

LABOR REGULATION REFERENCE GUIDE - FY 20/21

**Please use this guide in conjunction with the Employee Handbook located HERE*

Issue Type/Responsibility

Rule

Examples and Resources

Foundation Contact Info

Absences or Tardiness

Supervisors are responsible for documenting attendance issues and in some cases providing disciplinary action for repeat occurrences. HR should be consulted when an employee has reached a third disciplinary write-up.

REFER TO HANDBOOK PGS. 34-35

- If an employee is unable to report to work or is expected to be late he/she must notify the supervisor as far in advance as possible so enough time is given to obtain replacement or reschedule department's work
- Employees must inform their supervisor of the reason and expected duration of any absence
- Verification of illness or appointments may be required if, in the opinion of the supervisor, absenteeism is excessive or questionable
- Where more than one day absence occurs, an employee is required to provide a daily status to their supervisor
- Planned absences must be arranged in advanced and approved by supervisor

- If your employee is absent for two days or more, they need to communicate with you daily about their status
- If your employee wants to take five days off three months from now, they must submit their request in the Foundation's time tracking software, and you must approve
- [Paychex Training Resources](#)
- [Paychex Login](#)

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Employee Leaves

Supervisors must communicate leaves of absences to Foundation HR and submit a completed [Separation/Leave Form](#) within 24 hours of the notice of leave to ensure compliance with State and Federal guidelines pertaining to protected leaves.

REFER TO HANDBOOK PGS. 25-28

- Only Full-Time employees are eligible; there are two types
- FMLA / CFRA (unpaid leaves that run concurrently)
- Bereavement Leave (may request up to 5 days paid leave)

- If your employee (hourly or exempt) is full-time, they're eligible to take off time in accordance with FMLA/CFRA and/or Bereavement Leave
- If your employee is part-time, they're not eligible for these benefits
- [FMLA / CFRA](#)

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<p>Meal and Rest Requirements *Applies only to non-exempt (hourly) employees Supervisors are responsible for ensuring meals and breaks are taken in accordance with CA Wage and Hour Laws. REFER TO HANDBOOK PG. 15</p>	<ul style="list-style-type: none"> • Employees are authorized to and shall take one (1) ten (10) minute rest break for every four (4) hours worked. This rest break should be taken during the middle of the work period as the work day permits. Employees do not clock out during this break • All non-exempt employees must take at least a thirty (30) minute unpaid lunch period when they work more than five (5) hours per day before the end of the 5th hour of their shift. Employees clock out during this break • If total work period per day does not exceed more than 6 hours, the meal break may be waived by employee BUT the employee must have a meal waiver form on file before doing so • If working more than 6 hours, an employee is required to take a meal break, no exceptions • <i>If you plan on having an employee travel, please contact HR to schedule breaks in advance of the trip</i> 	<ul style="list-style-type: none"> • If your hourly employee works for 4 hours, they must take one (1) breaks that last for ten (10) minutes • If your hourly employee works for 8 hours, they must take two (2) breaks that last for ten (10) minutes • If your hourly employee works for at least five (5) hours, they need to take a lunch break for at least thirty (30) minutes, unless they opt out of the lunch break requirement if they work less than six (6) hours but they must sign a meal waiver before doing so • If your hourly employee works more than six (6) hours that are spread out over the course of the day (i.e. 8 – 10AM and then 4 – 9PM), they have exceeded the 6 hour threshold and must be provided the appropriate break(s) • California Rest Breaks 	<p>Danielle Manzano HR Coordinator Ext. 1062 Dmanzano@csudh.edu</p>
<p>Minimum Wage</p>	<ul style="list-style-type: none"> • Effective January 1, 2021 minimum wage increases to \$14/hour (for employers with 26 or more employees) • The minimum wage for 2020 was \$13/hour 	<ul style="list-style-type: none"> • If your hourly employee earned \$13/hour in calendar year 2020, they must earn at least \$14/hour in 2021. • California Minimum Wage 	<p>Danielle Manzano HR Coordinator Ext. 1062 Dmanzano@csudh.edu</p>

