

RESOLUTION NO.

September 20, 2022

**A RESOLUTION ADOPTING A TIME AND ATTENDANCE POLICY AND
PROCEDURE**

WHEREAS, the Common Council of the City of Hudson previously adopted a Time and Attendance Policy in 2005 to provide uniform guidelines for the recording and reporting of time and attendance and utilization of leave for City employees; and

WHEREAS, such policy and procedure also allows for a mechanism to provide independent verification and oversight of the time and attendance of all City employees, including all elected and appointed officials City; and

WHEREAS, the Common Council desires to update and replace the 2005 Time and Attendance Policy with the Time and Attendance Policy attached to this resolution;

NOW, THEREFORE BE IT RESOLVED, that the Common Council hereby approves and adopts the attached Time and Attendance Policy with an effective date of October 1, 2022.

Introduced _____

Approved _____

Seconded _____

By _____

Mayor Kamal Johnson

CITY OF HUDSON

TIME AND ATTENDANCE POLICY AND PROCEDURE

I. PURPOSE

To provide uniform guidelines regarding payroll and to establish an effective system for recording and reporting employee time and attendance and utilization of leave, as well as providing for independent verification and oversight thereof.

II. POLICY

It is the policy of the City of Hudson (“City”) that the recording of employee time and attendance, use of leave accruals and compensatory time, review and approval and retention thereof, shall take place in accordance with the procedures as set forth herein.

This policy shall be applicable to all City employees and to all elected and appointed officials of the City.

III. DEFINITIONS

- “Standard work day” shall mean the number of hours an employee is required to work in order to receive a full day of pay and, as applicable, pension credit.
- “Standard work week” shall mean the number of hours an employee is required to work to receive a full week of pay, and as applicable, pension credit.
- “Compensatory time/compensatory time off” shall mean hours during which an employee is not working, but which are counted as hours worked during the applicable work week or other work period for purposes of compensation, and for which the employee is compensated at the employee’s regular rate. Compensatory time is paid time off the job, which is earned and accrued by a City employee in lieu of immediate payment of overtime pay or additional pay, as more particularly set forth in the City’s Compensatory Time Off Policy (“Comp Policy”).

IV. PROCEDURE

A. Time and Attendance Records:

1. Form of records. The form of time records shall be determined on a City-wide basis or by the individual Department.
 - a. Hourly employees’ time records shall include the following information for each scheduled work day:
 - i. Time in (start time) and out (end time);
 - ii. Any leave utilized – amount and type;
 - iii. Any hours worked in excess of the employee’s standard work day.
 - b. Salaried employees’ time records shall be kept in a manner determined by their Department Head to address the applicable minimum hours per week worked and

to document leave taken in accordance with the Comp Policy. In any event, such employees shall not be paid for hours worked in excess of their standard work week.

- c. As applicable, all elected and appointed officials who do not participate in the official timekeeping system shall comply fully with New York State and Local Retirement System, Regulation 315.4 by maintaining and submitting a Record of Activities ("ROA") within the required periods.
2. Recording of time.
 - a. All employees and those non-elected and appointed officials who participate in the City's timekeeping system, shall document their daily hours worked, including an appropriate accounting for leave utilized, for each pay period. This information shall be documented on time records designated by the City.
 - b. The supervisors of all hourly non-exempt employees shall record all hours worked and holiday and accruals utilized for each employee. All hourly non-exempt employees must take a minimum thirty (30) minute unpaid lunch.
 3. Review of records.
 - a. All employees shall certify at the end of each pay period that the hours reflected in the time records are true and correct. Such certification will be set forth on the payroll record and provided to City payroll for processing.
 - b. Approved employee time records shall be retained by the Payroll Clerk. The approved payroll report shall be submitted to the Treasurer's Office.
 - c. For purposes of reporting to the New York State and Local Retirement System, the Treasurer will verify the accuracy of the days worked.
 - d. With respect to elected and appointed City officials, the City will review all submitted ROAs to ensure they relate to only City activities. The review will also look for computation errors, holiday and vacation times and non-City activities that should not be included in the ROA. Any duties that are not work-related shall be excluded from the calculation of the average number of days worked per month. The City's Central Timekeeper shall submit these reports to the NYS Retirement System.

