

**UVM Management
Kronos Bargaining, Counter-Proposals, June 8, 2023**

1. ~~In accordance with the CBA Articles 20.2, 20.5, and 20.8, Supervisors, in consultation with their staff, will determine whether a set standard schedule is appropriate for the business needs of the department. of their role, or whether the variability of the demands of their work will be incompatible with entering a set standard schedule into Kronos.~~

~~1.2. Employees will record their hours of work within the parameters of their department's business needs as defined by their supervisor and/or manager. Departments will deploy time recording within the parameters of their department's business needs as defined by their supervisor and/or manager. Departments will deploy time recording by use of manual entry, a time clock, computer interface, or, in some limited cases, a mobile device (eg iPhone, iPad smartphone, tablet). All time will be recorded as a time stamp and will populate a timecard that generates a paycheck based on actual hours worked across their standard schedule, accrued leave taken, as well as Overtime hours worked and eligible shift differentials. Supervisors in consultation with staff will determine which of the above the optimal time entry methods is optimal for them.~~

~~2.3. For the purposes of calculating total pay, management will implement a six ten-minute rule "rounding rule," where all timestamps are rounded to the nearest ten-minute increment. When entries are rounded, the resulting calculation will be pay will be neutral or in favor of the employee in accordance with the Fair Labor Standards Act. : if an employee punches in within six minutes on either side of their starting time or ending time, they will be considered as "on time" for the scheduled shift and calculated as such for the purposes of pay.~~

- Rounding Rule – unscheduled time (e.g. on-call, call-in, OT) rounded to the nearest 6 minutes.
- 10 Minute Rule – scheduled time (e.g. a “grace period” on either side of the scheduled start and stop time.)

~~3.4. Employees will be eligible to apply for financial assistance through the Staff Council emergency loan fund. The administration will provide a loan program with 0% interest to soften the financial transition from a semimonthly (24 paychecks a year) schedule to a biweekly (26 paychecks a year) schedule. The loan program will offer one-time loan support up to \$500 to each individual employee transitioned from a 24 week to a 26 week payroll cycle. The loan repayment terms will be 0% interest, to be repaid over a period no longer than six-months. If an employee terminates employment prior to completion of the repayment terms, the university reserves the right to deduct remaining balances from any final paycheck. Payroll will make available on their website a fillable PDF with terms of agreement to route via email to Payroll for processing.~~

~~4.5. Management will not require employees to record time in and time out for paid breaks or unpaid meal breaks. The unpaid meal break of either 30 or 60 minutes will be reflected in the employee's~~

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~~standard schedule. Employees will have an option to note whether they took an unpaid lunch break and for what duration, to ensure accurate accounting of time worked.~~

~~5. 6.~~ Management will implement a proxy approver process for planned absences of a supervisor. Any proxy approver must be in the employee's Chain of Command or equivalent to their supervisor (i.e. approvals should not go to employees' peer group or co-workers). Management will implement a backup proxy approver process to accommodate unplanned absences of a supervisor, which will reflect the absent supervisor's management chain and will not go to peers. Supervisors will be held accountable for timely approval of all employee timecards.

~~6. 7. In compliance with Article 20 of the CBA between UVM and UVMSU, flexible schedules will be available when non-exempt employees are using Kronos. Employees requesting an alternate start and stop time will make their requests in advance, and the supervisor will adjust the schedule set by Payroll in Kronos to reflect the requested schedule. Regardless of the time keeping environment, employees do not have the unilateral latitude to alter work schedules without supervisor approval.~~

~~Approvals by supervisors of individual timestamps shall only be required in cases of shift differential pay approval. The process for advance overtime approvals appropriate to the job functions will be determined by supervisors and staff: for example, determining in advance a standard of implicit approval at times when it is dangerous or inappropriate for an employee to seek explicit supervisor approval for overtime or a flex schedule in advance of certain work being performed.~~

In accordance with the CBA Article 20.10, 20.11 & 20.12, alternative schedules will be requested by the employee, and approved by the supervisor prior to the implementation. Each department will determine the method for requesting alternative schedules. All hours worked in excess of the standard schedule will be recorded in Kronos and compensated according to the Fair Labor Standards Act and the CBA.

~~7. 8.~~ Kronos is configured to distinguish management-assigned second and third shift work from employee-elected second and third shift work. Management-assigned second and third shift work requires second and third shift premium to be paid, whereas employee election exempts those hours from shift premium.

