



## WORK SCHEDULE AND TIME WORKED

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### A. Work Schedule / Core Office Hours

Employees shall be present at their duty station during scheduled work hours or at other locations as directed or approved by a supervisor. The Commission’s established workweek comprises 40 hours and begins at 12:00 a.m. Sunday and ends at 11:59 p.m. on Saturday. Core office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Not all time shall be counted as working time (lunch breaks, for example).

### B. Established Individual Workweek Form

Each Supervisor shall complete an Established Individual Workweek Form at the beginning of employment that will be shared with the employee. The Established Individual Workweek Form defines routine scheduled hours for each employee. The Established Individual Workweek Form may be modified occasionally with a supervisor’s approval. The Workweek Form and any modifications to the Form shall be placed in the Supervisor’s file and a copy given to the employee. The Supervisor or Human Resource Manager shall enter any changes or updates into Workday.

[Established Individual Workweek Form](#)

### C. Flex-time

Reference: [74 O.S. § 840-2.26](#)

Employees may be considered for alternative work scheduling (flex-time and/or telework) on a case-by-case basis, where such work schedules will improve work/life balance, provide coverage necessary for division and program operations, and serve the agency with increased productivity while maintaining output quality. All employees are expected to work during core office hours unless approval is granted for a flexible work schedule, approved leave, workweek adjustment, or through a Telework Agreement. Flex-time allows the employee to adjust the starting and ending times of a workday without changing the total number of hours worked in a day.

### D. Compressed Workweek

Employees may be considered for a compressed workweek on a case-by-case basis, where such work schedules will improve work/life balance, provide coverage necessary for division and program operations, and serve the agency with increased productivity while maintaining output quality. Only division directors, the Executive Director, and the Assistant Director may approve or amend a compressed workweek schedule. The Supervisor

shall document approval and enter the information into the Established Individual Workweek Form. The Supervisor shall also submit the Established Individual Workweek Form to the Human Resource Manager (HR) to request any changes or updates be entered into Workday.

The Commission has traditionally offered two compressed workweek schedules:

1. The “4/10” Schedule – Employee works four ten-hour days per week with a consistent day off each week.
2. The “9/80” Schedule – Employee works a consistently scheduled eighty hours in nine days with one day off every other week. Most Commission employees who work 9/80 schedules usually work the following schedule:

Day -	M	T	W	R	F	M	T	W	R	F
Hours -	9	9	9	9	8	9	9	9	9	Off

#### **E. Telework**

An employee may be considered for telework, also called telecommuting, when opportunities exist for improved employee performance, agency savings, and to meet the needs of the Commission and the public. The full telework policy and forms can be found in the link below.

[Policy OCC-01A: Telecommuting or Teleworking](#)

#### **F. Lunch and Breaks**

Employees are required to take a lunch period consisting of no less than 30 minutes for each six (6) hour period of work. Lunch periods are unpaid and employees are not permitted to work through lunch periods. Accordingly, lunch periods shall not be recorded or reported as hours worked. Division directors may waive the required lunch period if extraordinary circumstances do not permit the employee to take a lunch period or if the employee is required to perform his or her official duties while eating. Employees are also permitted to take two paid breaks during each shift, one 15-minute break in the morning and one 15-minute break in the afternoon.

#### **G. Compensatory Time / Overtime Pay**

Reference: [74 O.S. 840-2.15](#)

#### **Non-Exempt Employees**

Per the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201 et seq. non-exempt employees, meaning an employee not exempt from the overtime requirements of the FLSA, MUST be paid or provided compensatory time at time and a half (1.5) for any overtime acquired in a 40-hour workweek.

*Workweek Adjust:* Non-exempt employees are responsible for adhering to the forty (40) hour workweek whenever possible and should adjust their workweek hours if at all possible before being allowed to accrue overtime.

Non-exempt Commission employees who are approved to work more than forty (40) hours in a workweek shall accrue compensatory time off at the rate of one and one-half hours for each hour of overtime worked, instead of

cash overtime pay. Employees may not use leave to earn compensatory time. Supervisors shall approve time worked in excess of forty (40) hours in advance for non-exempt employees.

