

 <b>STANISLAUS COUNTY COMMUNITY SERVICES AGENCY</b>	Developed by/Date: Per Old DSS Manual Prior to 2000	Page:  1 of 6	Number: 2.2
	Reviewed by/Reviewed Date: CSA Exec Team 7/30/2018	Replaces:	Category: Time Keeping and Attendance  Distribution: All Staff
Title: <b>Work Time and Hours</b>		Approved: 12/3/2019	

**Policy** 
     
 **Procedure** 
     
 **Guideline**

**Purpose**

To ensure that all employees understand the expectations of the Community Services Agency (CSA) regarding adherence to a regular schedule during core business hours, time away from work and rest periods.

**Definition**

County policy has designated specific rules. CSA employees are expected to adhere to the following work time and hours of the Agency.

- A. Work Week  
It is the duty of each full-time employee to work forty (40) hours in each work week. The work week for CSA begins Sunday at 12:00 am and ends Saturday at 11:59 pm.
  
- B. Work Hours  
Supervisors shall establish an individual work schedule for each employee. No employee is to work outside of their designated work schedule. Hours may vary based upon work functions with management approval. Managers of each section shall arrange the work of their staff to maintain coverage, efficiency and integrity of services. Weekly work schedules are normally approved by supervisors in advance and cannot be changed without supervisor authorization. For most staff, work is performed between 6:00 am and 6:00 pm, Monday through Friday. Core Hours are from 9:00 am - 4:00 pm and all staff are expected to be scheduled and available during core hours to serve agency customers. Business hours are generally 8:00 am – 5:00 pm. (Minor exceptions apply).
  
- C. Flexing Work Hours  
With supervisory approval, staff may request to deviate from the established work schedule in lieu of using vacation or sick time for temporary absences or a temporary personal need. Temporary means that it will last for a limited short period of time. This variance is not intended to alter the workweek on an ongoing basis, but upon supervisor discretion an employee can request (in advance) to alter their work schedule for a temporary need up to four (4) hours in a work week. Likewise, when demands of the Agency require work outside of usual work hours, the supervisor will make every attempt to vary hours to ensure that the work week does not exceed forty

(40) hours. Employees must obtain prior approval from their supervisor to work a varied schedule. The employee must request to vary their normal work schedule each week and shall consider variance of work hours a privilege and understand they do not have the right to a varied schedule at any time. The supervisor/manager has the sole discretion to approve to vary an employee's schedule from week to week, and the employee should not assume that any of their requests are approved until their supervisor/manager has reviewed and approved each request. Employees on a corrective action plan or a leave restriction may be denied the ability to vary work hours upon supervisor/manager discretion.

D. Structured Flextime Schedules

With approval from the supervisor, manager, and assistant director, an employee may request a structured flex schedule. Employees wishing to work a flextime schedule must meet the following criteria:

1. Must be a full-time employee.
2. May have standard or above performance evaluations, including a satisfactory attendance rating.
3. The structured flexible schedule must accommodate CSA's core business hours. The employee cannot start their workday before 7:00 am or end after 6:00 pm except when business needs allow.
4. The Division/Program must have adequate coverage to provide service to clients and/or other employees.

Employees cannot vary their work schedule while on a structured flexible schedule. Supervisors must have a method to track employee's productivity and attendance. Consideration of the request will be given, subject to the needs of the program. A structured flexible schedule may be discontinued or changed at any time to meet the needs of the program or when unexpected circumstances arise (other than short-term changes to accommodate business needs) with a four-week notice. The abuse of a structured flexible schedule is subject to disciplinary action and possible immediate termination of continued structured flexible schedule privileges.

The following are the three (3) flexible options that are allowed:

1. Four (4) ten-hour shifts with a designed day off.
2. Four (4) nine-hour shifts and one (1) four-hour shift. The four-hour shift will be designated.
3. 9/80 – Eight (8) nine-hour day and one (1) eight-hour day allowing one day off in each pay period which must be either the first Monday or the last Friday of each pay period. Flex day off will be designated.

E. Overtime

Work in excess of forty (40) hours shall be considered overtime only if it has been approved. It is the County's policy to avoid overtime work whenever possible. Working unauthorized overtime is prohibited.

The Community Services Agency (CSA) employees wishing to claim overtime must meet the following criteria.

1. All overtime worked must be pre-approved.

2. Overtime slips must be signed and approved by the supervisor/manager prior to authorizing the individual to work in excess of forty hours in a work week. Any overtime exceeding 10 hours in a work week requires prior approval by the Assistant Director with the exception of on-call work. Overtime slips do not need to be turned in along with the employee's timecard.
3. Employees can not claim overtime if they have used either Vacation Time, Sick Time or Compensatory Time Used in the same week, unless they have worked more than forty (40) regular hours.

F. Lunch

An unpaid lunch period of at least one-half hour (30 minutes) must be taken during each workday of six (6) hours or more. If an employee works 12 hours or more a second unpaid lunch period of at least one-half hour must be taken. On very rare occasions, when an emergency occurs, an employee may not be able to take a lunch break during their work shift. Emergency example could be having a child in custody and the Social Worker is unable to take a lunch. Emergency is not in situations when the employee continues to work extra on a caseload or to attend meetings. When the employee has an actual emergency situation, they should contact the supervisor immediately for approval and will note on their timecard "Unable to take a lunch due to an emergency". A lunch break need not be taken for a workday of only six hours, upon mutual agreement of the employee and supervisor.

