



THE UNIVERSITY OF NORTH CAROLINA
ASHEVILLE

Policies and Procedures

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Owner Dept: Human Resources
Phone: 6605

Title: On-Call and Emergency Callback Policy

Purpose: It is the policy of the State of North Carolina to provide additional compensation to designated SPA employees, regardless of appointment type, who are **required** to serve in on-call status and/or who are called back to work.

Scope: All full-time or part-time SPA and EPA Non-Faculty employees. Call-back pay is intended for personnel whose regularly assigned duties allow little flexibility in work schedules.

Definitions:

- **On-Call** – is when an employee must remain available to be called back to work on short notice if the need arises.
- **Emergency Callback** – is when an employee has left the work site and is requested to respond (either by going back to work or responding via telephone or computer) on short notice to an emergency situation at work for any of the following reasons:
 - Avoid significant service disruption
 - Avoid placing employees, students or the public in unsafe situations
 - Protect and/or provide emergency services to property or equipment
 - Respond to emergencies with students, clients, or residents
- **Exempt Employees** – for the purposes of this policy, exempt refers to employees who are exempt from FLSA.
- **Non-exempt Employees** – for the purposes of this policy, non-exempt refers to employees who are subject to the FLSA guidelines for overtime.

Policy: On-call compensation is provided when designated employees are required to be on call and report back to work upon contact via pager or telephone in the event of an emergency. Management should carefully weigh the costs and benefits of alternatives before authorizing on-call or emergency callback pay. Reasonableness and fairness shall be exercised in administering this policy. Department heads are responsible for designating the individuals who are to be placed on call (and maintaining a current list) and must notify Human Resources of the names of those employees.

Administrative and management personnel are not eligible for compensation for on-call time. Administrative and managerial employees may vary work schedules and are usually not subject to additional compensation for reporting back to work (callback) after regular hours. However, some conditions might justify applying the emergency callback procedures for administrative and managerial employees. Compensation for these employees is always on a straight-time basis.



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Procedures:

- I. Designation of Classes/Positions Eligible
 - A. Based on sound business need, Department Heads will:
 1. Select job classes and/or individual positions that are subject to on-call and/or emergency callback pay, and
 2. Maintain lists of the eligible positions and submit updated lists to the Director of Human Resources as changes occur.
 - B. The Director of Human Resources will submit a list of SPA classes eligible for on-call, along with the rates paid, to the Office of State Personnel. When a class is added or when a rate changes, a complete new list will be submitted with the additions/changes specified.
- II. Notification to Employees - Supervisors will notify employees in advance of being subject to on-call and, when possible, emergency callback.
- III. On-Call Rates – The Office of State Personnel has established market rate ranges for on-call pay based on position type. On-call compensation must be in the form of pay or paid time off, as described in Section IV below. The OSP approved on-call rates* are:

Up to \$3.00 per hour (or 1 hour of compensatory time for every 8 hour shift) for the following occupations:

- Medical/Health Care
- Information Technology
- Skilled Trades

UNC Asheville currently pays \$3 per hour for employees in skilled trades, or the employee earns compensatory time in lieu of monetary compensation.

Up to \$2.00 per hour* (or 1 hour of compensatory time for every 8-hour shift) for the following occupations:

- Accounting/Finance
- Clerical Office Services
- Legal and Administrative Management
- Information and Education
- Human Services
- Licensing and Inspection – Public Safety
- Institutional Services
- Engineering and Architectural
- Agricultural and Conservation



**OSP Advisory Note: The current rate of \$0.94 or other previously approved rates that are in effect will remain in effect or the agency may elect to change the rates based on the OSP rates listed above.*

The manner of compensation is dependent upon the employee's appointment type:

- A. SPA temporary employees must be paid for on-call as it is earned.
- B. Permanent employees (including probationary and trainee) who are FLSA non-exempt must be paid for on-call time as it is earned or receive paid time off (compensatory time off) as defined in item IV. B below.
- C. Permanent employees (including probationary and trainee) who are FLSA exempt may receive paid time off at management's discretion as defined below.

IV. On-Call Compensation

- A. On-Call Pay - To receive on-call pay, non-exempt employees must complete a Request for Premium Pay form and submit the form to the Payroll Office by the stated payroll guidelines.
- B. On-Call Compensatory Time Off - For permanent non-exempt employees, management may choose to compensate on-call time with paid time off calculated at one hour for every eight hours of on-call time (i.e. 1/8th of an hour earned for every hour of on-call time). If compensatory time is used, it may be accumulated up to a maximum of 240 hours and shall be taken within twelve months from the date earned. If compensatory time off is not given by the end of the twelve-month period, it shall be paid in the employee's next regular paycheck. The on-call pay shall be at the on-call rate applicable to that position.
- C. Permanent exempt employees cannot receive pay for on-call hours. Management may compensate exempt employees with on-call time off, but is not required to do so. The accrual rate is the same as that for non-exempt employees (i.e. 1/8 of an hour earned for every hour of on-call time).

