

STATE OF OHIO



DEPARTMENT OF REHABILITATION  
AND CORRECTION

SUBJECT: <b>Payroll and Timekeeping</b>	PAGE <u>1</u> OF <u>7</u>  NUMBER: 35-PAY-04
RULE/CODE REFERENCE: ORC 5120.01; ORC 124.18; FLSA 52.STAT1060,29 USCA.207,213	SUPERSEDES: 35-PAY-04 dated 03/18/15
RELATED ACA STANDARDS:	EFFECTIVE DATE: May 15, 2016
	APPROVED: 

**I. AUTHORITY**

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

**II. PURPOSE**

The purpose of this policy is to standardize payroll and timekeeping processes and procedures for the Ohio Department of Rehabilitation and Correction (DRC), to improve efficiency in processing payroll, increase consistency across the state in the implementation of timekeeping policy, and to ensure compliance with all applicable laws, rules, policies and collective bargaining agreements.

**III. APPLICABILITY**

This policy applies to all persons employed by the Ohio Department of Rehabilitation and Correction (DRC).

**IV. DEFINITIONS**

**Eligible to Receive Overtime** - A Fair Labor Standards Act (FLSA) Overtime Eligible Employee, a bargaining unit employee, and an exempt employee who is FLSA Overtime Exempt but has been approved in writing to receive overtime by the Directors of the Ohio Department of Rehabilitation and Correction (DRC) and the Department of Administrative Services (DAS).

**FLSA Overtime Eligible Employee** - An employee who is not specifically exempted from the overtime requirements of the Fair Labor Standards Act and Ohio Revised Code.

**FLSA Overtime Exempt Employee** - An employee whose salary and duties meet the requirements for any exemption available under the Fair Labor Standards Act.

**Kronos Workforce** - OAKS integrated timekeeping software that captures and summarizes information about employee time and attendance. This system will also facilitate the processing of leave cases.

**Leave Case** - The mechanism used in Kronos Workforce to document an employee's absence from work for any approved program allowing an employee to be off work for an extended period of time (e.g. Disability, Salary Continuation, Worker's Compensation, Family Medical Leave Act, Childbirth/Adoption leave, etc.)

**Manual Paycheck** - A check requested by DRC and processed by the Department of Administrative Services when employees have been paid incorrectly and the request meets DAS requirements as specified in the current Payroll Letter.

**OAKS** - The Human Capital Management (HCM) software utilized for all HCM tracking.

## V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to report and record employee time and attendance, and pay employees accurately and in accordance with all applicable state and federal rules, laws, policies, schedules, and collective bargaining agreements.

## VI. PROCEDURES

### A. Employee Records

1. All employees paid by the Office of Budget Management (OBM) shall be added to OAKS via Epar. The approved Epar will generate an employee Kronos record.
2. All employees shall have an approved schedule, flexible or set. For bargaining unit employees and FLSA overtime eligible employees assigned to a facility with a time clock, the approved schedule must be entered into Kronos. Employees approved by their supervisor to work a flexible schedule will not have a schedule entered.
3. If an employee's approved schedule changes, his/her schedule must be updated in Kronos via a Time Clock Adjustment Notice (DRC1439).

### B. Flexing

1. Where operationally feasible, an employee may be approved by his/her immediate supervisor to work a flexible schedule. Examples of flexing include, but are not limited to, coming early and leaving early, or working more hours than scheduled one day and less another.
2. For all bargaining unit employees and all FLSA overtime eligible employees, flexing may only be approved within a forty (40) hour work week.
3. For FLSA overtime exempt employees only, flexing may be approved within an eighty (80) hour pay period.

4. Temporary flexing is considered a change in a work schedule and as such must be approved in advance by the employee's immediate supervisor.