G. Rest Periods (Breaks)

Each Department Head is empowered to grant to the employees in his department rest periods during the working hours of the day, such rest periods not to exceed fifteen (15) minutes in any four (4) consecutive hours of work. Rest periods or "breaks" are intended to improve work performance by providing some relaxation during a period of concentrated effort. Therefore, breaks are not to be used at the beginning or end of a four (4) hour work period in order to extend the lunch hour or leave the work place early. It also follows that break-time may not be accrued; a break missed or skipped is not time-off available for later use. Short rest and stretch breaks, of five (5) minutes or less are recommended after each hour of continuous, repetitive work, such as use of a computer keyboard or continuous writing.

H. Vacation Time

Vacation hours for regular full time employees shall accrue each pay period, as follows: 0-2 years of service, 3.7 hours; 3-10 years of service, 5.24 hours; 11-20 years of service 6.78 hours; 21 plus years of service, 8.32 hours. Employees may not request the use of vacation time until it appears on their check stub. A written request for the used of vacation time should be submitted in advance to the supervisor for approval.

I. Sick Leave

1. While in continuous service of the County, regular full-time employees shall be entitled to 3.7 hours or a proportionately equal number of hours as prescribed in Section 3.32.010 of sick leave pay for each bi-weekly pay period of actual hours worked. Leave time is not credited until it appears on the employees check stub.

2. While in continuous service of the County, part-time extra help, and contract employees, shall be entitled to accrue paid sick leave at a rate of one (1) hour of paid sick leave for every thirty (30) hours worked beginning on the first day of employment. An employee is not eligible to begin using any accrued paid sick leave until after ninety (90) days of employment with the County. All employees other than full-time can only accrue paid sick leave up to a cap of six (6) days or forty-eight (48) hours. Any unused paid sick leave up to the cap would carry over year to year while continuously employed.

**\*\*Approved leaves of absences are covered under the Leave of Absence Policy\*\***

3. Paid sick leave may be used for the diagnosis, care or treatment of an existing health condition or preventative care of the employee or family member as defined in Labor Code section 245.5 (c) as may be amended from time to time.

#### Labor Code 245.5

(c) "Family member" means any of the following:

(1) A child, which for purposes of this article means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.

(2) A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.

(3) A spouse.

(4) A registered domestic partner.

(5) A grandparent.

(6) A grandchild.

(7) A sibling.

4. Paid sick leave may also be used for employees who are a victim of domestic violence, sexual assault, or stalking. If an employee returns to work for the County within one year, the unused paid sick leave shall be reinstated. Bona fide illness shall include pregnancy when the pregnancy incapacitates the employee to the extent that she cannot perform the duties of her job.
5. Any employer who provides sick leave for employees shall permit an employee to use in any calendar year the employee's accrued and available sick leave entitlement, in an amount not less than the sick leave that would be accrued during sick months at the employee's then current rate of entitlement, for the reasons specified and required by State and Federal law. No employer shall deny an employee the right to use sick leave qualified under the law, or discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using, or attempting to exercise the right to use these protected hours.
6. All employees are required to follow their supervisor's daily sick leave call in procedures. Please note this process is not required when medical certification

has been submitted to their supervisor and CSA HR releasing an employee from work.

J. Medical Certificate

Employees who claim sick leave with pay, upon returning to work after an illness, may be required to furnish a medical certificate issued by a licensed physician or other satisfactory proof of illness upon the request of the Department Head (or designee) after the use of six (6) days or 48 hours whichever comes first per calendar year. Medical certificates submitted by employees for a medically related absence must certify that the employee is medically unable to perform the essential functions of his or her job, or a derivative of this language; and provide specific dates the employee will be unable to work. Medical certificates may be required anytime an employee is off work three (3) or more consecutive days after the use of six (6) days or 48 hours in any calendar year. Failure to provide a satisfactory medical certificate may result in the denial of a leave request or use of accruals and the inability to explore reasonable accommodations until the employee obtains the appropriate medical certificates. An employee's failure to provide the required certificate may be considered Insubordination according to County Ordinance 3.28.010.

K. Holidays

County employees shall be entitled to the following holidays at the rate of eight hours per observed holiday.

1. January 1<sup>st</sup>, New Year's Day';
2. The third Monday in January, Martin Luther King Day;
3. The third Monday in February, Washington's Birthday;
4. The last Monday in May, Memorial Day;
5. July 4<sup>th</sup>, Independence Day;
6. First Monday in September, Labor Day;
7. November 11<sup>th</sup>, Veterans Day;
8. November, the Thursday designated as Thanksgiving Day;
9. The day after Thanksgiving Day;
10. December 25<sup>th</sup>, Christmas Day;
11. Only the immediate days of mourning declared by the President of the United States and the Governor of California will be considered as County holidays;
12. Every Monday following a Sunday which falls on January 1<sup>st</sup>, July 4<sup>th</sup>, November 11<sup>th</sup>, or December 25<sup>th</sup>;
13. Four hours when Christmas Eve falls on any day of the week except Saturday or Sunday. Eight hours when Christmas Eve falls on any day of the week except Saturday or Sunday for AFSCME Local 10 and SEIU Local 521 employees.
14. Every Friday proceeding a Saturday that falls on January 1st, July 4th, or November 11th.

L. Time off for Stanislaus County Exams

Employees are encouraged to interview for Stanislaus County exams, promotions and interviews and are allowed to claim REG time on their timecards which allows them to be paid while they attend Stanislaus County interviews.

All employees in the Classified Service shall be entitled to necessary time off with pay for the purpose of taking qualifying or promotional examinations administered by the Personnel Office. The hiring department has a set time for interviews and may not be able to accommodate special requests which means employees may have to interview during work hours. In this case, it is suggested you request time off from your supervisor ahead of time. If possible, employees should keep co-workers in mind and avoid scheduling interviews during meetings, near deadlines, or when co-workers need you most.

Note: Extra Help and/or temporary employees are unclassified and as a result are exempt from this code section. However, supervisors are encouraged to work with them by allowing them to flex their schedules or make up their time if at all possible.