

POLICY #317	SUBJECT: Time and Leave Keeping
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REVISION DATE:	
Approved By: Carla Benson-Green, Cabinet Secretary	

DELAWARE CHILDREN’S DEPARTMENT POLICY

I. PURPOSE

The purpose of this policy is to establish the eSTAR system as the exclusive, required method to create, approve, maintain, and store employee schedules, timekeeping, leave, and attendance records. Its purpose is also to ensure reliable, consistent, and uninterrupted pay to employees, operations and services to children and youth, internal and external customers, other agencies and the public. This policy applies to all Department employees, including Merit and casual/seasonal, contracted staff and interns. Subsequent reference to the term “employee” in this policy shall be inclusive of all these categories.

II. DEFINITIONS

- A. ACT – Acronym for Absence Compliance Tracking. The state-wide authorized software program for managing FMLA cases.
- B. Advanced Scheduler – The state-wide, approved software program to create and maintain individual employee schedules and aggregate staffing schedules to meet operational requirements
- C. eSTAR – Acronym for Employee State Time and Attendance Reporting. The sole and exclusive, state-wide authorized software program for time- and leave-keeping. References to eSTAR in this policy include ACT and Advanced Scheduler as components.
- D. Schedule - An employee's work schedule includes the pre-set, repetitive pattern of number of days and times per pay cycle that he or she is expected to work.

III. PROCEDURES

- A. Each employee must have an approved schedule entered in eSTAR or fed into it via Advanced Scheduler. Supervisors may approve schedules in adherence to relevant State and Department policies and procedures and collective bargaining agreements. All schedules and changes must be documented and entered in eSTAR prior to the effective date.
 - 1. Each employee will receive documentation of the schedule, Fair Labor Standards Act (FLSA) and “Essential Employee “status at least once per year and upon changes.

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- B. All employees are required to maintain accurate attendance records in eSTAR including daily start and end times and periods of work or absence, using the designated means e.g., a timeclock, webclock or elapsed system. All variations from the established schedule must be documented in eSTAR.
- C. All employees are required to **enter and process** information into eSTAR in a timely way. With limited exceptions of extended absence from the workplace, each employee, for their individual events, should use eSTAR contemporaneously with the event or “real time”. All transactions for a pay cycle must be entered no later than the close of business on the Tuesday after the start of the pay cycle. Failure to do so may result in inaccuracies in pay and/or leave which will not be corrected until the subsequent paycheck.
- D. All leave accruals, including compensatory time, and periods of leave use or absence from work must be recorded in eSTAR. Supervisors are prohibited from approving leave in excess of the accrued balance. All periods of absence without leave or pay must be recorded in eSTAR.
- E. Human Resources staff will manage non-intermittent Family and Medical Leave Act (FMLA), short-term disability insurance (stdi), and worker’s compensation (wc) cases using ACT and eSTAR.
- F. All requests for overtime (both paid and compensatory time) will be requested, approved, and processed via eSTAR.
- G. All requests for supplemental or premium pay will be requested, approved, and processed via eSTAR, as appropriate.
- H. All docks in pay must be processed via eSTAR, such as absence without leave, suspension without pay, and leave of absence without pay.
- I. eSTAR is programmed to apply pay and leave rules based on the data entered. No one may utilize or override eSTAR in a manner inconsistent with these rules.

IV. REPSONSIBILITIES

A. Employee responsibilities

- Employees are responsible for recording their own time- and leave- keeping with the exception of FMLA, stdi and wc.
- Employees are expected to report for and remain at work as scheduled.
- Employees are expected to maintain attendance and use leave in accordance with the Merit Rules and applicable state-wide and DSCYF policies and procedures.

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- Employees are required to create and maintain accurate attendance records in eSTAR including daily start and end times and periods of work or absence, using the designated means e.g., a timeclock, webclock or elapsed system.
- Employees will clock-in no earlier than 15 minute before the start of the shift and clock-out no later than 15 minutes after their shift, unless managers/supervisors approve extensions based on the Division's practice.
- Employees are required to accurately, completely, and timely document all variations from their established schedules, including time and leave, using eSTAR in accordance with procedures.
- Employees are expected to request leave in advance, whenever required, and to obtain appropriate permission prior to absences. In all cases, employees must submit leave requests no later than the end of their shift on the day of return to work. If an employee is unwilling or unable to do so, a manager/supervisor may enter the leave for the employee.
- Except for authorized Managers/supervisors and Timekeepers, employees are prohibited from using eSTAR on behalf of another employee. For example, an employee may not clock in or out for another employee or log into the system using another employee's access.
- Employees are required to timely respond, generally real-time, but not to exceed 24 hours, to any request made concerning time or leave.
- Employees are required to review their eSTAR records continually to confirm accuracy and to check their pay check via Employee Self-service on the Wednesday of the first week of the pay cycle to confirm accurate pay and leave balances. Employees are required to bring discrepancies to the attention of the supervisor immediately.
- Employees are required to keep data in Employee Self-Service up-to-date.
- Employees are required to maintain a valid direct deposit of the paycheck as a condition of employment.
- All casual/seasonal employees are required to use a timeclock or webclock to record the start and end time of the shift and begin and end time of break and lunch periods.

