;
- Performing work at home and not reporting the time worked; and
- Sending or responding to work-related e-mails at home.

Non-exempt employees who perform work while not clocked in, must keep track of all time worked and immediately report that time to the employee’s manager. Clinton Hospital pays employees for all working time, even if the work performed was not initially reported in the Kronos time keeping system. Therefore, if an employee determines he or she is not paid for any work that was reported to the employee’s manager, he or she must follow the reporting procedure set forth below.

Reporting Procedures:

It is a violation of Clinton Hospital policy for anyone to instruct or encourage another employee to work off-the-clock, to incorrectly report hours worked or to alter another employee’s time records. If anyone instructs or encourages an employee to incorrectly report hours worked, work off-the-clock, or to alter another employee’s time records, or if you are aware of any other possible deviations from this Policy, or if you have any questions or concerns about your pay, you should immediately call Human Resources, Senior Management, or the Compliance Officer at 978-368-3714.

Clinton Hospital prohibits taking negative action against any employee for reporting a possible violation of this Policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this Policy or for cooperating in an investigation will be subject to discipline, up to and including termination.

Investigation and Appropriate Action:

Clinton Hospital will investigate promptly and thoroughly any report of a possible violation of this Policy. If Clinton Hospital determines that a violation of this Policy has occurred, we will take appropriate remedial action.

MONITORING:

Management is primarily responsible for monitoring compliance with this policy. Human Resources is responsible for providing guidance to managers/supervisors regarding potential off-the-clock work.