

DHSS 24/7 eSTAR Policies and Procedures



DHSS 24/7 eSTAR Policies and Procedures

Policies and Procedures Table of Contents

1. Overtime for FLSA covered (overtime eligible) employees _____	2
2. Overtime for FLSA non-covered (not overtime-eligible) employees _____	2
3. Accruing Compensatory Time – Fair Labor Standards Act (FLSA) _____	3
5. Loss/Payout of Compensatory Time Upon Termination or Promotion _____	5
6. Holiday Special Procedures _____	6
7. DHCI RN Holiday _____	7
8. Holiday- No Pay Status Before/After _____	7
9. Return Day _____	7
10. Floating Holiday _____	8
11. Permanent Schedules _____	9
12. Exceptions _____	9
13. Mid-Pay Period Transfer _____	10
14. Seasonal Shift Differential _____	11
15. Stand-by and Call Back Pay _____	11
16. Daylight Savings Time Policy – Effective 11/1/15 _____	12
17. Compassionate Leave _____	13

For additional questions, Please call your Local Human Resource Offices:

HR Office	Phone
New Castle and Kent County Regional Offices	Main Line: 302-735-6310 Fax: 302-622-4193 Email: DHSS_HR_Inbox@delaware.gov

Overtime for *FLSA covered* (overtime eligible) employees

Policy: Pursuant to Section 8(j)(1) of the FY 16 Budget Act, overtime at the rate of time and one-half will commence after the FLSA non-exempt or overtime eligible employee has accrued 40 compensable hours during a work week.

- The hours between 37.5 and 40 will be paid at straight time.
- 40 remains the threshold for determining overtime hours at time-and-one-half for each week.
- All non-worked compensable hours plus hours actually worked during a work week will count toward the 40-hour threshold for determining overtime.

Procedure:

1. Employees will clock in and clock out according to actual hours worked.
2. Any hours worked beyond 37.5 will issue a **red level** exception on the employee's timesheet.
3. The manager will need to **acknowledge** the additional hours worked in order for them to be paid. [Once acknowledged, eSTAR will calculate the overtime accordingly. Job Aid #17 Exception Handling](#) and [Job Aid #18 Approving Timesheets](#).
4. If the hours are to be re-coded to Comp Time, please see instructions below.

2. Overtime for *FLSA non-covered* (not overtime-eligible) employees

- **FLSA non-covered (not overtime-eligible) employees may be paid only for overtime if approved by the Director of the Office of Management and Budget as well as the Director of Human Resource Management per Merit Rule 4.13.6.**
- Overtime and holiday pay have been approved by OMB, at one and one-half times the regular rate, for all RN's I-III, Nurse Supervisors, Advanced Practice Nurses, and Nurse Consultants. Compensation for overtime is either cash or time off.

Procedure:

1. In order for FLSA Non-Covered employees (not overtime-eligible) employees to be paid for additional hours worked, the manager will need to acknowledge the red level exceptions created by working extra hours. The manager should also inform the auditor that the hours were approved.
2. Once the auditor receives approval from the manager, he/she will need to enter the overtime pay code for *Straight Time/Overtime, T10H*.
3. The T10H paycode needs to be entered on the day the overtime was worked. This differs from Comp Time which is entered at the end of the pay period.

DHSS 24/7 eSTAR Policies and Procedures

4. **Please note:** The results tab will show unpaid time as well as the overtime – T10H. As long as there is a dollar amount in the T10H row, the employee will receive payment for the overtime worked.

3. Accruing Compensatory Time – Fair Labor Standards Act (FLSA)

- In order to determine if you are FLSA covered (overtime-eligible) or FLSA non-covered (not overtime-eligible), please contact your Human Resources office.
- You may also view your FLSA status by viewing your profile in eSTAR. Your policy profile can be found at the top of your timesheet.

eSTAR Display	Eligibility
DHSS – FLSA Covered	Employees qualify for Overtime.
DHSS - FLSA Non-Covered	Employees do not qualify for Overtime or Holiday premium pay.
DHSS – FLSA Non-Covered OT Eligible	Employees qualify for Overtime and Holiday premium pay.
DHSS – Casual/Seasonal	Employees may qualify for Overtime and Hazard Pay, but not other benefits or Merit Rules.
DHSS – Other	Employees do not follow the Merit rules, but rather report time worked.
DHSS – Teacher	Employees will not qualify for overtime, annual leave, Holidays, Floating Holidays, or Compensatory Time.

