

Examples and Tips for Coding Leave As of January, 2017

ALL PAY GROUPS*

Example A.1:

If an employee is absent due to illness for themselves or the immediate family members, department management has authority to **modify the remaining work schedule for the week** to ensure an employee does not go over their assigned standard hours for the week and/or pay period. *(Change of MD Anderson policy)*

Example: 40 standard hour employee

Monday: 8 hours REG

Tuesday: 8 hours PTO for illness (or EIB)

Wednesday: 8 hours REG

Thursday: 8 hours (REG) + 2 extra hours (REG) = 10 hours (REG)

(Manager notifies employee of schedule change for Friday to work 6 hours instead of 8 hours).

Friday: 8 hours (REG) – 2 reduced hours(REG)= 6 hours (REG) ***(Manager may also notify employee of schedule change for Friday on Friday morning to work 6 hours Friday instead of 8 hours).***

In scenario 1, the manager has authority to reduce the remaining work schedule for the week, but not to reduce the number of leave hours already taken.

Example A.2:

If an employee is absent due to illness for themselves or the immediate family members, department management or the employee **does not have the authority to reduce actual leave time taken after the employee has completed even if leave plus work time causes either straight-time overtime.**

Example: 40 standard hour employee scheduled for 48 hours

Monday: 12 hours REG

Tuesday: 12 hours PTO for illness (or EIB)

Wednesday: 12 hours REG

Thursday: 12 hours (REG)

Actual time worked and leave time taken:

36 hours REG

12 hours PTO or EIB (total pay for the week 48 hours, all straight time for FLSA statuses – N, S, T)

In scenario 2, the manager and/or employee does not have legal authority to reduce the actual time taken for illness in order to avoid payment of overtime if the **employee has already been completed the schedule for the week.**

***Benefits-eligible only. Non-benefits eligible pay groups are not eligible for leave time.**

NON-EXEMPT EMPLOYEES (FLSA – N)

Scheduled Hours, Leave and Workweek Classification

1. Employee timecards must be reconciled to meet standard scheduled hours

- a. If a non-exempt employee needs to make up hours due to an unexpected absence such as a flat tire, traffic or school closure, managers may allow the employee to punch early or late to supplement deficit hours within the same work week. All time cards must equal the employees standard scheduled hours. (Rules vary due to an approved leave of absence). **In all non-medical related situations, it is the discretion of management to approve make up time since it is based on operations of that particular area.**
- b. All medically related hours must be coded as PTO or other applicable leave- e.g. Doctor's appointments or EIB if it is related to intermittent FMLA.
- c. If the manager does not approve making up time, PTO, HBK, or another applicable leave code be coded so that the time card equals the standard scheduled hours.

Example A: Sally is scheduled to work 40-hours a week. On Tuesday, she had to be out of the office due to a family emergency (non-illness), and she calls in to ask her manager if she could make those hours up during the remainder of the week. In lieu of coding leave, her manager allows her to make those hours up within the same work week.

Example B: Peter is scheduled to work 40-hours a week. On Monday, he had to be out of the office due to a family emergency (non-illness). On Wednesday he asks his manager In lieu of coding leave, would the manager allow him to make up those hours Thursday and Friday of the same week. If the manager approves, then leave hours would not be coded as the employee was approved to make the time up. If the manager does not approve, then leave accruals would be utilized.

- d. Coding for an absence of 4 hours or less (AB4) is not available for non-exempt employees. PTO or other applicable accruals should be used for partial days off.
- e. **Exceptions to the standard hours rule:** If the employee is out of accruals, then Leave without Pay Non-Exempt (LWN) should be coded by the timekeeper. If the employee is hourly, ineligible for benefits, and working 19 hours or less, then the time card is coded with only the time worked.

Example E: A non-exempt employee is scheduled to work 40-hours a week and the timecard only adds up to 32-hours. The timekeeper would code 8 hours of applicable leave or if the individual does not have enough applicable leave, then LWN should be coded for the remaining time to ensure the time card reflects 40-hours for the week.

Example F: Sally is scheduled for a PTO day on Friday. On Wednesday, management determines based on case load, full staffing is needed on Friday and asked for volunteers that are scheduled to be off to come in and work. Employees are not obligated to work on a previously scheduled

day-off, unless the institution enters into a ride-out status or other emergency event, and the employee is determined to be either essential and/or ride-out personnel. If there are extraneous circumstances in which essential and/or ride-out personnel are not able to report to duty, management should partner with the HR Generalist regarding the situation.

