

Massachusetts General Hospital
Department of Biomedical Engineering
Policies and Procedures
Hours of Work

1. Policy

- 1.1. All employees will have a set work schedule on file with the department timekeepers that shows how many hours per week they work and what their normal start time and end time are (e.g. Monday to Friday, 8:00 am to 4:30 pm). In general, anytime an employee is not at work when they are scheduled to be Earned Time must be used, subject to the provisions in this policy.

2. Definitions and Regulations

- 2.1. Nonexempt employee: In accordance with the Fair Labor Standard Act, all full-time and part-time employees in positions classified as Nonexempt are paid on an hour by hour basis and are paid at the rate of time and one half for all actual hours worked in excess of forty hours per week. In addition, they are eligible for shift and weekend differentials and holiday premium pay. Actual hours worked and time off should be recorded in the applicable timekeeping system and serves as the official timekeeping record. (MGH definition)
- 2.2. Exempt employee: An employee who is paid on a salary basis and is exempt from the overtime provisions of the Fair Labor Standards Act. Based on actual analysis of specific job duties and responsibilities, an exempt employee is classified as Professional, Executive or Administrative as defined by the Fair Labor Standards Act. (MGH definition)
- 2.3. Employee: Refers to all employees, both Exempt and Nonexempt.
- 2.4. Evening differential pay: Differential rate of pay that results when an employee in a differential-eligible position works more than 50% of their shift between 3:00 pm and 11:00 pm. (MGH definition)
- 2.5. Weekend differential pay: Differential rate of pay that results when an employee in a differential-eligible position works more than 50% of their shift between 11:00 pm Friday and 7:00 am Monday. Weekend differential is in addition to evening differential. (MGH definition)
- 2.6. Night differential pay: Differential rate of pay that results when an employee in a differential-eligible position works more than 50% of their shift between 11:00 pm and 7:00 am. (MGH definition)
- 2.7. Employees are expected to adhere to their work schedules on a regular basis. The reason for this is because the department must ensure that there is a sufficient number of staff on site at all times, which is accomplished by staff following their work schedules and generally being on site when they are scheduled to be. Anytime an employee is absent from a scheduled day of work, especially when it is unplanned, it creates extra work for the supervisor to ensure coverage, and there is no way for the employee to "make up" time that they were scheduled to be contributing to

the department's coverage and were not, regardless of how many hours they work for the remainder of the week.

2.8. Absences, Tardiness, and Missing Work

2.8.1. Anytime **any employee** misses *a full scheduled day of work* Earned Time must be used for that entire day, regardless of how many hours the employee works that week. Scheduled Earned Time can be used if the absence was approved in advance; otherwise Unscheduled Earned Time must be used. The employee cannot offset the use of Earned Time by working extra hours other days of the week, nor can the employee request to go unpaid for the day – Earned Time must be used.

2.8.2. Anytime **a nonexempt employee** misses *part of their scheduled hours during a scheduled day of work*, either because they (a) are late for work, (b) leave work early, (c) leave for part of the work day and return, or (d) any combination of these, Earned Time must be used for the absent time, regardless of how many hours the employee works that week (except as described in Sec. 2.9). Scheduled Earned Time can be used if the absence was approved in advance; otherwise Unscheduled Earned Time must be used.

2.8.3. In general, **a nonexempt employee's** total hours worked plus Earned Time in a week should not exceed their number of scheduled hours for that week, unless there are work-related needs for it.

For example, if an employee arrives two hours late for work and the absence is Unscheduled, the employee is still expected to sign out at their regular time, not stay two hours beyond their normal sign-out time, unless their *supervisor initiates* and approves the change; the employee cannot request to stay beyond their normal sign-out time.

2.9. Make-up Hours (**Nonexempt Employees** Only)

2.9.1. The only exception to Sec. 2.8.2 is that for Scheduled Earned Time requests of two hours or less in duration the employee may, with their supervisor's approval, request to make up the hours instead of using Earned Time.

2.9.2. The hours must be made up during the same week in which the absence occurs.

2.9.3. The employee cannot work on a day outside of their schedule to make up hours (i.e. cannot make up hours on Saturday if not scheduled to work that day).

2.9.4. The make-up hours cannot directly result in the employee receiving a differential.

2.9.5. Employees can request to make up hours a maximum of twice per week in this fashion; however, these requests should not become habitual. Make-up hours are permitted to allow employees a degree of flexibility to deal with *occasional* situations such as doctor or dentist appointments; they are not intended to build in *regular* variations into one's schedule.

2.10. Alternate Schedules

2.10.1. An employee can work an alternate schedule during a given week if there are work-related needs for it. The option to initiate and approve alternate schedules rests with supervisors; alternate schedules are not intended to be employee-driven and are not to be used to offset the use of Earned Time. Changes to work schedules can be made only in whole-day increments.

For example, if work needs to be done on a Sunday, and the employee normally works Monday to Friday, the supervisor can adjust the employee's schedule *for that week* to Sunday to Thursday. The employee would then have Friday off, and would not have to use any Earned Time for Friday since they were not scheduled to work that day.

However, if no adjustments were made to the schedule, and the employee worked Sunday to Thursday and then was expected to be at work Friday but called in sick, they would have to use Unscheduled Earned Time for Friday since they missed a day they were scheduled to be on site.

2.11. Holidays and Differential Time

2.11.1. Employees are not permitted to work on hospital holidays unless they have been given written permission to do so by their supervisor.

2.11.2. Employees must use Earned Time for all hospital holidays that fall on scheduled work days.

2.11.3. Employees will generally not be permitted to have regular schedules that result in differential pay. Alternate schedules with differentials must be approved by supervisors; regular schedules with differentials must be approved by department management.

3. Procedures

3.1. Make-up Hours

3.1.1. **Nonexempt employees** who request to work make-up hours should use the Scheduled Earned Time (SET) Request Form, check the checkbox in the Make-up Hours section, and then enter the hours they plan to work outside of their regular schedule.

3.2. Alternate Schedules

3.2.1. Following discussion with the employee, the supervisor will email the alternate schedule to the timekeepers. Alternate schedules must be submitted by the start of the work week for which they apply in order to take effect.

Related Policies: Pay – Earned Time (MGH)
Scheduled and Unscheduled Earned Time (BME)

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