V. Emergency Callback Compensation

A. FLSA Non-Exempt

- 1. Employees returning to work will receive a minimum of two hours compensation as time off or additional pay at the straight-time rate of pay for each occasion of callback.
- 2. Employees responding via telephone/computer will receive a minimum of 30 minutes as time off or additional pay at the straight-time rate for each occasion of callback. If more than one callback occurs within a given shift, total callback time cannot exceed two hours unless the work time exceeds two hours.
- 3. If the time on callback is more than the two hours allowed, the employee will be compensated for the actual time on callback.
- 4. Management will determine a reasonable time for which preparation and travel to the worksite will be compensated.



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5. Shift pay, holiday pay and overtime pay shall be received in addition to emergency callback pay, if applicable. Time on callback is subtracted from the on-call hours.
6. Employees whose work continues following the end of the regularly scheduled hours of work are not eligible for the callback.
7. Time actually worked and travel to the worksite will be included in hours worked for determining overtime hours.
8. Emergency callback pay must be included in calculating the employee's hourly rate for overtime pay.

See examples in Appendix I

B. Emergency Callback – FLSA Exempt

Administrative and managerial employees may vary work schedules and are usually not subject to additional compensation for reporting back to work (callback) after regular hours. However, some conditions might justify applying these procedures for administrative and managerial employees. Management may compensate exempt employees but is not required to do so. Compensation for these employees is always on a straight-time basis and usually in the form of compensatory time off (calculated on an hour-for-hour basis).

Source: NC State Personnel Manual, Section 4

Approved on: 7/10/08
Next review: 7/10/10

Appendix I

Examples of On-Call and Emergency Callback Pay

Note: Samples use \$2 for the on-call rate

Example 1: All emergency callback occurred during on-call hours

On-call hours.....8 (Sunday 8:00 a.m. – 4:00 p.m.)
Hours emergency callback.....4 (Called back at 10:00 a.m.)
Hours on-call to be paid.....4 (On-call minus 4 hrs. callback)

\$13 x 44 (40 hours worked plus 4 hours callback) = \$572.00
\$2 x 4 hours (on-call) = \$ 8.00
\$580.00/44 = \$13.18 (Overtime rate)

\$13.18 x 4 (OT for emergency callback) x .5 = \$ 26.36

Total wages earned: \$606.36

Example 2: Part of emergency callback occurred during on-call hours

On-call hours.....8 (Sunday 8:00 a.m. – 4:00 p.m.)
Hours emergency callback.....4 (Called back at 3:00 p.m.)
Hours on-call to be paid.....7 (8 hrs. minus 1 hr. callback)

\$13 x 44 (40 hours worked plus 4 hours callback) = \$572.00
\$2 x 7 hours (on-call) = \$ 14.00
\$586.00/44 = \$13.32 (Overtime rate)

\$13.32 x 4 (OT for emergency callback) x .5 = \$ 26.64

Total wages earned: \$612.64

Example 3: Less than 2 hours of emergency callback

On-call hours.....8 (Sunday 8:00 a.m. – 4:00 p.m.)
Hours emergency callback.....2 (Called back at 1:00 p.m.; worked 1 hour
and 30 min.)
Hours on-call to be paid.....6 (8 hrs. minus 2 hrs. minimum callback)

\$13 x 42 (40 hours worked plus 2 hours callback) = \$546.00
\$2 x 6 hours (on-call) = \$ 12.00
\$558.00/42 = \$13.29 (Overtime rate)



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$$\$13.29 \times 1.5 \text{ (OT for emergency callback)} \times .5 = \underline{\$ 9.97}$$

Total wages earned: \$567.97

Example 4: Includes Shift Pay (*uses 10% for shift premium*)

On-call hours.....8 (Sunday 3:00 p.m. – 11:00 p.m.)

Hours emergency callback.....4 (Called back at 5:00 p.m.)

Hours on-call to be paid.....4 (8 hrs. minus 4 hrs. callback)

$$\$13 \times 44 \text{ (40 hours worked plus 4 hours callback)} = \$572.00$$

$$\$2 \times 4 \text{ hours (on-call)} = \$ 8.00$$

$$\text{Shift Premium } (\$13 \times 8 \text{ hrs} \times 10\%) = \underline{\$ 10.40}$$

$$\$590.40/44 = \$13.42 \text{ (Overtime rate)}$$

$$\$13.42 \times 4 \text{ (OT for emergency callback)} \times .5 = \underline{\$ 26.84}$$

Total wages earned: \$617.24