Date	Pay Code	Hours	Amount	Total
Sun 01/24	ALT Annual Leave Taken	7.50		7.50
Mon 01/25	WK_SCH_ELAPSED Work Sch	7.50		7.50
Tue 01/26	WK_SCH_ELAPSED Work Sch	7.50		7.50
Wed 01/27	WK_SCH_ELAPSED Work Sch	7.50		7.50
Thu 01/28	WK_SCH_ELAPSED Work Sch	7.50		7.50
Fri 01/29	WK_SCH_ELAPSED Work Sch	7.50		7.50
Sat 01/30	WK_SCH_ELAPSED Work Sch	7.50		7.50
		37.50		37.50
Date	Pay Code	Hours	Amount	Total
Sun 01/31	WK_SCH_ELAPSED Work Sch	7.50		7.50
Mon 02/01	WK_SCH_ELAPSED Work Sch	7.50		7.50
Tue 02/02	WK_SCH_ELAPSED Work Sch	7.50		7.50
Wed 02/03	WK_SCH_ELAPSED Work Sch	7.50		7.50
Thu 02/04	WK_SCH_ELAPSED Work Sch	7.50		7.50
		37.50		37.50

DHSS 24/7 eSTAR Policies and Procedures

- FLSA covered (overtime-eligible) employees - any unused, earned compensatory time must be paid out prior to transfer, promotion, demotion, and separation.
- FLSA non-covered (not overtime-eligible) employees, any unused, earned compensatory time is forfeited upon transfer, promotion, demotion, and separation.
- FLSA non-covered (not overtime-eligible) employees may be compensated at the 1.5 times rate only per Merit Rule 4.13.8.
- Compensatory time earned in these instances shall be Merit Compensatory Time and shall be used within 180 calendar days of accrual or be forfeited. eSTAR will automatically deduct unused compensatory time after 180 days.
- Casual/Seasonal employees are not Merit employees and are not eligible for compensatory time.
- Union employees covered by AFSCME Local 2305 (DPC), AFSCME Local 3514 (Stockley) and AFSCME Local 516 (Governor Bacon) are exempt from the following sections of the policy because of existing contract language.
 - For FLSA covered (overtime-eligible) employees, unused, earned compensatory time must be paid out prior to transfer, promotion, demotion, and separation.
 - For FLSA non-covered (not overtime-eligible) employees, unused, earned Merit compensatory time is forfeited upon transfer, promotion, demotion, separation and in the case of death.
- *For more information see the State of Delaware's [State Compensatory Time Policy](#).*
- *For more information regarding FLSA, please click on the following link: [Fair Labor Standards Act \(FLSA\)](#).*

Procedure: To enter **earned** Comp time on the timesheet:

1. Refer to individual Division policy regarding requirements for pre-approving Compensatory Time and Overtime.
2. Auditors re-coding Overtime or Comp time on employee's timesheet should follow [Job Aid # 10 \(How To Enter Comp Time as the auditor\)](#).
3. **FLSA Covered (overtime-eligible)** employees enter *Additional Hours Worked* on each day extra hours are worked. The employee should enter a comment stating reason for working extra hours.
 - The manager will need to **acknowledge** the *Additional Hours Worked* (red level exception) earned on each day.
 - After the manager acknowledges the comp time earned, the auditor will re-code extra clocked hours as comp time earned for the work week using the Comp Time Earned (CTE) pay code on the **last** day worked of the work

DHSS 24/7 eSTAR Policies and Procedures

week. This will clear the red level exceptions to yellow level (warning) exceptions.

- *Please note:* The straight time overtime (1.0x) must be entered first. The 1.5x overtime is to be entered only after the straight time overtime threshold has been met.

4. **FLSA Non-Covered (not overtime-eligible)**

When employee clocks in and out, the extra hours clocked will generate a red level exception. If Comp Time is to be given instead of Overtime, please see procedure below:

- The manager will need to **acknowledge** the *Additional Hours Worked* (red level exception) earned on each day.
- Once the manager acknowledges the comp time earned, the red level exception will clear to yellow.