### **C. Employee Responsibilities**

1. An employee's hours worked each day must be accurately recorded, including any uncompensated meal periods.
  - a. Unless specifically exempted by the appointing authority, employees assigned to a facility with a time clock must clock in and clock out upon entering or leaving the facility, and/or State grounds.
  - b. Unless approved in advance by their supervisor, bargaining unit and FLSA overtime eligible employees may not clock in more than five (5) minutes before their scheduled start time, with the exception of correction officers and psychiatric attendants who may not clock in more than thirty (30) minutes before their scheduled start time. Doing so will result in unauthorized overtime and may result in discipline. Conversely, no bargaining unit or FLSA overtime eligible employees may clock out more than five (5) minutes after their scheduled ending time without prior approval from their supervisor as this will also result in unauthorized overtime and may result in discipline. Correction officers may not clock in more than thirty (30) minutes prior to their scheduled start time and may not clock out more than ten (10) minutes after their scheduled end time.
  - c. In accordance with the Fair Labor Standards Act, FLSA overtime eligible employees who take an uncompensated meal period must have at least thirty (30) minutes of uninterrupted time away from their work area for their meal period.
  - d. Employees who take an uncompensated meal period shall be responsible for recording their meal period on the Staff Time Sheet (DRC1933E) every day, whether they leave the facility or not. Employees are responsible for signing the Staff Time Sheet (DRC1933E) and submitting it to their immediate supervisor at the end of the pay period. Failure to submit a properly completed Staff Time Sheet (DRC1933E) to reflect uncompensated meal periods for any pay period shall result in unauthorized overtime and may result in discipline.
  - e. Employees with multiple reporting locations must record their starting and ending times and uncompensated meal periods for each day worked directly into Kronos, either by utilizing available time clocks or by direct entry when time clocks are not available. The transfer function in Kronos must be used, when applicable, to document travel time and reporting location. Employees are responsible for ensuring the accuracy of their entries. By submitting time, transfers and comments electronically in Kronos, an employee is certifying the accuracy of all entries.
2. Overtime shall automatically be paid in compliance with FLSA to all FLSA overtime eligible employees, and in compliance with all applicable collective bargaining agreements for all bargaining unit employees, regardless of whether the corresponding paperwork is received. An employee who works overtime is responsible for timely submitting an electronic Overtime Request in Kronos and receiving approval. Failure to do so may result in discipline.

3. Employees are responsible for monitoring their earning statements (Epay) every pay period to ensure the accuracy of all payments, deductions, taxes, service credit and leave balances. Employees are responsible for bringing any discrepancies or errors to their personnel office immediately for review and correction. Employees are able to monitor their leave usage, leave balances and usage via Kronos Workforce.
4. Kronos Workforce will prevent an employee from requesting more leave than is available.
5. An employee who is absent due to illness or injury shall use accrued sick leave before he/she can be approved to use accrued vacation, personal leave, or compensatory time in lieu of sick leave. (If FMLA qualifying condition, please refer to DRC policy 36-LEV-02, Family Medical Leave Act, for use requirements and if not FMLA qualifying, please refer to DRC policy 35-PAY-10, Leave Without Pay and Unpaid Leave of Absence.)
6. Sick leave and vacation leave shall be requested in units of one-tenth of an hour, or rounded up. For example, three (3) minutes would be requested as .10. Exception: Compensatory time may be requested minute for minute. If compensatory time is being used in lieu of sick leave, it must be requested/used in .10 hour increments. Personal leave must be used in two (2) hour increments, unless otherwise specified.
7. For all planned absences, employees shall submit a properly completed Kronos Time Off Request in advance and receive approval prior to taking the leave. For all unplanned absences, employees shall submit a properly completed Kronos Time Off Request on the first day of their return to work or by the end of the pay period whichever occurs first. Failure to do so may result in discipline and/or delay in payment or non-payment for the absence in question.
8. An employee applying for a leave program must contact their facility leave manager to initiate the leave case. Employees participating in an approved leave program must notify their immediate supervisor and/or leave manager of any absence and the anticipated duration of that absence, as well as any change in their anticipated return to work.

#### **D. Supervisor Responsibilities**

1. Supervisors shall take action on all submitted Kronos Time Off Requests, Overtime Requests, Time Clock Adjustments and requests for Special Situation leave within twenty-four (24) hours of receipt, but no later than 11:00 am on Tuesday following pay day. If a supervisor initiates a change in an employee's schedule, a Time Clock Adjustment Notice (DRC1439) must be submitted. For mass changes of employee schedules (e.g. canvassing for shift changes or training schedules), the supervisor may submit alternate documentation such as a spreadsheet for the entire group. Failure to review all properly completed requests may result in discipline.
2. Employees will be provided notification of approval or disapproval of time off and overtime requests via email and/or Kronos notification. Requests for "Other" leave, documented on a Request for Leave form (ADM 4258) shall be approved/disapproved and written notification given to the employee.

3. Supervisors shall review, approve, and monitor overtime and take disciplinary action as warranted where an FLSA overtime eligible employee works unauthorized overtime, including overtime due to an undocumented meal period.
4. Supervisors of employees who have the ability to make direct entries to their own time card, must approve the employee's timecard at the end of the pay period.