<p>Overtime Rules *Applies only to non-exempt (hourly) employees Supervisors may not omit overtime hours or adjust employee timecards in a manner that eliminates overtime worked. REFER TO HANDBOOK PG. 16</p>	<ul style="list-style-type: none"> Hours worked in excess of eight (8) in a workday will be paid at the rate of 1.5X the regular pay rate. Any hours worked over 40 in the week are paid as overtime. Hours worked in excess of twelve (12) in a workday will be paid at a rate of 2 times the regular pay rate. If your hourly employee works seven days in a row during a workweek, regardless of the number of hours worked in each day, overtime pay is due for the seventh work day 	<ul style="list-style-type: none"> If your hourly employee works 10 hours in a day, they will get paid for 8 regular hours and 2 hours at 1.5X their hourly rate If your hourly employee works 14 hours in a day, they will get paid for 8 regular hours, 4 hours at 1.5X their hourly rate, and 2 hours at 2X their rate If your hourly employee works 3 hours per day for 6 days in a row, then works 10 hours on the 7th day, the employee is paid for 18 regular hours, 8 hours at 1.5X their hourly rate and 2 hours at 2X their hourly rate California Overtime 	<p>Danielle Manzano HR Coordinator Ext. 1062 Dmanzano@csudh.edu</p>
<p>Regular Employee Statuses Supervisor must be fully aware of the employment statuses of their direct reports to ensure that employees are not exceeding the maximum hours per week. Failure to do so will impact employee benefit eligible rules. REFER TO HANDBOOK PG. 10</p>	<ul style="list-style-type: none"> Generally, part-time employees may work no more than 25 hours per week Full time, Partially-benefitted employees may work no more than 39 hours per week Full time, Fully-benefitted employees may work 40 or more hours per week 		<p>Martha Rafael Sepulveda HR Generalist Ext. 1070 mrafaelsepulveda@csudh.edu</p>
<p>Student Employees REFER TO HANDBOOK PG. 11</p>	<ul style="list-style-type: none"> While school is in session, student employees may work a maximum of 20 hours per week When school is not in session student employees may not exceed more than 40 hours per week If student employee has more than one (1) job, the 20 hour rule applies to total hours worked in combination with other jobs in the Foundation 	<p>Chancellor's Office Guidelines</p>	<p>Danielle Manzano HR Coordinator Ext. 1062 Dmanzano@csudh.edu</p>

<p>Timekeeping Supervisor must approve employee's time, whether exempt or hourly, each pay period. REFER TO HANDBOOK PG. 16</p>	<ul style="list-style-type: none"> • It is the responsibility of managers/supervisors to review in Paychex all employee timecards, make necessary corrections, approve timecards for payroll and reinforce the timekeeping policy to ensure compliance with CA Wage and Hour Laws • If your hourly employee cannot access Paychex, they must track their time manually, then have their supervisor add to Paychex after the fact as part of the approval process 	<p>Paychex Training Resources Paychex Login</p>	<p>Darcy Estrada Payroll Specialist Ext. 3028 Destrada@csudh.edu</p>
<p>Travel REFER TO HANDBOOK PG. 24</p>	<ul style="list-style-type: none"> • Written approval from the unit manager and concurrence from the Executive Director is required in order to travel on Foundation business. 	<ul style="list-style-type: none"> • If you want or expect your employee to travel as part of their role, forms provided by the Foundation and in accordance with Foundation Travel Policy must be 	<p>Martha Rafael Sepulveda HR Generalist Ext. 1070 mrafaelsepulveda@csudh.edu</p>
<p>COVID-19 Safety and Positive Case Notices</p>	<ul style="list-style-type: none"> • Employees must not work on campus when they have any symptoms related to COVID; these include but are not limited to coughing, sneezing, sore throat, fever, headache, loss of taste and smell, body aches, and shortness of breath. • Employees must wear a mask while on campus and remain 6 feet from others at all times • When employees have a positive case, it must be reported to Foundation COVID Response Team immediately at Fndcovidresponse@csudh.edu 	<ul style="list-style-type: none"> • Any employee who tests positive within 14 days of being on campus, must notify the Foundation COVID Response Team immediately in accordance with AB 685 and SB 1159 <p>Senate Bill 1159 AB 685</p>	<p>Amanda Dodd Director, Human Resources Ext. 2373 Fndcovidresponse@csudh.edu</p>

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