



Reporting Time Pay

Pursuant to the applicable Wage Order for your business, each workday an employee is required to report for work and does report, but is not put to work or is furnished less than half said employee's usual or scheduled day's work, the employee shall be paid for half the usual or scheduled day's work, but in no event for less than two (2) hours nor more than four (4) hours at the employee's regular rate of pay, which shall not be less than the minimum wage.

Hours Scheduled	Reporting Time Pay Owed
10	4
9	4
8	4
7	3.5
6	3
5	2.5
4	2
3	2
2	2

Call Back Pay

If an employee is required to report for work a second time in any one workday and is furnished less than two (2) hours of work on the second reporting, said employee shall be paid for two (2) hours at the employee's regular rate of pay, which shall not be less than the minimum wage.

Call-In Pay

When an employee is called in to work on a day other than his/her normal work schedule (when there is no specified number of hours the employee is scheduled to work) that employee receives at least two hours pay at the then-applicable rate based on the reporting time pay requirement.

On-Call/Standby Pay

Requiring an employee to stay at home or at work and wait for work may qualify that time as hours worked. This time is not compensable if the employee can use the time spent on call primarily for his/her own benefit. Consider:

- Geographic restrictions on the employee's movements
- Required response time
- The employment relationship and industry practice; and
- Any other limitation on the employee's ability to use the time for his/her own benefit.

All time spent on call backs during a standby period is counted as time worked. This includes a reasonable time for travel to and from the work site from the point at which the employee is summoned to return to work. Call back or controlled stand by time is paid the same as regular hours worked.

Exceptions

Exceptions to these guidelines are: 1) Operations cannot commence due to threats to employees or property, or when recommended by civil authorities. 2) Public utilities fail to supply electricity, water or gas or there is a failure in the public utilities, or sewer system; or 3) the interruption of work is caused by an Act of God or other cause not within the employer's control.

Sample Questions:

- Q. Can I ask an employee to call in at 6:00 am to see if there is work for the day and if I tell them there isn't work now, but they need to call back at 11:00 am to check in, do I need to pay them for standby pay?
- A. Although this is not a scheduled shift, whether you must pay for them for the time depends. See discussion above.

- Q. If I ask an employee to stay near a phone and be able to make it to a job site within 30 minutes do I owe them on call or standby pay?
- A. It depends on how much control you assert over the employee's time. Typically, so long as they are allowed to do what they want, go where they want, have a reasonable amount of time to report to work after being called in etc., the time is not paid. However, if you were to ask them to stay in their house and wait by the phone – you would clearly be required to pay them for this waiting time.

- Q. Is bad weather considered an "Act of God" and therefore able to be used as an exception to the Reporting Time Pay requirements?
- A. If weather is so severe that it is impossible or dangerous to perform work, then you are not required to pay an employee if they are unable to perform their work at the start of their shift.

- Q. What is sufficient time to report to work so that he/she can be free to use the non-duty time to his/her own benefit.
- A. This depends on numerous factors and will vary based on the factors of each situation.

- Q. I have a one-hour training scheduled for Saturday, a day when employees usually do not work. How many hours do I need to pay the employee?
- A. Employees are only entitled to be paid for the amount of time they actually work for a scheduled meeting. Reporting time only applies if the employee reports to a regularly scheduled shift and is provided less than half the scheduled hours of work.

- Q. I want to terminate an employee. If they come in and are terminated during a brief meeting, how much reporting time pay do I owe them for that meeting?
- A. If an employee is scheduled to work on a given day and reports to work, but is terminated at the beginning (or before the mid-point) of their shift, they are owed reporting time pay equal to half of their usual or scheduled day's pay.