Date	Exception Message
Wed 05/04	10.25 hours reported exceed 8.0 scheduled hours for the day.

- The above message states that the employee's reported hours exceed the scheduled hours for the day. The comp time hours have not been added to the employee's time sheet.
- The following yellow level exception will also appear.

Thu 05/12	Unpaid pay code has been generated. Please take appropriate action, if applicable.
-----------	--

- The auditor will add all Comp Time hours earned for the pay period using the Comp Time Earned (CTE) pay code.
- This code (and all Comp Time hours earned) needs to be added on the last day worked in the pay period.
- Note: The second yellow level warning states which day the Comp Time should be entered on. In this example, the above employee's last day worked in the pay period is Thursday, May 12th.
- Even though the FLSA Non-Covered employee earned comp time during the first week of the pay period, the auditor will need to re-code all comp time on the last day worked in the pay period.
- Please note: The straight time overtime (1.0x) must be entered first.

5. **Loss/Payout of Compensatory Time Upon Termination or Promotion**

- If a **FLSA covered (overtime-eligible)** employee terminates, transfers, or promotes, they are to be paid out for the remaining compensatory time at the current rate of pay. **Please contact HR for procedure in paying out compensatory time.**
- If a **FLSA non-covered (not overtime-eligible)** employee terminates, transfers, or promotes they forfeit all earned compensatory time. eSTAR will automatically delete unused compensatory time.

DHSS 24/7 eSTAR Policies and Procedures

6. Holiday Special Procedures

- Alternative Work Schedule during Holiday Week -
- If the employee works an alternative work schedule during a pay period where a state Holiday falls, eSTAR will automatically credit employee with 7.5 hours for the holiday.
- An adjustment will be necessary if the employee is scheduled to work more or less than 7.5 hours on the day the holiday falls.
- The chart below shows:
 - The options allowed by [DHR's Alternative Work Agreement policy](#)

How options are to be handled in eSTAROption	eSTAR Process
1. Change schedule to 7.5 hours/day for the <u>entire pay period</u> .	<ul style="list-style-type: none">• Manager or auditor manually adjusts the schedule tab on the employee timesheet in eSTAR.• Employee reports to work according to the revised schedule-<i>auditor/manager will need to temporarily change employee's schedule for pay period.</i> – Job Aid #21 – Assigning/Updating Employees Schedule
2. Request leave or use of Comp Time for any hours normally scheduled to work beyond 7.5 hours on the day of the week when the holiday falls. Used when the employee will owe hours beyond the 7.5 Holiday credit	<ul style="list-style-type: none">• Only the manager or auditor can add ALT (annual leave taken) or CTT (comp time taken) on the actual Holiday directly on the timesheet. Employees are not able to submit a Time Off Request on a Holiday.
3. Working additional hours in the pay period (flexing the time) – used when the employee will owe hours beyond the 7.5 Holiday credit. <ul style="list-style-type: none">• FLSA Covered (Overtime-eligible) employees may <u>not</u> work greater than 40 hours per work week.	<ul style="list-style-type: none">• Employee enters additional time on timesheet.• Manager approves the exception – Job Aid # 17- Exception Handling
4. Individuals whose Flex day falls on the Holiday: <ul style="list-style-type: none">• Schedule an alternate day off within the same workweek as the holiday.<ul style="list-style-type: none">-FLSA-OT Eligible-Must flex out within the Holiday week.-Non-FLSA-Exempt-Can flex out within the pay period or have comp time added.	<ul style="list-style-type: none">• Manager or auditor needs to adjust the schedule tab (<i>Add 7.5 hours to schedule on the Holiday and reduce the rest of the schedule by 7.5 hours depending on which alternative day the employee wants to take off/flex</i>).• Manager needs to notify the auditor of approved Comp Time.

DHSS 24/7 eSTAR Policies and Procedures

	<ul style="list-style-type: none">The auditor enters the comp time –Job Aid # 10 How to Enter Comp Time as the auditor
--	--

7. DHCI RN Holiday

- As per the Public Health Nurses Council/DSEA Memoranda of Understanding, Nurses working the 11 pm to 7 am shift (at DHCI only) shall consider the day preceding the holiday as the holiday worked and shall be eligible for holiday benefits.

