



## POLICY AND PROCEDURE STATEMENT

### ADM – 2.2.0 Time, Attendance, and Leave

Purpose: This policy and procedure describes the procedures for recording work hours and used leave, as well as requesting leave. The different types of leave available to BOT employees are defined and delineated.

Effective Date: February 1, 2016

Superseded Policy: N/A

References: 29 U.S.C. §201, et. seq., 47 O.S. §759, OAC 40:1-1-3, 74 O.S. §840-1.1, et. seq., OAC 260:25-7-12

Related Forms: BOT Form ADM – 1.1, BOT Form ADM – 2.1, BOT Form ADM – 5.1

Approved By: Kevin Behrens

#### 1. Time and Attendance:

- a. Reporting time: All hours worked and leave used are reported on BOT Form ADM – 1.1. The form is submitted to the Director for review and approval. The BOT Form ADM – 1.1 must be submitted to the Director on or before the 5th of each month, reflecting the previous month's activities.

#### 2. Leave:

- a. Leave Accrual: Leave accrues at the rate and to the limits set forth in the rules of the Office of Management and Enterprise Services, Human Capital Management and State law.
- b. Leave usage: Leave will be requested on BOT Form ADM – 2.1 and approved by the Director. The employee should request leave as far in advance of the expected date of the absence as possible. Approval is conditioned upon the business needs of the agency.
  - i. When an employee cannot reasonably foresee the need to use accrued leave, a BOT Form ADM – 2.1 should be completed as soon as practicable upon the employee's return to work. The employee should notify the Director by telephone in this circumstance.
- c. Annual Leave: Annual leave is intended to be used for vacations, personal business, and other time off not covered by other paid leave or holiday provisions.
  - i. BOT will accept the transfer of accrued annual leave up to a maximum amount of 80 hours upon an employee's transfer from another state agency.
- d. Sick Leave: Sick leave is intended to be used for periods when an employee is unable to work due to the employee's own illness, injury, or pregnancy. Sick leave is also intended to be used for an employee's own medical, dental, surgical, or optical evaluation or treatment. The use of sick leave is also appropriate when the employee's presence could jeopardize the employee's health or the health of others.

- i. Absences of more than 3 consecutive days may require a statement from a health care provider, at the discretion of the Director.
  - ii. Upon request of the Director, an employee shall supply a medical statement including a certification of the employee's fitness to return to duty, a specific statement of any limitations related to the employees work performance, and the time period for which the limitation applies.
    - 1. When limitations are placed upon an employee's return to work, the employee shall be deemed to be released to full duty upon expiration of the time period contained in the medical statement.
- e. Enforced Leave: Enforced leave is intended for use when a member of the employee's immediate family or household requires care for an illness or injury, or in the case of death in the immediate family or household, or in the case of personal disaster.
  - i. Enforced leave is charged to accrued sick leave, and may not exceed 80 hours in a calendar year or the employee's accrued sick leave balance.
  - ii. Immediate family is limited to spouse, children, parents, brothers, sisters, but includes step, grand, half, foster, or in-law relationships to immediate family members.
  - iii. Personal disaster means an unforeseeable, catastrophic event such as the destruction of the employee's residence.
- f. Voting Leave: Employees will be granted 2 hours of time during the period when the election is open in which to vote, and if the employee is at such distance from the voting place that more than 2 hours are required in which to attend such election, then the employee will be allowed a sufficient time in which to cast a ballot.
  - i. Employees shall notify the Director of their intent to take voting leave at least one day prior to the election.
  - ii. The time periods for which an employee may be granted voting leave (i.e. – morning or afternoon) are at the discretion of the Director, consistent with the agency's business needs.
- g. Military Leave: [Reserved]
- h. Overtime Compensation: BOT will comply with the overtime pay provisions of the Fair Labor Standards Act (29 U.S.C. §201, et. seq. and OAC 260:25-7-12). A copy of this policy, and any future amendments, will be submitted to the Office of Management and Enterprise Services: Human Capital Management Division as required by OAC 260:25-7-12.
  - i. Non-exempt employees are not authorized to work more than 40 hours per week without the explicit oral or written permission of the Director.
  - ii. Non-exempt employees will earn compensatory time in lieu of overtime payment at the rate of time and one-half hours per hour worked over 40 hours a week in accordance with OAC 260: 25-7-12.
    - 1. The employee must have a signed compensatory time agreement (BOT Form ADM – 5.1) on file before the performance of any overtime work. (OAC 260:25-7-12(d)(1)).

2. Accrued compensatory time will be used before any accrued annual leave in accordance with OAC 260: 25-7-12(d)(9).
  3. Whenever possible, adjustments in the employee's work schedule will be made on an hour for hour basis to avoid the accrual of compensatory time. (OAC 260:25-1-7(d)(10)).
- iii. Exempt employees will earn compensatory time in lieu of overtime on an hour-for-hour basis in accordance with OAC 260:25-7-12.

**END OF POLICY AND PROCEDURE STATEMENT**