~~8. 9. Kronos captures every timecard action in its audit trail. All employees shall have access to the audit trail of their time record. Timecards will not be grievable per se. An employee, or the union on behalf of an employee, shall have the right to grieve supervisor/HR overrides or changes to an employees timesheet under certain conditions, including but not limited to the following:~~

- ~~1) Time entry is changed to avoid overtime, management-assigned shift differential pay, on-call or call-in pay~~

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~~2) Time entry is changed such that it is inaccurate~~

Any alleged contractual violations related to the changing of pay records or altering pay will remain grievable under Article 13 of the CBA.

~~9. 10. No other timesheet intended for the purposes of payroll capturing time worked by the employee in their benefit eligible UVM primary job assignment will be required. However, for the purposes of project management, effort reporting, or other purposes, departments may require additional documentation. a separate spreadsheet. Any additional record keeping shall be designed to minimize burden on employees and defined for its intended purpose. Should additional record keeping be considered overly burdensome for its needed purposes, management shall meet with employees upon request to collaborate on improvements. Additionally, if the employee has elected to engage in additional assignments in another department, with a secondary assignment, that department may use a spreadsheet to track hours worked for the purposes of compensation.~~

~~10. 11. All compensable work assigned by a supervisor or manager will be paid, including work performed outside of an employee's scheduled hours. If compensable work exceeds the employee's regularly scheduled hours per Article 21 of the CBA, such time will be paid at the overtime rate. All overtime assignments must be approved and assigned by a supervisor or manager.~~

In accordance with Article 37, "On-Call and Call-In", supervisors will communicate in advance any expectation that a non-exempt employee be available to work outside of their regularly scheduled shift. If a non-exempt employee is not notified of such a requirement, they are not obligated to perform work outside of their regularly scheduled shift. All overtime assignments must be approved in advance by a supervisor.

~~Any expectations that a non-exempt employee be available to answer a call outside of their work hours shall be communicated in advance and compensated, and will not require prior approval should it trigger overtime. Should an employee be expected by their supervisor to answer an email or take a work call outside of their regular work hours, that shall result in a minimum of 30 minutes worth of pay~~

~~11. 12. Supervisors and managers will not schedule work or expect that work be performed during unpaid meal breaks. If unavoidable compensable work is assigned during an unpaid meal break, the employee will be eligible for overtime compensation or exercise their right to request a flexible schedule and adjust time within the week to make up for missed unpaid breaks.~~

~~12. 13. As is currently the case, absenteeism and tardiness may be subject to discipline. Whether an employee who is absent or tardy should be disciplined is considered on a case-by-case basis, with consideration given to business operation needs, job duties, staffing, etc. However, i In order to ease the adjustment to Kronos, no employee represented by UVMSU who is on a standard schedule will be subject to discipline for excessive tardiness related to the adoption of the Kronos tool for a period of six months after they begin using Kronos. Absenteeism, independent of Kronos documentation, will~~

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continue to be addressed as a conduct issue. For all notations that may lead to disciplinary action or may negatively impact performance evaluations, the employee shall have the option to submit a rebuttal comment, ~~which will be visible in the same location as the original notation.~~ All rights and obligations under the CBA regarding discipline apply,

~~13. 14.~~ Management will correct any payroll error within the next payroll cycle from the date of becoming aware of the error. Management reserves the right to recoup overpayment made in error, but will use discretion in electing to exercise the right to recoup the erroneous payment. ~~Any payroll error in the employee's favor that is not corrected within 2 pay cycles becomes permanent.~~ Timeliness of correction of any payroll errors is essential to both the University and the employee. Lengthy recovery processes do significant harm to both parties. ~~It is the sole responsibility of the University to uncover errors and recoup in a timely fashion.~~

~~14. 15.~~ Management has developed and has begun deploying training to supervisors and managers who will be using Kronos. Given the significant impacts that supervisor training on Kronos will have on bargaining unit employees, management will provide these materials to UVMSU leadership ~~and give them the opportunity for feedback prior to distribution to supervisors and managers..~~ for illustration purposes as a courtesy for illustration purposes.

~~15. 16.~~ Management and Union leadership will continue to listen to the concerns from collaborate to improve the implementation of Kronos during and after rollout ~~employees and union leadership in standing labor/management meetings~~ and either party may schedule request a meeting with management, union leadership, bargaining unit employees, and supervisors. ~~If appropriate, additional meetings for the purpose of hearing union feedback on the implementation of Kronos may be scheduled.~~ The purpose of these meetings will be to incorporate key improvements to the implementation, rollout, and use of Kronos.