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## State of Ohio Administrative Policy

Time and Attendance

No:

Human Resources  
HR-24

Effective:

June 27, 2016

Issued By:

Robert Blair, Director

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### 1.0 Purpose

To set forth minimum requirements for agency time and attendance policies. This policy applies only to agencies, boards, and commissions under the purview of the Governor and does not apply to separately elected officials.

A glossary of terms found in this policy is located in Appendix A - Definitions. The first occurrence of a defined term is in ***bold italics***. To go directly to a term's definition, click on the bold and italicized term. To return to the body of the policy, click on the defined term.

### 2.0 Policy

It is the policy of the state of Ohio to provide superior customer service and accountability to taxpayers. There is value and necessity in encouraging statewide standardization in certain areas related to time and attendance policies. Agencies are responsible for complying with the Fair Labor Standards Act (FLSA) and state laws regarding time and attendance.

- 2.1 **Agencies must accurately maintain records of actual hours worked:** The federal FLSA requires employers to keep certain records on behalf of their employees. The FLSA requires no particular form for the records, but does require certain identifying information about each employee and precise and accurate data about the number of hours worked and the amount of wages earned. Additionally, state law requires employers to keep certain records on behalf of their employees. Article II, section 34(a) of the Ohio Constitution and section 4111.14 of the Revised Code require employers in the State of Ohio to maintain records of the hours worked for each day worked for at least three years from the date the hours were worked and for three years following the last date the employee was employed.

The following is a list of timekeeping information that each agency is required to record:

- Time of day the employee begins and ends work on any given day;
- Hours employee worked each day;
- Total hours employee worked each work week.

A list of the aggregate hours worked by an employee will not satisfy these requirements. Instead, agencies are required to keep a record of the time of the day the employee begins and ends work on each day the employee is scheduled to work. No one particular method of maintaining these records is required, so employers have some flexibility in accomplishing these requirements, either by time clock, "sign in sheet," employee submission of hours worked, or some other verifiable method of recording the information. Agencies that elect to satisfy this requirement by employee submission of hours worked must have a supervisor approve the employee's submission. Supervisors who approve time in this manner must act in good faith in verifying the accuracy of the employee's record.

2.1.1 The enforcement and implementation of time and attendance policies are the responsibility of appointing authorities. At a minimum, agencies must provide training to managers/supervisors and new employees about how to properly maintain records of actual hours worked. Agencies must include information on the applicable time and attendance expectations in place at the agency and should refer employees to any available tutorials that set forth how to utilize the individual timekeeping mechanisms in place at their agency (e.g. TimeKeep, Oracle, Kronos, etc).

Managers and supervisors should become familiar with agency time and attendance policies and procedures, and should receive training on the responsibilities of the supervisor, timekeeper and employee in such procedures. As a result of such training, managers and supervisors should be able to identify the records required for audit purposes and should understand how to address common time and attendance problems.

2.2 **Customer service hours:** The State of Ohio has elected to adopt ***customer service hours*** of 8:00 am to 5:00 pm, from Monday through Friday. At a minimum, agencies must ensure that they are adequately staffed to perform all of their business administrative functions for both internal and external customers during these hours. Business administrative functions may include, but are not limited to, answering telephones, responding to inquiries from the public and other state agencies, etc. Based on the operational or business needs of the agency, it may be advantageous for agencies to extend their customer service hours, especially for those agencies that provide customer service to the general public.

2.3 **Alternative or flexible work schedules:** Provided that an agency is adequately staffed to cover adopted customer service hours, it may offer employees a ***flexible schedule***.

If an agency elects to offer employees such flexible schedules, the following two options are available: ***compressed workweek and flextime***. Regardless of the option, the employee's work schedule must be approved in advance by the employee's manager or supervisor and should be kept on file at the agency level.

