



OHR POLICY LIBRARY

Nonexempt Employee Timekeeping

Nonexempt Employee Timekeeping Policy
Responsible Executive: CHRO
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THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THE DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

POLICY STATEMENT

In accordance with the United States Department of Labor’s Fair Labor Standards Act, Clemson University classifies certain employees as nonexempt. This policy establishes the basic timekeeping rules under which Clemson’s nonexempt employees work.

All Clemson University employees are required to adhere to the practices and procedures established in this policy and any related procedural documents. Any employee who violates this policy is subject to disciplinary actions, up to and including termination.

ENTITIES AFFECTED BY THIS POLICY

All colleges/divisions of the University

WEB ADDRESS FOR THIS POLICY

https://media.clemson.edu/humanres/policies\_procedures/Nonexempt\_Employee\_Timekeeping\_Policy.pdf

CONTACTS

Table with 4 columns: Subject Matter, Office, Telephone, E-mail/Web Address. Row 1: Policy clarification and interpretation, Office of Human Resources (OHR), (864) 656-2000, Ask-HR (https://www.clemson.edu/human-resources/contact/index.php)

## PRINCIPLES

### Overtime and Nonexempt Status

In accordance with the Fair Labor Standards Act (FLSA):

- Nonexempt employees are eligible for overtime compensation at 1.5 times the employee's regular rate of pay for a 40-hour workweek. Nonexempt employees must receive overtime compensation for all hours worked in excess of 40 hours per workweek, not to include leave time or holiday time.
- Employees whose positions are exempt from the FLSA are not eligible for overtime compensation.

### Nonexempt employee timekeeping

1. Employees classified by the University as nonexempt are required to maintain a timekeeping record each day. The timekeeping record must include:
  - Employee's name, organizational unit and employee number
  - Dates of the pay period
  - Recorded work time
    - Hourly employees: "In" and "Out" in exact minutes and total hours worked each day
    - Salaried, nonexempt employees using a timesheet: "In" and "Out" in exact minutes and total hours worked each day
    - Salaried, nonexempt employees using an electronic system (e.g., Kronos or AIM): Total hours worked each day
  - Employee's and supervisor's signatures (or electronic approval)
2. Hours worked must be accurately recorded in the employee's assigned timekeeping system. Recorded time must accurately reflect all regular and overtime hours worked and absences. If an employee's recorded time is not accurate, the employee should notify his or her supervisor immediately. Upon receipt of a paycheck, the employee should verify that the paycheck accurately reflects all regular and overtime hours each workweek.
3. Per the South Carolina Code of State Regulations, the University retains timekeeping records for a minimum of three years.

### Off-the-clock work

Nonexempt employees are prohibited from performing any off-the-clock work (work performed but not reported) or engaging in work activities on a volunteer basis.

### Required pre-authorization

Work performed under the following conditions by nonexempt employees requires written pre-authorization and must be reported accurately:

1. **Overtime:** Nonexempt employees may not work over 40 hours in a workweek without written pre-authorization by their supervisor. This includes starting work early, finishing work late, working during a meal break or performing any other extra or overtime work. Supervisors must obtain written

pre-authorization from the vice president of their area prior to authorizing a request from a nonexempt employee to work over 40 hours in a workweek.

2. **Working while away from the workplace:** Nonexempt employees are prohibited from working from home or otherwise performing work while away from the regular workplace unless they have pre-authorization in writing from their supervisor. This includes, but is not limited to, the use of cell phones, PDAs, laptops, other mobile devices and home computers—whether owned by Clemson or the employee—to perform work away from the regular workplace. Telecommuting must comply with Clemson’s Telecommuting Policy and requires written pre-authorization by the employee’s supervisor.
3. **Working outside scheduled hours:** Nonexempt employees may not work outside their scheduled hours unless they have written pre-authorization by their supervisor. This includes, but is not limited to, the use of cell phones, PDAs, laptops, other mobile devices and home computers—whether owned by Clemson or the employee—to perform work outside of scheduled work hours.

Per Clemson’s Workweek Policy, the official Clemson University workweek begins at 12 a.m. on Sunday and runs for seven consecutive days (168 hours) through Saturday at 11:59 p.m. The normal office hours for Clemson University are 8 a.m. to 4:30 p.m., Monday through Friday. An employee’s normal hours follow this schedule and include a one-hour lunch break between 11 a.m. and 2 p.m. each day, unless the employee is informed otherwise by his or her supervisor. Any deviation from this schedule must be approved in advance in writing by the supervisor.

#### Mobile Timekeeping

1. Clemson University allows for the use of mobile devices for timekeeping. However, it is at the discretion of each department to authorize use of a mobile device for tracking time worked.
2. Mobile timekeeping devices must be set to allow the application to access the location of the recorded “In” and “Out” time.
3. Any employee who uses a mobile timekeeping device must do so in a manner that complies with this policy and any applicable departmental bylaws/guidelines.

#### Falsification of time records

Any attempt on the part of the employee, a supervisor or another employee to falsify time records is prohibited. At the employee level, the recording of “In” and “Out” times or time worked while not in an official work capacity (i.e., before arriving at work or after leaving work) is not permitted. If any supervisor or employee instructs an employee to (1) incorrectly or falsely under- or over-report time worked, or (2) alter another employee’s time record to inaccurately or falsely report that employee’s hours worked, the employee should report this immediately to the supervisor, a member of management or the Office of Human Resources. If the supervisor or member of management’s response to the report is in any way unsatisfactory, the employee should report the suspected violation(s) directly to the Office of Human Resources at (864) 656-2000. Every report will be fully investigated.

Retaliation

Clemson University does not permit retaliation against individuals who (1) file a good faith report of a suspected violation of this policy or (2) cooperate in an investigation of such reports. Any employee who engages in retaliation will be subject to disciplinary action, up to and including termination.

**DEFINITIONS**

For definitions, access the [OHR Glossary of Terms](#).

**RELATED RESOURCES**

<b>University Policies and Documents</b>
<a href="#">Telecommuting Policy</a>
<b>External Documentation</b>
<a href="#">South Carolina State Human Resources Regulations</a>
<a href="#">South Carolina Code of State Regulations, 12-420: Time and Attendance Records</a>
<a href="#">Department of Labor: Fair Labor Standards Act</a>
<b>University Forms and Systems</b>
<a href="#">HR Self-Service</a>
<a href="#">Kronos</a>
<a href="#">Time Sheet</a>