

## IAPE Premium Pay/Comp Time Proposal

September 13, 2016

*Modify Article II - Hours And Overtime, Section G as follows:*

**G. Premium Pay and Compensatory Time Off.** This Section applies to certain situations where Employees are assigned to work on a Scheduled Day Off (“SDO”). SDOs include the days of the week when the Employee is not scheduled to work (e.g., Saturday and Sunday for an employee normally scheduled to work Monday through Friday), and also any scheduled vacation day or floating holiday. An assignment to work on an SDO means that an authorized manager has instructed the Employee to report for work, or to perform work from home. Overtime exempt Employees may, in some circumstances, take it upon themselves to perform work on their day off, but such work will not be subject to the provisions of this Section (G) unless the work was assigned by a supervisor to be done on the SDO.

1. **For Overtime Eligible Employees.** Work on a Scheduled Day Off, whether from home or in the office, will normally be treated as overtime for a full-time employee unless the employee’s work schedule for that week has been altered in anticipation of an unusual work schedule. If an overtime eligible (non-exempt) employee is assigned to come into the office on an SDO, time worked for the day will include travel to and from the office.

2. **For Overtime Exempt (Salaried) employees.** When an overtime exempt employee is assigned by his supervisor to work on a Scheduled Day Off such that the employee’s SDO is substantially interrupted, the employee will be granted Premium Pay or Compensatory Time (“Comp Time”) as provided below. In addition, if the day is a previously scheduled floater or vacation day, and if the assignment involves more than two hours of work, the employee will not be charged with having used the floater or vacation day and will be permitted to use that day off on a future day.

(a) ~~Assignments at the Office.~~ **All Assignments.** If an overtime exempt employee is required to ~~come into the office to work (or is assigned to report to~~ at home, in the office or at a location away from home) on an SDO, he or she shall receive Premium Pay at the rate of time-and-one-half for all hours worked (in quarter-hour increments), including travel time to and from the office, up to a maximum of 5 hours of Premium Pay, provided that after 5 hours, any additional hours shall be compensated with Comp Time at the rate of 1.5 hours of Comp Time for each additional hour worked, in half-hour increments, to a maximum of 7 hours of Comp Time. This provision shall not apply to newsgathering employees who are assigned at least one week in advance to cover an event outside their home. Such planned assignments will generate Comp Time only, calculated from the first hour, including travel time to and from the assignment, accruing at the rate of 1.5 hours of Comp Time for each hour of work to a maximum of 12 hours of Comp Time in a single day.

~~(b) — **Work From Home.** Overtime exempt employees who are assigned to work from home on an SDO for periods in excess of two hours shall be compensated with Comp Time (at the rate of 1.5 hours of Comp Time for each hour worked) in half-hour increments, up to a total of 7 hours of total Comp Time (one full day off with pay) in a single day. NOTE: For newsgathering employees, the first two hours of work performed will be excluded from the calculation of Comp Time. For non-newsgathering employees, when work time exceeds two hours, all time worked, including the first two hours, will be included in the calculation of Comp Time.~~

**3. Compensatory Time and Premium Pay Procedures.**

~~(a) Employees must advise their immediate supervisor of the number of hours claimed to have been worked that qualify for Comp Time immediately after the time is worked, but in no case more than five (5) days after the time is worked. The supervisor will record the number of Comp Time hours and give the employee written acknowledgement of the number of Comp Time hours credited enter the number of hours claimed to have been worked that qualify for Comp Time into the payroll time entry system immediately after the time is worked, but in no case more than ten (10) working days after the time is worked.~~

~~(b) All Comp Time shall be scheduled with the approval of management in the same manner as personal holidays (floaters). Employees are responsible for scheduling days off in order to use up all available Comp Time within ~~ninety (90) thirty (30)~~ days of when it is earned. ~~Employees must exercise reasonable diligence in attempting to schedule all available Comp Time. If the employee's manager denies all requests and~~ If the employee is prevented from scheduling has not scheduled the Comp Time within ~~ninety (90) thirty (30)~~ days, the Company shall automatically pay out the Comp Time in cash.~~

~~(c) Employees must submit a claim for Premium Pay within thirty (30) days of the date worked. The appropriate manager must approve or deny the claim within thirty (30) days of submission. Any grievance concerning a claim for Premium Pay must be filed within forty-five (45) days after the denial of the submitted claim, and in no event more than 105 days after the date worked.~~

**Explanation:**

Employees and managers agree: this provision needs to be simpler. The distinction between compensation for work at home or for work in the office/at another location is difficult to explain, understand and administer.

Employees need a central system, like Workday, to report their premium pay and comp time hours. Comp time hours worked should be entered by an employee and reviewed/approved by a manager just as overtime hours are for OT-eligible employees.

In addition, managers have expressed the mistaken understanding that premium pay must be approved separately from the work done to earn it.

Finally, 90 days is too long a period of time to bank comp time hours. Still, even under the current system, our current language -- *All Comp Time shall be scheduled with the approval of management in the same manner as personal holidays (floaters).* -- shows no connection between comp time and vacation time (to address a point made by management during our last bargaining session-- that any time off [vacation, floaters or comp days] must be drawn first from an employee's comp time bank). Vacation time should be treated as vacation time. Comp days and floaters have different meaning and rules for scheduling.

Currently, on the news side of the business, reporters and special writers are entitled to a combination of Premium Pay and Comp Time for work at an office or location away from home. They only receive Comp Time for work performed at home. This proposal calls for work at home to be treated the same way as any other work.

So, if a reporter performs assigned (or reasonably expected) work on Saturday and Sunday, and works twelve hours each day, no matter the location, under our proposal that reporter would be entitled to:

- 5 hours of premium pay for Saturday (7.5 hours of pay)
- 7 hours of comp time for Saturday (10.5 hours of time)
- 5 hours of premium pay for Sunday (another 7.5 hours of pay)
- 7 hours of comp time for Sunday (another 10.5 hours of time)

Under this new proposal, a reporter would enter "5" in the premium pay field on Workday for Saturday and Sunday, and "7" in the Comp Time field for both days.

The premium pay is paid in the next check. The comp time is banked for 30 days – and then paid automatically if not used.

#### **Examples of work eligible (or not eligible) for premium pay/comp time:**

- 1) News: A plane crashes on Saturday, and the reporter asks his editor if he or she would like a story. The editor replies that he or she would in fact like a story. The employee is entitled to premium pay/comp time.
- 2) News: An employee is working on a leder and decides to work over the weekend to finish it up or get it in better shape. The employee is not entitled to premium pay/comp time.
- 3) News: An employee is working on a story, and on Friday at 3pm an editor asks if the story can be ready to run in the Monday paper. It is only by working Friday night and Saturday that the story will be able to be edited on Sunday and appear in the Monday paper. Hours worked on Saturday are eligible for premium pay/comp time.
- 4) News: An editor sends an email to a reporting team over the weekend saying "things are thin for Monday -- does anyone have anything?" A reporter responds and files a story. The reporter is entitled to premium pay/comp time.