Working overtime without a supervisor's prior approval shall necessitate supervisor review/approval and may be cause for disciplinary action if found unwarranted.

### **Exempt Employees**

The majority of Commission employees are classified as "exempt," meaning the employee is exempt from certain overtime requirements of the FLSA. Typically, "exempt" employees work in a supervisory role or professional capacity as defined by the FLSA. Under the FLSA, state agencies MAY grant compensatory time to exempt employees. It is the Commission's policy to grant compensatory time to our exempt employees per the conditions set out in this policy.

*Workweek Adjust:* Exempt employees shall be given a week, forty (40) hour workweek adjustment period. The employee shall be responsible for scheduling and maintaining a week, forty (40) hour work period whenever possible. In instances where workweek adjustments cannot be made, exempt employees who work more than forty (40) hours during a given week period may accrue compensatory time on an hour-for-hour basis. A supervisor may deny the accrual of compensatory time for an exempt employee. Employees may not use leave to earn compensatory time. Supervisors shall approve time worked in excess of the forty (40) hours in advance for exempt employees.

Working overtime without a supervisor's prior approval shall necessitate supervisor review/approval and may be cause for disciplinary action if found unwarranted.

### **Supervisors & Internal Control**

Overtime (time greater than 40 hours per week) should be approved only in those cases where excessive hours of work are necessary because of weather conditions, necessary seasonal activity, emergencies, or special short-term projects. Each division director is responsible for the manner in which overtime is authorized. It is equally important to control unauthorized overtime. Unauthorized work shall be counted as hours worked. If the supervisor should have stopped the work but did not, or if the supervisor knew or had reason to know of unauthorized overtime, the supervisor may be subject to discipline.

Division directors are responsible for internal controls which will provide a means of reviewing and evaluating the accrual and use of overtime. Supervisors are responsible for ensuring employees adjust their work schedules within their established workweek(s) to avoid unjustified overtime accrual. If overtime appears necessary, the employee shall obtain approval through the chain of command. In instances of extenuating circumstances where pre-approval cannot be obtained, employees must notify supervisors as soon as possible regarding the number of hours and reason for overtime worked. Overtime hours worked without proper approval shall necessitate supervisor review/approval and may be cause for disciplinary action if found unwarranted.

### **Compensatory Time Accrual and Use**

Both non-exempt and exempt employees may accumulate up to 240 hours of compensatory time. Compensatory time expires six (6) months from the date it was acquired. Employees shall use compensatory time before it expires and shall, with a supervisor's approval, adjust their work schedule to use their compensatory time. Compensatory

time accrued by an employee shall be used in lieu of and prior to annual leave. If a non-exempt employee fails to use their compensatory time before the end of the 6 month period then they must be paid by the Commission for those hours. If an exempt employee fails to use their compensatory time within 6 months of its accrual then the exempt employee loses the compensatory time. An exempt employee is not paid or otherwise compensated for lost compensatory time.

### **Paid Overtime Exception**

The Executive Director or designee may authorize **overtime pay** to employees who work more than forty (40) hours during a given workweek in extraordinary circumstances or during an emergency event. Overtime pay shall be calculated in accordance with the FLSA.

### **H. Travel to and from Work**

Normal travel to and from work is not compensated regardless of whether the employee has a fixed duty station or is assigned to a different job or telework site. Field employees shall begin each workday as designated by a supervisor.

[Policy OCC-12: Travel](#) shall apply to hours worked while an employee is in "travel status," e.g., in-state and out-of-state travel.

### **I. Emergencies**

In the event an employee is called to work due to an emergency, an employee's work time shall begin immediately upon responding to the request for action. Otherwise, the other provisions of this policy (lunch and breaks, for example) shall apply normally.

### **J. Division Director's Responsibilities**

Division directors are required to take into account the staffing needs of their division when approving employees for flex-time, telework, and compressed workweek schedules. Division directors shall staff their division to provide coverage and service to customers during normal office hours, from 8:00 a.m. to 4:30 p.m. Monday through Friday.