



ADMINISTRATIVE DIRECTIVE

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I. PURPOSE

To establish record-keeping requirements in compliance with the Fair Labor Standards Act to ensure that all employees are paid for their time worked.

II. POLICY

Employees and supervisors are responsible for assuring the accuracy of the Time Worked Record/Time Sheet. Inaccurate recording of time worked for additional pay, either willful or unintentional, is subject to disciplinary action up to and including discharge from employment.

III. DEFINITIONS

- A. **Break** – A rest period of short duration, running approximately five 5 to 15 minutes, that is counted as hours worked for non-exempt (hourly) employees.
- B. **Certification** – Signature of an employee, supervisor, or director attesting to the accuracy of the entries on a Time Worked Record/Time Sheet.
- C. **Exempt Employee** – One who is exempt from the provisions of the Fair Labor Standards Act including executive, administrative, and professional exemptions (salaried employees) (A.D. 2.01-2, Overtime).
- D. **Lunch Period** – A daily 30-minute (minimum) scheduled period of unpaid time off work for a meal that is not counted as hours worked for non-exempt employees. The lunch period cannot be taken at the beginning or end of the work day. An employee must take a lunch period if their shift is six (6) or more hours, unless otherwise specified in a labor agreement (does not apply to commissioned public safety personnel on a fire-suppression work schedule, public safety communication employees on a mandatory shift schedule, or Court Initial Appearance Team).
- E. **Non-Exempt Employee** – One who is eligible to receive overtime compensation (hourly employees) as required by the Fair Labor Standards Act (A.D. 2.01-2, Overtime).
- F. **Request for Leave of Absence form (Leave Card)** – For exempt and non-exempt employees, a document in which the employee must complete, certify, and submit for any leave hours used.
- G. **Signature** – One's authorization for and affirmation of the document so signed. Signatures may be electronic or pen and ink, as required by the Fair Labor Standards Act.



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- H. **Time Sheet (completed by departmental Payroll Clerk)** – A computer generated form, a supplemental form, or an electronic document used for the purpose of entering time and leave data into the City’s payroll system in order to generate paychecks and maintain leave and pay balances. The Time Sheet shows any additional pay such as Standby Pay or Shift Differential Pay, and leave time used by exempt and non-exempt employees.
- I. **Time Worked** – The actual hours worked per day, as reflected on the Time Worked Record.
- J. **Time Worked Record (completed by the employee)** – A record detailing an employee’s name, payroll number, pay period, days worked, and times of day worked. It may be a record generated by an electronic time keeping system or a form that is used to record time worked.

IV. **PROCEDURE FOR REPORTING TIME WORKED AND LEAVE USE**

A. **Non-Exempt Employees**

- 1. Each non-exempt employee is responsible for accurately recording all hours worked each day using an electronic time keeping system or a form, as determined by their department. At a minimum the following items must be recorded:
 - a. Employee’s name and payroll number
 - b. Pay period dates
 - c. Actual starting time
 - d. Actual lunch period beginning and ending time
 - e. Actual ending time
 - f. Employee’s signature and date of signature
 - g. Supervisor’s signature and date of signature
- 2. Non-exempt employees who are allowed to take breaks during the work day are not required to record the break times. Breaks may not be taken at the beginning or end of the work day, or combined with the lunch period. For employees not covered by a labor agreement, breaks are available at management discretion. Time provided for breaks does not accrue.



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Non-exempt employees are required to take a lunch period during the work day. Lunch will, at minimum, cover a 30-minute period and the employee is responsible for accurately recording the start and end time of their lunch. Each department will determine the schedule or times during which lunch periods for non-exempt employees are to be taken, with the exception that lunch may not be taken at the beginning or end of the workday. An employee must take lunch if their shift is six (6) or more hours, unless otherwise specified in a labor agreement (does not apply to commissioned public safety personnel on a fire-suppression work schedule, public safety communication employees on a mandatory shift schedule, or Court Initial Appearance Team).

3. Each non-exempt employee is required to complete, certify, and submit a Request for Leave of Absence form (i.e. Leave Card), whether on a paper form or in an electronic system, when any of the following occurs during the pay period:
 - a. Paid leave time is used,
 - b. Compensatory Time is used, or
 - c. Leave Without Pay is taken.
4. The City uses a rounding procedure in the calculation of total hours worked to allow flexibility when recording insignificant or variations in actual time worked.
 - a. The rounding procedure may be applied up to five (5) minutes before or after the daily start and/or end times, and applies only up to a total of 10 minutes in a workday.
 - b. If an employee's actual time exceeds the five (5) minutes allowed at the start and end of each workday, the actual start and end times must be used when calculating the daily time worked.
 - c. The rounding procedure does not apply to unpaid lunch periods and is not intended to avoid paying overtime, nor does it relieve an employee's responsibility to report to work on time and remain at work as scheduled.
 - d. The rounding procedure only applies to the posting of an employee's work hours to the Time Sheet. The Time Worked Record must reflect the actual time worked.
5. If an employee is not available to complete the Time Worked Record or Request for Leave of Absence form (i.e. Leave Card), the employee's supervisor will complete the document for the employee and include a signed



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notation explaining why the employee was unable to complete the document. The employee must also sign this form upon returning to work.

6. Employees are not allowed to use an electronic time keeping system to clock in or out for another employee. Clocking another employee in or out may result in discipline up to and including discharge from employment.
7. Supervisors of non-exempt employees are responsible for certifying that the Time Worked Records and Requests for Leave of Absence received from employees are accurate.

B. Exempt Employees

1. Exempt employees are not required to record hours worked each day, unless otherwise specified by department policy.
2. Exempt employees are required to complete, sign, and submit a Request for Leave of Absence form (i.e. Leave Card) when any of the following occurs during the pay period:
 - a. Paid leave time is used
 - b. Leave Without Pay is taken
3. Supervisors of exempt employees are responsible for approving Request for Leave of Absence forms received from their employees, and ensuring that their employees are at work on scheduled workdays.

C. Department Director Responsibility

1. The department director/designee is responsible for assuring the accuracy of the Time Worked Records and Request for Leave of Absence forms used to generate the Time Sheet. Hours worked will be calculated from the Time Worked Record and recorded on the Time Sheet.
2. The department director/designee must approve Time Sheets by signing on the paper version or by approval code on electronic documents, thereby authorizing the payroll for payment and certifying that the Time Worked Record is on file in the department.
3. Time Worked Records will be retained by the department for a minimum of three (3) years. The period of retention will be longer if required by other criteria (i.e., federal grant regulations). Time Worked Records will be available for audit or inspection.



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Appendices None.

References 2.01-2 Overtime

Review Responsibility and Frequency The Human Resources Director will review this directive as needed.

Authorized



City Manager
Michael J. Ortega



Date