

**HUMAN RESOURCES ADMINISTRATIVE MANUAL
CLASSIFICATION, COMPENSATION, AND PAYROLL: EMERGENCY CALL BACK PAY AND VARIANT PAY**



Emergency Call Back Pay and Variant Pay

CITATION REFERENCE

OFFICIAL TITLE	POLICY ON EMERGENCY CALL BACK PAY AND VARIANT PAY
VOLUME	HUMAN RESOURCES
RESPONSIBLE OFFICE	USG HUMAN RESOURCES OFFICE
ORIGINALLY ISSUED	APRIL 2009
REVISED	APRIL 13, 2022

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Policy Statement

The University System of Georgia (USG) has established a process to provide guidance to institutions concerning variant or premium pay issues.

This policy ensures consistency in compensation practices among institutions of the University System while affording the appropriate level of flexibility needed at the institutional level.

Applicability

All units of the University System of Georgia are covered by this policy.

Who Should Read This Policy

All Human Resources staff and employees within the University System of Georgia should be aware of this policy.

Definitions

These definitions apply to these terms as they are used in this policy:

- **Compensable Time:** Those hours during which the individual is actually performing productive work but also includes those hours when no work is performed but the individual is required by the employer to remain available for the next assignment. However, where the individual is completely relieved from duty and is not required to

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remain available for the next assignment, such time will not be considered compensable time.

- **De minimus:** About minimal things, of insufficient significance to warrant judicial attention.
- **Emergency Call Back:** When an employee has left the work site and is called back by management to work before or after completing the regular work schedule and upon leaving the premises.
- **On Call:** The scheduled state of availability to return to duty, work-ready, within a specified period of time.
- **Shift Differential:** Extra compensation paid as an inducement to accept shift work
- **Travel time:** Time spent in home-to-work travel by an employee, which generally is not “hours worked.” Time spent traveling during normal work hours is considered compensable work time.

Process and Procedures

The University System of Georgia has established a policy to allow for consistency among institutions regarding variant pay. This policy authorizes units of the University System to determine non-exempt employees and positions, as determined by each institution, eligibility for premium pay.

Emergency Call Back

An emergency call back occurs when a nonexempt employee is requested by management to return to work after leaving the university premises following their work shift to respond to a work-related emergency which cannot wait until regularly scheduled working hours. Each institution should identify those positions and/or employees that are likely to be called back to work in the event of an emergency and management should carefully weigh the costs and benefits of alternatives before authorizing emergency call back pay. Employees may be called back to work for emergencies which require a response on short notice and for which the call back work will serve to:

- Avoid significant service disruption
- Avoid placing employees, students or the public in unsafe situations
- Protect and/or provide emergency services to property or equipment
- Respond to emergencies with students, clients, or residents

When an employee has left the work site and is called back by management to work before or after completing the regular work schedule and upon leaving the premises, the employee shall be paid for time actually worked upon return or a **minimum of three (3) hours**, whichever is

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greater. In accordance with FLSA, travel time from the home location to the primary work site is not compensable. The portion of the three hours call back compensation that is guaranteed but not worked does not count toward overtime. Emergency call back time actually worked will count towards determining overtime.

- Employees returning to work shall receive a minimum of three hours compensation as time off or additional pay at the straight-time rate of pay for each occasion of callback.
- If the time on callback is more than the three hours allowed, the employee shall be compensated for the actual time on callback.
- Management shall determine a reasonable time for which preparation and travel to the worksite shall be compensated.
- Shift pay, holiday pay and overtime pay shall be received in addition to emergency call back pay, if applicable. Time on callback is subtracted from the on-call hours, if applicable.
- Unless otherwise compensated and/or de minimis under FLSA, employees responding to an emergency request via telephone/computer shall receive a minimum of 30 minutes as paid time at the employee's hourly rate for each occasion of call back. If more than one call back occurs within an eight (8) hour time frame, total call back time cannot exceed three (3) hours unless the time actually worked exceeds three (3) hours.
- Time actually worked and, if applicable, travel to a remote worksite from the primary work location, shall be included in hours worked for determining overtime hours.
- The provisions of this policy do not apply when the emergency call back causes the employee to return to work less than one (1) hour in advance of their start time.
- Employees whose work continues following the end of the regularly scheduled hours of work will not be considered to be called back

On Call Pay

An employee is considered to be in on-call status only when assigned by the institution. On-call will be considered hours worked only when an employee is required to restrict personal activities so that the employee cannot use their time effectively for the employee's own purposes. The employee must be fully capable of performing all essential functions of the job. In most cases, if an employee is not required to remain at home or leaves a message where they can be reached is not working while on call.

Under such circumstances, the employee will be **paid at the employee's normal pay rate** (or overtime when appropriate).

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Shift Differential Pay

To qualify for shift differential, more than half of the positions regular, recurring work shift should occur between the hours of 3:00 p.m. and 8:00 a.m. Shift premium is payable only for hours actually worked. It is not paid for hours accounted for through leave, paid time off, holidays, or other absences. At the discretion of the institution, shift differential should be combined with the base salary rate before the calculation of overtime rate for hours worked. Employees will be eligible for Shift differential if they are schedule to work between the hours of 3:00 p.m. and 8:00 a.m. An employee that works extended hours beyond the scheduled timeframe will qualify for differential pay.

Shift differential pay is not considered a part of annual salary or the hourly rate for classification or personnel records purposes.

- Shift differentials are separate from the base wage for the covered positions.
- The shift differential is to be combined with the base hourly rate before the calculation of any overtime rate for hours worked that are covered by a shift differential.
- Shift differential is not paid on paid-time-off benefits received as separation pay.

If the employee is required to work a covered shift on a holiday, the employee will receive shift premium pay as well as holiday pay.

Weekend Premium

At the discretion of the institution, employees in selected classifications whose regular work schedule includes work on Saturdays and/or Sundays may be paid a weekend differential (in addition to a shift differential when applicable) for all hours worked between 11:00 p.m. on Friday and 11:00 p.m. on Sunday

Holiday Pay

The Fair Labor Standards Act (FLSA) does not require payment for vacations or holidays (federal or otherwise). Holidays and vacations are generally a matter of agreement between an employer and an employee (or the employee's representative).

Holiday pay should be designated as eight (8) hours pay for each holiday as set by the institution and under BOR holiday policy. Should an employee's normal work schedule not include a holiday, that employee's supervisor should schedule an alternate "holiday" to ensure the employee receives the 'benefited' holiday time allowed by the USG ([Reference HRAP on Holidays](#)). Non-exempt employees required and scheduled to work on holidays will receive regular pay in addition to the holiday pay. Holiday hours are not considered as time worked in the computation of overtime. Any time worked over 40 hours will follow FLSA overtime regulations. Part-time benefited employees are eligible for holiday pay on a pro-rated basis. Non-benefited employees are not eligible for holiday pay.

Each institution shall establish procedures to implement this policy.

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Responsible Parties and Contact Information

Party	Responsibility	Phone/Email/URL
Vice Chancellor for Human Resources, USG	Maintain and revise workweek and overtime policy as appropriate.	404-962-3235 usg-hr@usg.edu
Institution Chief Human Resources Officers	Each institution shall establish and maintain an adequate procedure for implementing this policy, including designation of an official institutional workweek.	See University System HR Officer Listing

Appendices (Internal Documents, Forms and Web Links)

- None

Related Documents and Resources (External)

- O.C.G.A. § 1-4-1 (2008)
- [Fair Labor Standards Act](#)
- HRAP on Holidays: Time Away from Work Policy

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