8. Holiday- No Pay Status Before/After

- Per Merit Rule 4.14.3, To qualify for pay for a holiday not worked, employees shall be required to be in a paid status for any portion of the day on their last scheduled day prior to the holiday, and on their next scheduled day after the holiday.
- eSTAR will pay the employee for the Holiday if the employee works on the actual Holiday.

Procedure:

- eSTAR is programmed to only give holiday pay if an employee is in a paid status for the full scheduled day prior to the holiday. However, the Merit Rule states the employee is eligible for holiday pay as long as they are in a paid status for any portion.
- Effective July 1, 2018, when eSTAR does not automatically give the holiday credit for an employee because they were not in a paid status for the full scheduled day prior, the auditor can add the holiday by using the Holiday Adjustment pay code.
- Use the *Holiday Adjustment (AJHOL)* pay code. The auditor can add the 7.5 hours holiday credit by entering the AJHOL pay code directly on the timesheet the day of the holiday. [Job Aid #16 – Timesheet: Editing Employee Time and Using Pay Codes](#)

9. Return Day

- All employees who live or work in Sussex County shall receive 3.75 hours for a 37.5-hour work week of holiday leave regardless of shift.
 - eSTAR is programmed to use the employee's work location or the county in which the employee resides. eSTAR will automatically credit those who are eligible for Return Day.
- No employee may receive more than 3.75 of holiday leave for Return Day.
- Return Day will be administered as follows for the various schedules:
 - Employees scheduled to work from 8:00 am to 4:30 pm will have the holiday from 12:00 noon until 4:30 pm.

DHSS 24/7 eSTAR Policies and Procedures

2. Employees scheduled to work from 3:00 pm until 11:00 pm will have the holiday for their entire shift; however, will only be paid the 3.75 hours holiday pay.
 3. Employees scheduled to work from 11:00 pm on Return Day until 7:00 am the following day will have the holiday from 11:00 pm until 12:00 midnight. These employees will be compensated for the full 3.75 hours of holiday pay.
 4. Employees do not have to attend Return Day events in order to be eligible for the holiday.
- Living in Sussex County shall mean the employee's official residence as reflected in PHRST. Working in Sussex County shall mean that the employee's regular work location is in Sussex County, without regard to where that employee may be assigned on a particular day.
 - **Stockley has a night shift that is not eligible for the Return Day holiday. eSTAR will automatically give holiday credit; therefore, the auditor will need to adjust the holiday hours to remove the holiday credit.**

Procedure:

1. Use the *Holiday Adjustment (AJHOL)* pay code. The auditor will need to subtract the 3.75 hours given for the holiday.
2. [Job Aid #16 – Timesheet: Editing Employee Time and Using Pay Codes](#)

10. Floating Holiday

Policy: Beginning each calendar year, employees on payroll as of December 31 shall receive two, paid floating holidays that must be taken within the calendar year. Employees who work a 37.5 hour schedule shall be entitled to 7.5 hours for each floating holiday. For permanent part-time employees, the floating holidays shall be prorated based on the percent of full-time hours.

- **DHSS requires that Floating Holidays be used in full-day increments.**
 - When approving Time Off Requests (TOR) for Floating Holidays (FHD), **managers are only permitted to approve FHD in 7.5 hour increments.**
- Employees will not be paid for unused Floating Holidays when they separate from employment.
- Unused Floating Holidays will not carry forward from one calendar year to the next. There are no exceptions to this rule.
- Floating Holidays used to supplement short-term disability or worker's compensation will apply in whole day increments with no residual.
- Floating Holidays may not be donated to another employee.
- Floating Holidays are paid at straight time.