Agencies may offer a compressed workweek schedule when a specific business process or a legitimate business purpose warrants such a schedule. For example, a compressed workweek schedule may be appropriate if a specific payroll process requires an employee to work long hours Monday-Thursday, but does not require the employee to work as many hours while the system uploads data on Friday. Legitimate business purposes would include schedules which limit overtime use or which advance the agency's employee recruitment or retention objectives or to increase productivity. Additionally, an employee's request for a compressed workweek schedule based on personal circumstances may be considered if the requested schedule would not disrupt the agency's operation or interfere with customer service.

Agencies can also consider allowing the use of flextime, either on an agency-wide basis or for particular work units or classifications. Flextime policies may allow employees to make schedule adjustments based on personal need. In creating flextime options, the agency shall ensure that the use of flextime will not interfere with operational need or customer service. Flextime is a tool for agencies that can assist with recruitment and retention of employees.

Agencies may approve a flexible work schedule for overtime exempt employees that allows for the use of flextime within an 80-hour pay period, instead of a 40-hour work week.

The decision to offer a flexible schedule is solely at the discretion of the appointing authority. Agency management retains the right to determine when flexible schedules are practical based on operational need and to adjust the number of employees approved for such schedules, as appropriate. Service to the public and administrative support services within the agency are of controlling importance. When the agency is particularly busy or a number of employees are absent because of vacations or holidays, flexible schedules may be suspended, modified, or cancelled. Flexible schedules are an employee benefit, not a right, and may be cancelled or modified at the agency's discretion to meet agency needs, subject to any restrictions contained in an applicable collective bargaining agreement.

Please refer to applicable collective bargaining agreements for provisions related to flexible schedules for bargaining unit employees and guidelines for changing bargaining unit employee schedules. This policy does not in any way modify pre-existing provisions of collective bargaining agreements regarding flexible schedules. Changes in employee schedules needed to comply with this policy, must be done in a manner that follows collective bargaining agreement requirements. Special care should be taken with respect to employees already working a flexible schedule under the SEIU/District 1199 collective bargaining agreement. Please refer to Section 24.10 of the collective bargaining agreement between the State and SEIU/District 1199.

### 3.0 Authority

ORC 124.09; 124.18; OAC 123:1-47-01(B)

### 4.0 Revision History

| Date       | Description of Change |
|------------|-----------------------|
| 06/27/2016 | Original policy.      |

### 5.0 Inquiries

Direct inquiries about this policy to:

Labor Relations and Human Resources Policy Section  
Office of Collective Bargaining  
Ohio Department of Administrative Services  
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Columbus, Ohio 43223

614.752.5393 | DASHRD.HRPolicy@das.ohio.gov

State of Ohio Administrative Policies may be found online at  
[www.das.ohio.gov/forStateAgencies/Policies.aspx](http://www.das.ohio.gov/forStateAgencies/Policies.aspx)

## Appendix A - Definitions

- a. Compressed Workweek. Employees work full-time hours in less than the traditional 5-day workweek by increasing daily hours worked. *Examples:*
  - A worker works 10-hour days, 4 days per week (e.g., Monday-Thursday, 8am-6pm)
  - Over each two-week span, an overtime-exempt worker works 9-hour days Monday through Thursday of each week and takes every other Friday off (i.e., works an 8 hour day on the Friday of the first week and does not work the Friday of the second week)
- b. Customer service hours. Inflexible hours of the day and week during which an agency must be functionally staffed.
- c. Flexible Schedule. A work schedule other than a traditional 5-day workweek with consistent start and end times. Flexible schedules may include a compressed workweek or flextime.
- d. Flextime. Flextime schedules are based on worker needs within set parameters approved by a supervisor. *Example:* An employee must work 40 hours per week and be present on a daily basis, but may:
  - Adjust arrival and departure times on a daily basis
  - Define new standard working hours (e.g., a set schedule of 7am to 3pm every day or of 7am to 3pm on Tues/Thurs and 10am to 6pm on Mon/Wed/Fri).
  - Work extra hours one day to make up for shorter hours worked another day