- 2. Department Leadership has the authority to adjust an employee's work schedule as long as the standard hours of the employee are met¹.**
- a. Management may modify an employee's work week schedule, at any time, to ensure the employee does not accrue overtime pay.
 - b. Within a work week, MD Anderson may cancel approved PTO or Holiday time off if the employee's standard hours have been worked.
 - c. Modification to the work schedule must be based on operational need. So a schedule may be modified in advance to reduce the hours worked, even if overtime is not a factor (for example, with a part-time employee).
 - d. Management may not reduce the amount of scheduled work hours below an employee's standard work hours for that week, thereby reducing an employee's base pay. That would constitute a furlough, and MD Anderson does not have the statutory authority to implement furloughs.
 - i. Timekeepers do not have authority to automatically reduce or cancel the PTO hours without prior approval from the employee's manager. Management must approve and communicate the modification to the timekeeper and employee. (See All Pay Groups section for clarification).
 - ii. The cancellation or adjustment of approved PTO hours must be updated on the departmental time-off calendar as well as Kronos if already entered on the timecard. Departments should keep justification (i.e. exception log, email approvals, etc.) of approved PTO cancellations for auditing purposes.

Example G: A full-time, 40-hour/week employee is assigned to work M-F, 8-5. They work an additional hour Monday-Thursday (+4 hours). The manager may reduce the number of scheduled hours on Friday to 4, and direct the employee to leave early. The employee has worked their scheduled 40 hours for the week.

Example H: Peter is scheduled for a PTO day on Friday. Due to workload, at the end of his shift on Thursday, he has meet his standard hours. The manager has the authority to cancel the scheduled PTO day as the standard hours for the week have been met.*

**Since standard hours for the meet have been met, the employee does not have to report to work on that Friday.*

Example I: Sally is scheduled to work Tuesday – Saturday, 3 – 12p. By close of her shift on Friday, she has already worked 36 hours. She is scheduled to work 8 hours on Saturday. Once she reaches 40 hours on Saturday, her manager may instruct her to leave as her standard hours for the week have been met or permit her to work the rest of her shift.

Example J: Martha is scheduled to work Monday-Friday, 8-5 and has a scheduled PTO day for Friday. By Thursday of the week, she has worked 36 hours. The manager may modify the PTO request to 4 hours on Friday to total 40-standard hours for the week. If so, the leave request will need to be modified to accommodate the leave hour adjustment. *Since standard hours for the week have been met, the employee does not have to report to work on that Friday.*

Example K: Peter is an 80H employee and works Tuesday-Saturday, 8-hour shifts. He is scheduled to take PTO on the second Saturday of the 80-hour period. By Friday of the second week of the 80-hour period, he has already met his 80-standard hours. The manager has the authority to cancel the scheduled PTO* day as the standard hours for the week have been met. *Since standard hours for the meet have been met, the employee does not have to report to work on that Saturday.

3. Employees must be paid for all time worked

- a. Employees should clock in and out using their badge at the time clock or by web stamping. To request web stamping access [click here](#) and follow the instructions on the form.
- b. Employees must be paid for any time worked including approved time worked from home, or after hours. ***Employees should seek authorization to work from home prior to working from home.*** Examples include, but are not limited to, if they do training at home, EEE, ELPT, if they make work related phone calls or process work email, create reports or presentations, etc.
- c. **Unauthorized overtime-** If the time recorded shows overtime, we are required by statute to pay the overtime rate whether it was approved or not. Employees should be reminded not to begin their scheduled shift early or stay late. While unauthorized overtime must be paid, an employee in violation of a department's overtime rules is subject to the consequences of such rules up to and including disciplinary action.
- d. Per **MD Anderson Meal and Break Policy (ADM0299)** under normal working conditions, employees who work six (6) or more hours per day must take a meal break of not less than 30 minutes nor more than one hour, at a time scheduled or approved by their supervisor. Rest breaks are not mandatory. Employees may be granted a short break (less than 20 minutes) during each four-hour period worked. If an employee works through all or part of their lunch, their time card should be modified to reflect this time worked.
- e. Employees working 19 hours or less, then the time card is coded with only the time worked.