DHSS 24/7 eSTAR Policies and Procedures

Procedure:

1. Employees must submit a Time Off Request (TOR) in advance and choose “*FHD Floating Holiday*” in drop down.
2. [Job Aid #2 – Requesting Time Off](#)

11. Permanent Schedules



- Employees must have an assigned permanent schedule in eSTAR in order to receive pay. This includes casual/seasonal, clocking employees. Non-Clocking casual seasonal employees should be assigned an “empty” schedule. Permanent Schedules for DHSS employees must be loaded into eSTAR by the manager or auditor prior the close of the first pay period worked.
- Temporary schedules can be assigned by the manager or auditor and are only valid for the dates specified. Please refer to Job Aid 21.
- If the schedule is in Advanced Scheduler, all schedule changes will have to be made in Advanced Scheduler. Employees in Advanced Scheduler should not have a schedule in eSTAR. Schedule in eSTAR should read “none.”

Procedure:


1. [Job Aid #21 – Assigning/Updating Employees Permanent Schedule](#)
2. [DHSS Schedules Chart](#) – click on Job Aid #22
3. **If an employee’s schedule is not an option, please contact your local HR office to add the new schedule.**

12. Exceptions

- **It is strongly recommended that exceptions are reviewed and acknowledged on a daily basis. Waiting to review and acknowledge exceptions may risk employees not getting paid properly.**
- This is a message generated on the timesheet to indicate that something has occurred that needs to be reviewed by the manager. For example, an employee has worked over or under the scheduled hours.
- If a time entry has a related exception, a color-coded exception pushpin appears. The exception messages are also color-coded to identify the level of severity.

 White	No exceptions or only informational messages present
 Yellow	Warnings Present

DHSS 24/7 eSTAR Policies and Procedures

 Red	Errors Present
--	----------------

- Based on the exception, the timesheet may need to be adjusted.
 - For example, a red level exception needs to be acknowledged by the manager before payroll is processed. **If it is not, the employee may not be paid properly.**
 - DHSS management is not authorized to pay non-nursing, FLSA exempt employees' overtime without OMB approval.
 - When a red level exception is acknowledged by a manager, it will clear to a yellow exception. It will not clear out of eSTAR completely.
 - [Job Aid 17: Exception Handling](#)

13. Mid-Pay Period Transfer

- Definition: If an employee transfers into a Merit position effective anytime other than the beginning of a pay period; eSTAR is unable to correctly calculate leave accruals.
- In order to correct accrual rates in eSTAR, leave will need to be manually adjusted for employees who transfer in the middle of a two-week pay period. The receiving auditor role will need to use sick, vacation, and floating holiday adjustment pay codes as applicable.
- If only a partial month is completed, the following table shall be used to compute annual leave accrual for that month:

37.5 HOURS PER WEEK STANDARD WORK SCHEDULE

Total Days Worked	9.5 Hours Monthly Accrual	11.25 Hours Monthly Accrual	13.25 Hours Monthly Accrual
1	.50 hour	.50 hour	.75 hour
2	1.00	1.25	1.25
3	1.50	1.75	2.00
4	2.00	2.25	2.75
5	2.50	2.75	3.25
6	2.75	3.50	4.00
7	3.25	4.00	4.75
8	3.75	4.50	5.25
9	4.25	5.00	6.00
10	4.75	5.75	6.75
11	5.25	6.25	7.25
12	5.75	6.75	8.00
13	6.25	7.25	8.50
14	6.75	8.00	9.25
15	7.25	8.50	10.00
16	7.50	9.00	10.50

DHSS 24/7 eSTAR Policies and Procedures

17	8.00	9.50	11.25
18	8.50	10.25	12.00
19	9.00	10.75	12.50
20 or more	9.50	11.25	13.25

State of Delaware Human Resource Procedure Manual

Procedure: [Job Aid #16 – Timesheet: Editing Employee Time and Using Pay Codes](#)

14. Seasonal Shift Differential

- Seasonal RN I-III, Nurse Supervisor as well as LPN I-III classifications are eligible for Shift Differential.
- All other seasonal employees are not eligible for shift differential with the exception of Grandfathered seasonal employees on roll as of June 30, 2015:
- Casual/Seasonal employees who were employed and working in the 24/7 facilities at DHSS prior to July 1, 2015 will continue to be paid shift differential as outlined in Merit Rule 4.15.
- If the Casual/Seasonal staff member leaves the employ of DHSS or leaves the employ of state service for any amount of time, the employee will no longer be eligible for the shift differential.
- Casual/Seasonal employees hired to start employment on or after July 1, 2015 will not be entitled to shift differential.

