

## **Rule # 3-12**

### **Timekeeping**

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#### **§ 3-12-010 Purpose**

The purpose of this policy is to outline the expectations of employees, managers, and departments with regard to electronic timesheets, compliance with wage and hour laws or applicable collective bargaining agreement, and obligations regarding erroneous overpayments.

#### **§ 3-12-020 Policy**

- A. It is the policy of Multnomah County to comply with state and federal rules regarding wage and hour laws and that time records submitted to Payroll accurately reflect hours worked. The terms and conditions of any specific provisions of an applicable collective bargaining agreement will take precedence over this policy.
- B. Employees who intentionally falsify time records and managers who knowingly approve falsified time records are subject to disciplinary action including discharge.
- C. If an employee identifies a discrepancy on their paystub, it is the employee's responsibility to notify their manager of the discrepancy as soon as the employee knows of the discrepancy, and then correct the discrepancy in the system with a comment.

#### **§ 3-12-030 Employee Responsibilities**

All employees are responsible for:

- A. Electronic Timesheet Entry
  - 1. FLSA Non-Exempt - Represented Employees: Completing an electronic timesheet indicating what hours were worked and what leave hours were taken for each pay period. Employees are also required to follow their assigned work unit procedures for reporting work or leave hours, or applicable collective bargaining agreement.

## 2. FLSA Non-Exempt - Management Employees:

- a. Completing an electronic timesheet indicating what hours were worked and what leave hours were taken for each pay period. Employees are also required to follow their assigned work unit procedures for reporting work or leave hours.
- b. For FLSA non-exempt management employees, overtime is any additional time worked in excess of forty (40) hours during a defined workweek; or in excess of ten (10) hours in any workday for a 40-hour-a-week employee unless the employee has regularly scheduled workweeks with a day or more that exceeds 10-hours in a day.
- c. Overtime pay or compensatory time may be authorized as follows:
  - i. Overtime must be authorized prior to time worked by a manager.
  - ii. Overtime work may be paid or taken as compensatory time with the agreement of the employee.
  - iii. Subject to managerial approval, employees may flex their hours within the workweek in lieu of working overtime.
  - iv. Overtime pay is earned at the rate of one and one-half (1.5) times the straight time hourly rate of the employee, or if earned as compensatory time, at the rate of one and one-half (1.5) hours for every hour of overtime worked.
- d. Use of Compensatory Time
  - i. Compensatory time in lieu of paid overtime must be used within a reasonable time of the date it was earned. Scheduling of time off for the compensatory time earned must not disrupt county operations.
  - ii. If the employee does not request to take the compensatory time within a reasonable time, the manager may schedule time off to be taken no later than twelve (12) months after it was earned.
  - iii. Federal regulations limit the amount of unused compensatory hours to two hundred forty (240) hours for most employees. Up to four hundred eighty (480) hours are allowed for those working in public safety, emergency response and seasonal activities.
  - iv. Terminating employees will be paid at the appropriate rate of pay, based on state and federal law, for any compensatory hours not used.

3. FLSA Exempt Employees: Completing an electronic timesheet for exceptions, e.g. full day vacation leave, full day sick leave, FMLA/OFLA leave (partial or full days), etc. If there are no exceptions, then no hours shall be entered.
- B. Certifying through electronic acknowledgement that the hours reported are correct to the best of the employee's knowledge, that they have reported all time for which they are entitled to be paid, and that they have received all authorized meal and rest breaks except as specifically noted. In the event an employee is not available to provide such acknowledgement due to illness, leave or some other reason, a manager should provide the acknowledgement with a note that the employee was not available. Upon return to work, the employee should provide electronic acknowledgement that the hours on the electronic time record are correct or inform their manager of any corrections that should be made.
  - C. Completing their electronic time entry by the due date published by Central Payroll.
  - D. Reviewing their pay stub and bringing to the immediate attention of their manager or their Department Human Resources unit any discrepancies between their hours worked or leave taken and their pay for the period.
  - E. Electronically processing any corrections or changes to the time record as soon as notified by the employee and verified by the manager.

### **§ 3-12-040 Manager Responsibilities**

Managers are responsible for:

- A. Ensuring that each employee has entered time electronically for each pay period.
- B. Reviewing time records for completeness and accuracy, as well as verifying that all hours worked in the pay period are recorded, including any overtime worked and leave taken during the pay period.
- C. Electronically acknowledging time records each pay period to certify that the hours are correct.
- D. Approvals must be completed by the deadlines published by Central Payroll. If approvals will not be completed by the deadline, managers are to notify their Department Human Resources Unit in advance of the deadline.
- E. Ensuring compliance with union contracts, Personnel Rules, and wage and hour laws. If managers are unclear regarding their responsibilities, they should seek assistance from the Department Human Resources Unit.
- F. Electronically processing any corrections or changes to the employee's time record as soon as notified by the employee.

G. Maintaining strict confidentiality regarding employees' personal information.

### **§ 3-12-050 Department Responsibilities**

Departments are responsible for:

A. Maintaining the original, paper signed time records for three (3) years past the ending date of pay periods prior to January 1, 2019, and making timekeeping records available to Central Payroll and/or Auditors on request. Departments can choose to store such records at a central departmental location as long as such records are stored according to pertinent rules and regulations.

B. Auditing electronic time records to ensure accuracy and adherence to the provisions of this rule.

### **§ 3-12-060 Erroneous Payments**

A. Any employee receiving unauthorized payments has the obligation to call such error to the attention of their manager.

B. Unless otherwise provided in an applicable collective bargaining agreement or as allowed by state or federal law:

1. An employee who receives payments to which they are not entitled, and which the employee knew or reasonably should have known they were not entitled to receive, shall reimburse the county for the full amount of the overpayment.
2. When an employee receives payments due to a clerical, technical, or computer error, through no fault of the employee, and where the employee did not and could not reasonably have known that the error occurred, the employee shall only be liable for and the county shall only recover the overpayment for, a period of one hundred eighty (180) days preceding the date of discovery of the error.

C. As soon as the overpayment is known, the county will make every effort to recover overpayments by payroll deduction over a reasonable period of time. Disputes over the issue of what constitutes a reasonable period of time will be resolved by the Multnomah County Chief Human Resources Officer. Prior to any deductions being made, the employee will be asked to voluntarily sign an authorization.

D. Where an error occurs which results in a negative impact on the employee, upon notification by the employee, and verification by Central Payroll, payment in correction of the error will be made in the employee's paycheck for the current pay period.