

Work Day

A defined 24-hour period.
12:01 a.m. to 12:00 midnight

Work Week

7 consecutive 24-hour periods.
Monday, 12:01 a.m. to Sunday, 12:00 midnight

Circumstances where Overtime Applies**1.5 times the regular rate:**

1. Time worked over 8 hours in a single day.
2. Time worked over 40 hours in a work week.
3. The first 8 hours worked on the 7th consecutive day of the work week.

2.0 times the regular rate:

1. Time worked over 12 hours in a single day.
2. Time worked over 8 hours on the 7th consecutive day of the work week.

Compensatory Time-off is not an option!

Breaks and Meal Periods

- One paid 15-minute break for each 4-hour period of work (break occurring around the second hour).
- A 30-minute unpaid meal period for every 5 hours of work.
Important! *If a 30-minute unpaid meal period is not provided by the end of the 6th hour, a 1-hour meal penalty must be paid to the employee.*

Travel Time

Travel time is compensable if the employee is subject to the control of the employer.

- Time spent commuting to and from work is **not** considered hours worked.
- Time spent traveling to a one-day assignment **is** compensable.
- Time spent traveling to an out-of-town or overnight assignment **is** compensable.

Absence Reporting

- Vacation and Floating Holiday is available when approved by the supervisor in advance.
- Sick Time is available when the employee is sick, for medical appointments, and to care for immediate family members.
 - Employees must notify the supervisor at the beginning of each work day missed.
 - If a "pattern" of absence occurs, supervisors may request a doctor's note before the employee may return to work.
- Personal Business (not compensable)
 - Make-Up Time: An employee's written request to make up lost time may be approved at the employer's discretion. Time must be made up during the same work week, and cannot cause the employee to exceed 11 hours in a work day or 40 hours in a work week.

Separations

A final paycheck must be received on the last day of employment.

1. Vacation and Floating Holiday accruals are included in the final check.
2. Exception: When the employee fails to provide timely notice, Pepperdine has up to 72 hours to produce the final check.

Communicate Expectations on Day 1

- Record time daily.
 - Record exact times of arrival and departure.
 - Be clear on scheduled hours of work, and breaks.
 - Be specific about when you expect timecards to be approved for your review.
 - Overtime expectations
Best practice—inform employees all overtime must be approved in advance.
 - Other expectations: cell phone use, personal use of internet, using Pepperdine property for personal pursuits
- Best practice—approve and review daily.*

Show employees their success is important to you by following through immediately when expectations are not met.

White Collar Exemptions from Wage and Hour Law

- Salary Test: \$2774.00 per month (\$33,280 per year)
- Duties Test:
 - More than 50% of the time must be spent engaging in exempt level duties.
 - Independent Judgment
 - Exercise discretion on matters of “importance” to the University. Matters of importance has been defined as decisions which directly relate to the mission of the organization

Work Authorization

Form I-9

- Complete Section 1 of Form I-9 **on or before the 1st day** of employment.
- Present acceptable documents to Human Resources by the **3rd day** of employment. These required documents verify the individual’s identity and eligibility to work in the United States.

Employer Sponsored Visas

Visa Types: H1B, O-1, J-1

- Outside immigration counsel assists the University with the process.
- Travel in and out of the country must be monitored.
- Conditions of employment cannot change.

Independent Contractors

Behavioral Controls:

- Who has the right to control the work?
- Who decides when and where to do the work?
- Who hires additional employees if needed?
- Who decides when and where supplies are purchased?
- Who controls the order or sequence of the work?

Financial Controls:

- Who has invested in the equipment and tools?
- Is there an opportunity for profit or loss?
- Are expenses being reimbursed?
- What is the form of payment?
- Are the individual’s services available to the market?

Relationship Considerations:

- Is the individual receiving benefits?
- What is the permanency of the relationship?
- Are the services a key aspect of the University’s business (i.e., instruction or research)?

Other Considerations:

- Does the individual have an established “employee” relationship with the University? Is a W-2 and 1099 being issued in the same calendar year?
- Does the individual carry liability insurance?