West Virginia Northern Community College

Classified Staff Work Schedule and Records Rule

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Rule Number: NC-2009  
Effective Date: March 1, 2009  
Date Approved by WVNCC Board of Governors: February 26, 2009  
Authority Reference: U.S. Code 29 Chapter 8 - Fair Labor Standards; WV Code §18B-7-9; Title 135 Procedural Rule, WVCTC Series 8 and Series 38  
Replaces previous rule dated: Classified Staff Work Schedule and Records, March 25, 2004

Rule:

**Regular Work Schedule:** West Virginia Northern Community College work hours are scheduled to serve the needs of the community, its students, and the public, consistent with the mission and daily operational needs. Based upon the position functions and services in each area, all classified staff will have an established regular work schedule, established by their supervisors, approved by the President or designee and on file by July 1 of each year in the Human Resource Office. Such regular work schedule should include any changes routinely made to accommodate changes in yearly activities, such as changes in work hours during non-class times. The College maintains the right to assign and schedule staff in accordance with operational needs and requirements.

Adjustments to the regular work schedule to accommodate a major event may be approved in order to further the mission and the strategic initiatives of the College. Long term or permanent changes in work schedule shall be made with a notification to employee of at least fifteen (15) calendar days, unless the change is caused by an emergency. Adjustments may be done through flexible work schedules. The College discourages temporary, non-emergency changes in an employee’s regular work schedule; however, at times, temporary changes may be required in order to meet needs due to absences of others, peak period demands, and special events.

**Work Week:** Consistent with federal labor laws, State and HEPC/WV Council for Community and Technical College Education rules, the College’s standard work week for classified staff begins at 12:01 a.m. on Sunday and ends at 12 midnight the following Saturday and consists of 37.5 hours. The work week is a basic measure; hours for one week cannot be combined with another week for purposes of determination of such matters as compensatory time, overtime, or completion of full work week.

**Schedule Alteration:** At times an individual employee or work situation may best be addressed by an alteration in the hours worked per day (flexible work schedule) and, thus, an alteration in the beginning and ending times each day; however, such alterations must be arranged with and approved by the supervisor in advance, should be considered temporary, and are to be done in a manner which positively impacts the functions and service of the position.

**Lunch Periods:** Full-time classified staff shall be scheduled for a one hour lunch period or one-half hour lunch period each day, which time is not included in the number of hours worked per week. The supervisor is responsible for determining the length of and the time for the lunch period; however, to the degree possible, the employee’s interests shall be considered. Lunch periods may not be taken at the beginning or end of the work day.

**Other Break Periods:** Classified employees may be granted a rest period not to exceed 12 minutes per half day worked. Additional unauthorized time away from the work area must be credited against an appropriate leave accrual. Break periods shall be granted at the discretion of the supervisor. Based upon operational needs, an employee may be required to work without a break period without additional compensation. Breaks may not be taken in conjunction with lunch periods or at the end of the work day. Break time cannot be accumulated. Breaks within authorized time periods are recorded as work hours.
Compensatory Time/Overtime: *Non-exempt employees may be asked to work beyond thirty seven and one-half (37.5) hours per week. Work hours beyond this normal period must be arranged between the supervisor and employee with approval from the Human Resource Director in advance. Forms are provided for this process. Non-exempt employees may receive compensatory time off in lieu of overtime pay.

Overtime pay for non-exempt employees is calculated at the rate of one and one-half (1 ½) times the regular hourly rate, which is the total base salary, plus any incremental pay, divided by 1,950 hours. Overtime does not commence until forty (40) hours have actually been worked within one (1) workweek. Regular hourly pay, also known as “straight time,” is paid for work time between thirty-seven and one-half (37 ½) hours and up to and including forty (40) hours in a work week.

Only actual hours worked are included in calculation of overtime. Pay which is received for holidays, annual leave, sick leave or work release time, is not counted as working hours for purposes of overtime.

When a classified non-exempt employee is required to work on any designated institution holiday, that employee has the option to receive regular pay for the holiday plus substitute time off or additional pay at the rate of one and one-half (1 ½) times the number of hours actually worked. The time off must be used within a six-month period following the holiday.

When an **exempt employee is required to work on any designated board or institution holiday, that employee shall be given substitute time off on an hour-for-hour work basis.

Recordkeeping: The College time record keeping shall consist of the regular work schedule submitted, approved and on file each July 1 with the exception documented by time off requests submitted through the web based time off system and approved overtime requests. If there is a change to an employees normal work schedule on a permanent basis, the supervisor is required to notify the Human Resource Director immediately in writing utilizing the proper form. Recordkeeping requirements may change as determined and approved by the President.

*A non-exempt employee is an employee that is entitled to overtime benefits as outlined in federal and state law.

**An exempt employee is not covered by the Fair Labor Standards Act for overtime purposes.