

## **Number 12.6 - ON-CALL/CALL-IN/STAND-BY/AVAILABLE STATUS**

**Effective Date:** March 1, 1996

**Applicable To:** All classified employees with the Executive Branch of the State of Vermont.

**Issued By:** Department of Personnel

**Approved By:** William H. Sorrell, Secretary of Administration

### **PURPOSE AND POLICY STATEMENT**

It is the policy of the State of Vermont to provide additional compensation to employees who are: called-in to work; are on-call for work; or are on stand-by for work.

The purpose of this policy is to define on-call, call-in, stand-by, and available status, and to set forth the circumstances under which employees are compensated for such status.

### **DEFINITIONS**

**AVAILABLE** - requiring an employee to leave word at home or with the employer where the employee may be reached during off-duty hours. The employee is not subject to any other restriction, and is neither "on-call" nor on "stand-by" duty and does not receive additional compensation. Employees are not restricted in their movements within any geographic radius of their workplace, nor do they suffer any other restrictions except leaving word where they may be reached.

**ON-CALL** - requiring an employee to remain, during off-duty hours, at a specific location designated by the employer in order to be able to report for duty immediately after being called.

**STAND-BY** - requiring an employee to be reachable during off-duty hours by phone or "beeper" within one (1) hour of being called, and reporting for duty where needed within one (1) hour of being reached or within normal commuting time between the employee's home of record and duty station, whichever is greater. The State Police have their own requirements as outlined in their contract.

**CALL-IN** - contacting an employee during off-duty hours and requiring the employee to immediately report to work, other than continuously into his or her regular shift. If the employee has prior notice of the need to work it is not considered a call-in. Volunteering for overtime opportunities does not constitute call-in.

### **GENERAL GUIDELINES**

The Call-in Pay and Stand-by Duty Articles of the current Agreements between the State of Vermont and the Vermont State Employees' Association, Inc. (VSEA) must be adhered to when implementing this policy.

Non-bargaining unit classified employees are not eligible for on-call or stand-by pay unless provided for in the Extension of Benefits (See Appendix D, Extension of Benefits, of this Policy Manual).

## **COMPENSATION**

The criteria for eligibility and compensation are outlined below.

### **Call-in:**

- All hours worked are paid at the overtime rates as required by the Overtime Article of the current contract. A minimum of four (4) hours is compensated and is paid even if the employee works less than four hours. Commuting time is not compensable.
- Employees are eligible for reimbursable mileage for their commute when called in to work other than continuously into their normally scheduled shift.
- Attendance at meetings or training sessions on a scheduled day off is compensable (with the four (4) hour minimum pay requirement) if the meeting is scheduled and attendance is mandatory and required by management. Employees are not eligible for mileage reimbursement.
- Employees are not eligible for the four (4) hour minimum pay if they work continuously into their normally scheduled shift.
- Call-in compensation is not paid for voluntary overtime work or to employees held over to work at the end of their shift or to work scheduled overtime.

### **On-Call:**

- Employees receive regular overtime compensation for all hours worked in on-call status.
- Category 18 employees may be compensated for on-call status only with compensatory time off under the Overtime Article of the contract.
- Employees in Overtime Category 13 are not eligible for additional compensation for on-call status.

### **Stand-By:**

- Employees are paid at one-fifth (1/5) the regular hourly rate for each hour of duty. Members of the State Police Bargaining Unit are paid at the rate of one-eighth (1/8) the regular hourly rate for each hour of duty.
- Employees eligible for cash overtime may request compensatory time off in lieu of cash. The request is granted at the discretion of the supervisor.

- Employees may not request both cash and compensatory time off for stand-by duty performed on the same workday.
- Additional compensatory time is granted for stand-by duty on a holiday.
- Compensation for stand-by duty that is paid in cash or compensatory time off shall not exceed \$3,000 per fiscal year, per employee (\$3,500 if in the Supervisory Unit). The Commissioner of Personnel may grant a complete or limited waiver of this limit, with a request from the appointing authority. Consistent with the provisions of the collective bargaining agreement, social workers in the Department of Social and Rehabilitative Services are not be subject to this limit.
- Employees in Overtime Category 18 are eligible for stand-by duty pay in cash, if they are otherwise qualified for stand-by duty pay; and they are required to carry a paging device or "beeper" during off-duty hours.
- Employees in Overtime Category 13 are not eligible for stand-by pay.

**Available Status:**

- No added compensation is paid to employees on available status.
- If the employee is called to active duty by a supervisor, the active duty is compensated accordingly and is considered as "overtime worked".
- Employees who are asked to be on available status are entitled to exclude themselves from overtime consideration subject to the limitations that are present in Section 2c of the Overtime Article of the contract.