

Effective Date: **June 30, 2023**

**POLICY**

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**EMPLOYMENT**

# **Employee Handbook – Section 201 Hours of Work**

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RESPONSIBLE OFFICE

**Human Resources**

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## **201 Hours of Work**

Boston University has eight (8) personnel policies that, for the purposes of this Handbook, are categorized as Job-Related Policies. They govern hours of work, attendance, promotions and transfers, employee grievance process, and several other job-related matters. The policies are listed below and the specific provisions are presented in the individual policy statements.

### **201.1 Work week**

The regular workweek at Boston University may be thirty-five (35) hours, thirty-seven-and-one-half (37 1/2) hours, or forty (40) hours as established by the individual department. For the purpose of computing payroll, a workweek consists of seven (7) consecutive twenty-four (24) hour periods beginning at 12:01 a.m. on Monday and continuing through midnight the following Sunday.

During the employment process, applicants are informed of the number of hours in the regular

workweek and anticipated variations caused by cyclical workloads in the hiring department. For exempt employees, the regular workweek represents the minimum hours that an employee is expected to work.

As part of the employee's job responsibilities, exempt staff may be required to work at special University/departmental events including but not limited to Commencement ceremonies.

Non-exempt staff who volunteer to work at special University/departmental events including but not limited to Commencement ceremonies will be paid the employee's regular hourly rate for all hours actually worked at the event. In addition, they will be paid one and one-half (1-1/2) times their regular hourly rate for all hours actually worked in excess of forty (40) hours during that workweek.

## **201.2 Meal Periods**

Meal Periods are scheduled by supervisors to ensure proper staff coverage during the workday. For non-exempt employees, meal periods must be at least thirty (30) minutes long and employees must be completely relieved of all work duties during the period. Meal periods may not be scheduled during the first or last hours of a workday or combined with rest periods except with prior approval of the supervisor.

Meal periods for non-exempt employees are unpaid and not considered as time worked. However, if a non-exempt employee is required to work ten (10) or more hours on any given shift, the University will provide both a one-half (1/2) hour paid meal period and one (1) meal. The meal may be provided in kind or by giving the employee a reasonable cash meal allowance. The University does not provide paid meal periods or meals for non-exempt employees who work ten (10) or more hours as part of a modified work schedule approved under the [Guidelines for Flexible Staff Work Arrangements](#)

Boston University will not require an employee to work more than six (6) hours without an interval of at least thirty (30) minutes for a meal.

## **201.3 Rest Periods**

Supervisors are expected to schedule non-exempt staff members for one (1) rest period of fifteen (15) minutes during each three-and-one-half (3 1/2) hour or four (4) hour period of work.

Rest periods are paid time, counted as time worked and are non-cumulative. They may not be scheduled or taken during the first or last hours of a workday and may not be combined with meal periods except with prior approval of the supervisor.

#### **201.4 Variations in Work Schedules**

This policy provision applies to instances in which an individual's work schedule may be changed on either a temporary or ongoing basis. Such a change may result from workload variations in the employee's department or an employee's request for a change in work schedule for personal reasons. A change to an employee's work schedule must be authorized by the applicable Dean or Vice President.

Anticipated cyclical workload variations that will require a department to change work schedules at specific times of the year should be communicated to job applicants during the departmental employment interview.

Employees whose work schedules must be changed on a temporary or ongoing basis for unanticipated reasons will be notified as far in advance as is practical under the conditions that resulted in the change. If an employee is unable or unwilling to make the change in work schedule, reasonable effort will be made to find the employee another position at Boston University.

Employee requests for changes in work schedules for personal reasons are governed by the [University's Guidelines for Flexible Staff Work Arrangements](#).

#### **201.5 Overtime**

Non-exempt employees are compensated for hours worked in accordance with the provisions of the Fair Labor Standards Act. Employees are paid their regular hourly rate for all hours actually worked up to and including forty (40) hours during the workweek. Employees are also paid one-and-one-half (1-1/2) times their regular hourly rate for all hours actually worked in excess of forty (40) hours during the workweek. If an employee does not work on the day of an observed holiday but is paid for that day, his or her scheduled hours of work on the day of the observed holiday are counted as hours worked for the purpose of computing overtime payments. Paid Vacation, Sick, Personal Days and Intersession Days not worked are not counted as hours worked for the purpose of computing overtime.

As a condition of employment, employees are expected to work overtime as required by the operational needs of the University.

Overtime must be approved in advance by the employee's supervisor. Exempt employees are not subject to the overtime provisions of the Fair Labor Standards Act. Exempt employees are not entitled to overtime pay.

## **201.6 Salary Basis Requirement for Exempt Employees**

To qualify as an exempt employee (i.e. meaning that the employee is exempt from the overtime provisions of the Fair Labor Standards Act) an employee generally must be paid at not less than \$455 per week on a salary basis. These salary requirements do not apply to outside sales employees, teachers, and employees practicing law or medicine. Exempt computer employees should be paid at least \$455 on a salary basis or on an hourly basis at a rate not less than \$27.63 an hour.

Being paid on a “salary basis” means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Subject to exceptions set forth in the Fair Labor Standards Act, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If an employer makes deductions from an employee’s predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a “salary basis.” If an exempt employee is ready, willing and able to work, deductions may not be made for time when work is not available.

It is policy of the University to prohibit improper deductions from the salary of exempt employees. Exempt employees who believe that they have been subject to an improper deduction should immediately inform their supervisor who shall take appropriate steps to investigate and resolve the complaint. Should the University determine that an improper deduction was made; the University will promptly reimburse the employee in the amount of the improper deduction.

## **201.7 Other Provisions**

Supervisors are required by law to maintain complete and accurate records of the hours worked each day by the non-exempt employees they supervise. They are also responsible for ensuring that employees are properly compensated for all hours worked, including any overtime.

Supervisors must also maintain accurate attendance records for the exempt employees they supervise.

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THIS POLICY STATEMENT IS PART OF THE [EMPLOYEE HANDBOOK](#), AND SHOULD BE READ IN CONJUNCTION WITH ALL OF THE POLICIES THAT COMPRISE THE HANDBOOK. THE PROVISIONS OF THE EMPLOYEE HANDBOOK DO NOT CONSTITUTE

AN EMPLOYMENT CONTRACT AND DO NOT ALTER THE AT-WILL STATUS OF AN EMPLOYEE.

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END OF POLICY TEXT

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## Additional Resources Regarding This Policy

### Related Policies and Procedures

- [Employee Handbook Policies Manual](#) (staff)
  - [Section 202 Attendance](#)
- [Faculty Handbook](#) (faculty)

### Related BU Websites

- [Human Resources](#)
  - [HR Policies](#)
  - [Manager Resources](#) - HR Website
    - [Annual Merit Process](#)
    - [Compensation](#)

### History

The Policy was updated on June 30, 2023, with edits made to section **201.2 Meal Periods** and section **201.4 Variations in Work Schedules**.

Categories: Employment, Non-Represented Staff Keywords: Employee Handbook