Falsely under-reporting or over-reporting weekly hours worked, or hours worked by others for which a Department Head is approving time, is considered misconduct for which the employee or Department Head may be subject to discipline, in accordance with the law and/or collective bargaining agreement, as may be applicable.

B. Requests for Leave:

1. Any applicable collective bargaining agreement shall control as to policies and procedures for requesting and taking leave, and for utilizing compensatory time. However, the following policies govern as to all employees, as applicable.
 - a. Employees must utilize the City time off request forms for use of their accruals and for compensatory time off.

- b. Employees shall submit completed time off request forms to their Department Head, or their designee, for review and consideration at least five (5) days ahead of the date of the use of leave. However, requests for full week vacations shall be requested at least thirty (30) days in advance, unless otherwise approved by the Department Head.
 - c. Department Heads, or their designee, shall respond to the request in a timely manner, but no later than two (2) days after receipt of the request, either approving or denying the request for leave.
 - d. In the event the request for leave is denied, the denial shall be in writing.
 - e. In the event the request for leave is approved, the Department Head or their designee shall sign the time off request form and return the white copy to the Central Timekeeper within two (2) business days of the approval.
 - f. The Department Head shall retain the yellow copy of the form to be attached to the employee timesheet and provide the employee with the pink copy of the form for their records.
 - g. The Department Head may designate one or more persons to follow the above procedures and to act as their substitute to ensure timely consideration of employee time off requests.
2. Department Heads.
- a. Department Heads shall submit their time off request forms to their respective Commissioner, or the Mayor, if applicable, for consideration at least five (5) days ahead of the date of the use of leave. Absent approval from a Commissioner, the Department Head will need approval from the Mayor for time off and comp time consideration.
 - b. The Commissioner or Mayor shall respond to the request in a timely manner, but no later than two (2) days after receipt of the request, either approving or denying the request for leave.
 - c. In the event the request for leave is denied, the denial shall be in writing.
 - d. In the event the request for leave is approved, the Commissioner or Mayor as may be applicable, shall sign the time off request form and return the white copy to the Central Timekeeper within two (2) business days of the approval. In the Commissioner's absence, the Mayor will be responsible for turning in the approved/disapproved slips to the Timekeeper.
 - e. The Commissioner or Mayor as may be applicable, shall retain the yellow copy of the form and provide the employee with the pink copy of the form for their records.
3. Compensatory Time Off.
- a. Usage of compensatory time off shall be governed by the City's Comp Policy and the policies and procedures contained therein.
4. Responsible for own accruals.
- a. All employees shall be responsible for having the necessary accruals to cover the requested time off.

- b. In the event an employee does not have the appropriate number of accruals to cover the requested time off, the leave shall be denied with respect to the leave that is not covered. It shall be in the Department Head's discretion or pursuant to the applicable collective bargaining agreement as to whether the employee shall be permitted to take the entirety of their leave without proper accruals.
- c. Utilizing time off without having the proper accruals may result in disciplinary action.
- d. Employees may submit a written request for a copy of their accruals from the Central Timekeeper, who will respond in a timely manner.

C. Employee Absences and Tardiness

- 1. All full-time city employees who will be absent and/or tardy from work must contact their Department Head, or their designee, prior to the start of their shift, but no later than within one (1) hour after the start of their shift. Employees must speak to their Department Head, or their designee, directly, or e-mail the Department Head on their City e-mail address.
- 2. The Department Head, or their designee, shall document the employee absence or tardiness by completing all sections of the Employee Absence/Tardiness Form ("E.A.T. form").
- 3. The Department Head, or their designee, shall submit the completed E.A.T form to the Central Timekeeper within two (2) business days of the date of the employee absence or tardiness.
- 4. Any employee who is absent from work is required to charge such absence to his or her accruals, as applicable.

Nothing contained herein shall be construed as being in conflict with the provisions of any applicable collective bargaining agreement.