15. Stand-by and Call Back Pay

Policy: Call Back at Straight Time - Employees that return to work after they have left their worksite and original scheduled shift has been met are eligible to receive a minimum pay of 4 hours for those hours at a straight rate depending on the amount of hours they work under callback.

Merit Rule: 4.17 Stand-by Pay

4.17.1 FLSA-covered employees assigned to critical public service approved by the Director, and authorized by agencies to be on-call regularly for emergency services for an average of 64 off-duty hours or more per week, shall receive stand-by pay equal to 5% of their paygrade midpoint while so assigned. Such increased pay shall continue during absences only for paid holidays and sick leave of five successive work days or less occurring during the period of assignment. Any call-back work required during on-call periods shall also be compensated in accordance with 4.16.

4.17.2 Social workers providing direct child or adult protective services and the State Emergency Response Team approved by the Director shall be eligible for stand-by pay.

- Stand-by must be paid on a weekly basis and applied to all compensable hours for the work-week. This is based on a minimum of 64 hours on Stand-By for the work week. Stand-by should not be entered on the timesheet until the employee has reached the

DHSS 24/7 eSTAR Policies and Procedures

64 hours of Stand-by threshold. Stand-by cannot be applied to single or partial days on the timesheet.

Merit Rule: 4.16 Call-Back Pay

4.16.1 FLSA-covered employees who have left the work site at the end of their scheduled shift and are called back for overtime service shall be paid for such service in accordance with the provisions for overtime pay, provided that minimum total payment is equivalent to four times their regular straight time hourly rate. Employees shall be paid according to this call-back provision or the overtime provision, whichever is greater, not both.

4.16.2 Social workers providing direct child or adult protective services and the State Emergency Response Team approved by the Director shall be eligible for call-back pay.

Call-Back Pay Procedure:

1. Clocking employees will press the “call-back” button when clocking back in for call-back. eSTAR will calculate the call-back pay based on in and out clock times.
2. Non-Clocking employees will need to have call-back hours entered on timesheet by auditor. The employee will need to follow Division requirements for reporting Call-Back hours.
3. Once the auditor receives the approval from the manager, he/she will need to use the Call Back paycode on the employee’s timesheet. eSTAR will then calculate the Call Back hours owed.

- **Psychiatrist –Stand-By /Call-back Pay**

As of 7/1/12, Section 158 of the FY13 Budget Act epilogue language allows for: the merit rules notwithstanding, Department of Health and Social Services employees designated as Psychiatrists, as well as the Chief Psychiatrist in the Delaware Psychiatric Center (35-06-30) shall be eligible for standby pay and call back pay. Stand-By Pay is approved on a rotational basis. Seasonal Psychiatrists are eligible for Stand-By pay if part of the rotational coverage.

16. Daylight Savings Time Policy

The State will pay as follows with respect to the Spring and Fall Time Change:

- In the Fall when the time moves back one hour at 2 a.m., FLSA covered employees working at the time the clocks change will be paid the additional hour worked.
- In the Spring when the time moves forward one hour at 2 a.m., FLSA covered employees working at the time the clocks change will be paid the actual hours worked

DHSS 24/7 eSTAR Policies and Procedures

which is one hour less then reflected by the clock out time. Those who work the shift when an hour is lost may take 1.0 hour of annual leave to be paid for the full shift.

- FLSA non-covered (exempt) may be granted compensatory time in the fall and allowed to flex the hour in the Spring.

17. Compassionate Leave

- Per [Merit Rules 5.4.1](#) and [5.4.2](#), Compassionate Leave shall be granted for 22.5 hours for the death of an immediate family member and 7.5 hours for a non-immediate family member.
 - When submitting a Time Off Request (TOR), for Compassionate Leave, eSTAR defaults to the employee's scheduled hours. If an employee is scheduled to work greater than 7.5 hours per the day, the TOR will default to the greater number of hours.
 - While eSTAR allows this, total hours greater than 7.5 (non-immediate) and 22.5 (immediate) are not permitted.
 - If a Manager receives a request for Compassionate Leave greater than the hours permitted, they must reject the TOR and have the employee resubmit.