Management of Non-Exempt Employees

4. Flexible time/alternative work schedules

- a. Non-exempt employees should not participate in a 9-80 work schedule due to the work week definition of 40 scheduled hours beginning Sunday and ending on Saturday as it will cause overtime one week and a shortage of time the next week.
- b. Non-exempt employees can work a 4/10 schedule at the discretion of the manager and based on department needs.

5. Managing Non-Exempt employees

- a. The employee should complete the exception log and the supervisor should sign it before the time keeper makes any edits to the time cards. Examples include but are not limited to, working through lunch, duplicate punches, adding a missed punch, etc. Exception logs should be kept 7 years after the end of the fiscal year in which they were created for audit purposes. After this time they can be shredded.
- b. The time card must be an accurate portrayal of time worked and time taken off. The following actions falsify the time card and are subject to disciplinary action up to and including termination.
 - i. Buddy Punching-where one employee clocks in or out for another employee
 - ii. Swiping in and then parking the car
 - iii. Swiping in or out from home or off premises (if not working from home)

- c. Time cards should be reviewed and corrected by the time keeper and then reviewed and signed off by the manager or supervisor no later than 11:59pm every Tuesday. (Page 7-1 Kronos User Guide) Failure to review and sign off the time cards can result in Kronos corrections. (eKCRs) Points to check include:
- Time card adds up to employee's standard hours (Can use the "Towards Standard Hours" Genie page 3-1 Kronos User Guide)
 - PTO, EIB, HOL, etc. are coded appropriately. (If a non-exempt employee clocks in on an institutional holiday, the holiday will automatically be banked.)
 - There are no missed punches.
 - Punches reflect time actually worked. (e.g. if an employee works days, the punches do not reflect that they worked nights. This can happen if an employee misses a punch)
 - Non-Exempt employees are NOT eligible for Compensatory Time Earned (CTE) and this code should never be used. They must be paid overtime.

PAY GROUP – 80H (FLSA = S OR T)

Example B.1: Pre-approved Sick Leave for a 1.0

A 1.0 FTE nurse has been preapproved to take one PTO day for illness. How would their time be coded?

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
X	7a-7p	7a-7p	X	X	7a-7p	7a-7p
X	X	7a-7p	7a-7p	12 hours PTO	X	X

Answer: If employee was scheduled for 12 hours on the pre-approved day off for illness, then the full 12 hours would need to be coded. The manager can modify the two week schedule in advance to ensure the employee does not go over 80-hours in a two week period. The manager and/or employee does not have legal authority to reduce the actual time taken for illness in order to avoid payment of straight overtime if the employee has already completed the schedule for the week.

Example B.2: Cancelled during shift for a 1.0

A 1.0 FTE nurse is working, and a decision was made to close a pod due to low census 8 hours into his/her shift. The nurse is given the option to complete required training or go home, and the nurse chooses to go home. How is the time coded?

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
X	7a-7p	7a-7p	X	X	7a-7p	7a-7p
X	X	7a-7p	7a-7p	X	7a – 3p	X

Answer: As an exempt employee, the employee would be paid for 80 regular hours.

Example B.3: Cancelled during shift for a 1.0

A 1.0 FTE nurse is working, and a decision was made to close a pod due to low census 6 hours into his/her shift. The nurse is given the option to complete required training or go home, and the nurse chooses to go home. How is the time coded?

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
X	7a-7p	7a-7p	X	X	7a-7p	7a-7p
X	X	7a-7p	7a-7p	X	7a – 1p	X

Answer: Since they are an exempt employee, they would be paid their full standard hours (i.e., 12 hours). This should **not** be a regular occurrence as if the employee continues only work 78 hours, the standard hours would need to be adjusted in PeopleSoft.

Example B.4: Call-In for a shift for a 1.0

A 1.0 FTE nurse calls in for his/her 12 hour shift. How is the time coded?

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
X	7a-7p	7a-7p	X	X	7a-7p	7a-7p
X	X	7a-7p	CALLS IN	X	7a – 7p	X

Answer: The manager and/or employee are not legally permitted/ are not authorized to reduce the actual time taken for illness in order to avoid payment of overtime if the employee has already completed the schedule for the week. The nurse would be paid 84 hours for the two week.

Resources

[Overtime Policy](#)

[Employee Work Week and Classification Policy](#)

[Attendance Policy](#)

[Kronos User Guide](#)

Authoritative Source:

¹MD Anderson Legal Services Legal Opinion