#### **E. Missing Paperwork**

1. Personnel shall generate and post, or send electronically to all staff, a missing paperwork report each Friday and no later than 4:00 p.m. on Monday following a pay day Friday, unless Monday is an observed Holiday.
2. All employees of the agency are responsible for reviewing their own Kronos timesheets to assist them with assuring all paperwork has been received, approved and entered timely for pay processing.
3. Manual check requests will be made in compliance with DAS guidelines:
  - a. Requests for less than \$100.00 or less than eight (8) hours;
  - b. Requests for overtime only;
  - c. Requests to pay the difference between a TWL rate and a Regular rate;
  - d. Requests for cash conversions of accrued leave payouts;
  - e. Requests for pay supplements only;
  - f. Requests for employees who are already receiving the equivalent of an eighty (80) hour paycheck.
4. If an employee is missing payable time for the entire pay period, and the absence is covered by a call off for medical reasons, e.g. pending disability, worker's compensation injury, etc.; all appropriate leave balances shall be posted to Kronos before the data is downloaded to OAKS. The type of leave posted shall be in accordance with paragraph VI.C.6 of this policy.
5. If an employee is missing a punch (time entry), Kronos Workforce will not interface the employee's entire timecard for that pay period. If at the end of the pay period, an employee has not submitted a Time Clock Adjustment for the missed punch, the payroll officer will enter a punch that gives the employee credit for the entire day. If the employee does not submit the required paperwork by the end of the following pay period, the payroll officer will change the regular hours to non-paid leave.

#### **F. Public Accountability**

1. Based upon the principles of public accountability as set forth in the FLSA, an employee of DRC who otherwise meets the salary basis requirements set forth in law, shall not be disqualified from exemption on the basis that such employee is paid according to the pay system currently in place at DRC. Under the pay system in place for DRC employees, which was established pursuant to statutes and principles of public accountability, each employee is assigned an hourly wage and accrues personal leave and sick leave, in addition to other types of leave.

2. An employee's pay shall be reduced, or such employee shall be placed on leave without pay for absences for personal reasons or because of illness or injury of less than one work-day when accrued leave is not used by an employee because: (1) Permission of its use has not been sought or has been denied; (2) Accrued leave has been exhausted; or (3) The employee chooses to use leave without pay. Deductions from the pay of a DRC employee for absences due to a budget required furlough shall not disqualify the employee from being paid on a salary basis as set forth in FLSA except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

#### **G. Incorrect Timesheet Entries**

If a timesheet error has been identified (e.g. too many or too few regular hours were posted; disability hours were posted at the wrong rate, etc.), the time sheet shall be corrected wherever possible.

#### **H. Underpayments and Overpayments**

##### **1. Underpayment**

If an employee is underpaid, appropriate steps shall be taken to identify and correct the error. Adjustments shall be posted on the employee's paycheck.

##### **2. Overpayment**

a. If an employee is overpaid, appropriate steps shall be taken to identify and correct the error.

b. Employees who are overpaid must reimburse the state all monies paid in error.

c. The money shall be repaid through payroll deduction.

i. If the repayment amount is less than fifty dollars (\$50.00), the entire amount will be deducted from the employee's paycheck.

ii. If the overpayment amount is over fifty dollars (\$50.00), repayment plans can be established for no less than fifty dollars (\$50.00) per pay period. Repayment plans must be received in the Compensation/Quality Assurance Unit by 2:00pm Thursday, during the week of pay processing. Employee may elect to use available vacation and/or personal leave balances to satisfy the overpayment.

iii. If payment plans are not received by the deadline or if an employee refuses to sign a repayment agreement plan:

a. OSCEA – In accordance with 36.11 of the OCSEA Contract, OCSEA members will be placed on the fifty dollars (\$50.00) per pay period plan.

b. Exempt, OEA or 1199 – The entire amount of the overpayment may be deducted on the next available pay period. Every attempt will be made to secure a signed repayment agreement prior to the entire amount being deducted from one paycheck.

- d. An employee's failure to repay the full amount owed prior to separation of State service shall result in the certification of the debt to the Ohio Attorney General's Office for collection.

**I. Record Retention**

All payroll records shall be retained for a period of three (3) years and in accordance with the Department of Administrative Services' record retention schedule for Accounting and Financial Records.

**Related Department Forms:**

Time Clock Adjustment Notices	DRC1439
Staff Time Sheet – (for documented uncompensated lunches only)	DRC1933
Request for Leave	ADM4258