

# Dartmouth

## **Frequently Asked Questions**

### **Can I give an hourly employee “comp time” instead of paying overtime wages?**

No. By law, you cannot provide hourly employees with compensatory time off outside the normal workweek, which at Dartmouth is from Sunday through Saturday. So, for example, if an employee works 44 hours in a given workweek, he is entitled to 4 hours of overtime pay for that week; you cannot give him 4 hours off in a different workweek to “make up” for it and thus avoid paying overtime.

### **How does Dartmouth compute “hours worked” in a workweek?**

The FLSA states that “hours worked” includes all time an employee must be on duty, or on the employer’s premises or at any other prescribed place of work, from the beginning of the first principal activity of the work day to the end of the last principal work activity of the workday; also included is any additional time the employee is allowed (i.e., suffered or permitted) to work. However, Dartmouth’s policy is more generous, in that holiday, vacation, and other types of paid leave are also counted as hours worked for the purpose of computing overtime.

### **Are employees entitled to overtime pay for hours worked over 8 in a single day?**

Generally, no, though some provisions of a collective bargaining agreement for union employees may alter this. The standard for paying overtime is hours worked over 40 hours in a workweek, regardless of how many hours are worked in a particular day.

### **Are hourly employees paid for self-initiated computer-based work done at home, e.g., checking and responding to e-mails, and the like?**

It is the manager’s responsibility to set clear expectations, including whether or not hourly employees should be working from home during off hours. If the department’s business needs dictate that an hourly employee perform such work from home, then he or she must be paid for that work; thus, if you plan to have an employee work from home, please see the recommendations set forth in the “Guidelines for Working from Home” link in the Manager’s Toolkit. However, incidental work-related activities performed by an employee due to his or her personal preferences, such as checking work e-mails from home, are generally not considered “hours worked” and are not paid.

### **What should, and shouldn’t, a manager do if he or she suspects an employee is falsifying time records?**

First and foremost, you should contact your Human Resources Consultant to discuss the matter before taking any action. Generally, your reaction to such a situation will depend very heavily upon the specific details at hand, and thus it is not practicable to give “one size fits all” counsel. Dartmouth has adopted and in all instances follows the Code of Ethical Business Conduct, which can be found at

---

**Contact your HR Consultant if you have any questions.**



<http://www.dartmouth.edu/~businessethics/code/index.html> Further, if you have other ethics-related questions and wish to remain anonymous, all employees are encouraged to utilize the Business Ethics Helplines, which can be found at <http://www.dartmouth.edu/~businessethics/helplines/index.html>.

### **How much paid vacation time is a part-time salaried employee entitled to earn and receive?**

It is prorated, based upon the FTE for the employee's position. By way of example, we'll look at a 0.8 FTE salaried employee who works four 8-hour days each week, for a total of 32 hours each week. There are two ways to approach the question, and they arrive at the same result:

The first way is that by which the Human Resources computer programs handle the issue. In this approach, all salaried employees (after their first full fiscal year of employment) have earned 22 paid vacation days. However, in this example, the employee's average workday is 6.4 hours, arrived at by dividing 32 hours (the total worked each week) by five days (the "normal" workweek for salaried employees). Thus, while this employee would receive 22 days of paid vacation, those paid vacation days are 6.4 hour days, rather than 8 hour days. Multiplying this out, the total paid vacation for this employee would be (22 times 6.4 equals) 140.8 hours of paid vacation. To translate this into real-world "days" of vacation time for this employee, simply divide by the employee's normal real-world workday, and arrive at (140.8 hours divided by 8 hours/day equals) 17.6 full days of paid vacation.

The second way is somewhat more direct, as follows: given the same circumstances, simply multiply the FTE by the full complement of earned vacation days. In this example, the result is (0.8 times 22 equals) 17.6 full vacation days, same as with the other method.

It is, of course, impractical and awkward (at best) to account for partial vacation days for a salaried exempt employee. However, given the fact that vacation time for salaried employees is tracked by each department (rather than centrally), it seems that reasonable accommodations could be made; by way of suggestion only, in this example the total could be rounded up to 18 days of paid vacation time for the employee in question.

### **What should, and shouldn't, a manager do when an employee announces that he or she is applying for another job?**

As a matter of policy and practice, Dartmouth encourages all of its employees to develop themselves professionally and personally, and this often results in an employee seeking other positions, either within or outside the College. In such instances, it is appropriate to support the employee in those efforts, and to communicate regarding any issues that may arise (for instance, scheduling interviews, job and duty succession, and the like.) While you may express your hope that a valued employee stays with your department, it is inappropriate to discourage the employee from leaving, and one should never actively retaliate against the employee for taking such action.

**Related Documents:**

- Employment Policies and Procedures Manual  
<http://www.dartmouth.edu/~hrs/policy/>