

On-Call Time Guidelines for Supervisors

Non-exempt employees who are scheduled to be “on-call” and provide services during off-duty hours will be paid overtime pay or compensatory time for the actual hours worked. Whether the hours spent on-call is actually hours worked must be decided on a case-by-case basis.

All on-call time is not hours worked. Supervisors must consider the following facts for each situation (*based upon U.S. Department of Labor regulations*):

1. To qualify, employees must be required by their supervisor to restrict their off-duty activities to be immediately available for duty.
2. An employee who is required to remain on campus or so close thereto that he or she cannot use the time effectively for his or her own purposes is working while on-call.
3. An employee who is not required to remain on campus but is merely required to leave word where he or she may be reached is not working while on-call.
4. If the employee is able to use the on-call time effectively to engage in personal activities then they are not working while on-call.

Although you may require an employee to be accessible by telephone or paging device, or you may establish rules governing the use of alcohol or participation in other activities while your employee is on-call, he or she may still be able to use the on-call time to engage in personal activities, such as cutting the grass, going to the movies, going to a ball game, or engaging in other activities of his or her choosing.

5. If your employee is interrupted to such an extent the he or she cannot conduct his or her regular activities, your employee probably cannot use the on-call time for his or her own purposes. For example, if he or she is unable to finish a meal, read a story to his or her child or read a newspaper during the same on-call period, he or she probably cannot use the time effectively for his or her own purposes and would be working on-call.