B. Management/Supervisor Responsibilities

- Managers/supervisors' primary role is to create and maintain schedules and review and approve/deny time and leave.
- Managers/supervisors are expected to create and maintain schedules to meet operational needs.
- Managers/supervisors are required to timely notify Human Resources of changes that impact schedules, pay, or leave, such as a shift change, using the designated process. It is imperative to keep "Reports To" information up-to-date.
- Managers/supervisors monitor attendance and use leave and address issues and requests in accordance with applicable policies and procedures.

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- Managers/supervisors are required to review, validate, and respond to employee requests in eSTAR including daily start and end times and periods of work or absence.
- Managers/supervisors are required to accurately, completely, and timely document approval or denial of all variations from employees' established schedules, including time and leave, using eSTAR in accordance with procedures.
- Managers/supervisors may make entries or corrections in eSTAR, such as a missed leave request.
- Managers/supervisors are expected to respond to leave requests in advance, whenever required, and to respond appropriately prior to absences. In all cases, Managers/supervisors must approve or deny leave requests no later than the end of the employee's shift on the third work day of the employee's return to work.
- Managers/supervisors are required to timely respond to any request made concerning time or leave.
- Managers/supervisors are required to review the eSTAR records for their direct reports continually to confirm accuracy, but no later than the Wednesday of the first week of the pay cycle to confirm accurate hours and leave balances. Managers/supervisors are required to address discrepancies immediately.
- Managers/supervisors are required to delegate authority to use eSTAR appropriately, such as in cases of absence from the workplace.

C. Timekeeper Responsibilities

- Timekeepers serve the general administrative responsibilities of creating, maintaining and auditing eSTAR. They may also be subject-matter experts in the functionality and use of eSTAR.
- Timekeepers are expected to apply attendance and use leave in accordance with applicable policies and procedures.
- Timekeepers are expected to enter and maintain schedules in eSTAR and to ensure employees have and use the appropriate means to record time, e.g., a timeclock, webclock or elapsed system.
- Timekeepers are required to run reports and assist managers/supervisors to ensure all time and leave is appropriately documented in eSTAR.
- Timekeepers, with the approval of and as designees of managers/supervisors, may apply the appropriate pay rule to an entry, such as non-recurrent shift differential.
- Timekeepers, in the role of an auditor and with the approval of and as designees of managers/supervisors, may make entries or corrections in eSTAR, such as a missed timeclock entry.
- In extremely limited cases, timekeepers may be asked to record and pay time, such as an on-call rotation.
- Timekeepers are required to run reports to determine whether an employee will be paid correctly and act as a conduit to resolve issues.
- Timekeepers serve as liaisons to Human Resources and Payroll.

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D. Human Resources Responsibilities

- HR serves as a general consultant on timekeeping, leave and pay rules.
- HR serves as a general consultant that eSTAR functions as it was designed.
- HR serves as a liaison for employees, managers/supervisors, and timekeepers to share relevant information, such as software changes or interpreting Merit Rules.
- HR performs the timekeeping, leave, and pay functions for designated FMLA, stdi, wc, and limited, select other cases.

E. Payroll Responsibilities

- Payroll serves to ensure accurate, complete and timely pay to every employee, in the current pay cycle, every pay cycle.
- Payroll runs reports to confirm that every employee owed pay receives a pay check.
- PR calculates pay for designated FMLA, stdi, wc, and limited, select other cases.
- PR acts as a liaison with Timekeepers, HR and State-wide Payroll to correct pay errors.
- PR performs pre- and post- paycheck audits.

V. Adherence to Policy

- A.** All employees are responsible for being aware of and complying with the content of this policy.
- B.** Failure to comply with any provision in this policy may result in:
- A missing paycheck or underpayment of pay;
 - Inaccuracies in pay and/or leave;
 - Docking of pay;
 - Overpayment which requires repayment;
 - Training or retraining;
 - Disciplinary action, up to and including dismissal;
 - Other appropriate actions.

Please note: Errors in pay may not be corrected until a subsequent paycheck.

- C.** This policy is not intended to create any individual rights of cause of action not already existing or recognized under state or federal law.

VI. Applicable Law/Enforceability

The Merit Rules and union contracts and state and federal law, including Title 19 of the Delaware Code and the federal Fair Labor Standards Act (FLSA), provide the basis for this policy. It is consistent with all State policy concerning timekeeping, attendance, and leave.

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VII. Responsibility for the Policy

The DSCYF Payroll Manager and HR designee are responsible for providing guidance regarding this policy.