

Kansas Administrative Regulations

Department of Labor

Article 30.—Minimum Wage and Maximum Hours

49-30-3. Hours worked; on call time; period of paid employment.

(a) "Hours worked" means any period of time during which the employee is performing services for an employer or is required to wait or remain on call by an employer when:

(1) The employee is required to report at a specified time for duty or at a specified work place, even if he or she does nothing but wait for a work assignment.

(2) The time is spent in a sleeping period, of not more than eight (8) hours, which has been agreed to by the employee and the employer, occurring during a work period of twenty-four (24) hours or more when the employee is not permitted at least five (5) continuous hours of sleep.

(3) The period of time is less than thirty (30) minutes occurring between the required report time and the end of the required hours of work.

(4) The employer or anyone having management responsibilities of the employer has made any actual inferred or implied requirement that work be performed, shall cause any designated period of nonpaid employment to be considered as a paid period of employment.

(5) The time is spent in walking, riding, or traveling to and from the actual place the employee is required to report when the period of time is compensable by express contract, custom or practice.

(6) The time is spent by an employee who is on call and required to remain at a specified place to await possible call to perform a work assignment for the employer and is prevented from using the time for his or her own personal benefit by such employer requirement.

(7) The period of employment is used for training, lectures or meetings that occur either during the employee's regular working hours, or outside regular working hours when the subject matter is directly related to the employee's job and attendance is

required; or when nonattendance would have an adverse effect on the employment relationship.

(b) Periods of nonpaid employment.

(1) Periods of time when the employer has required the employee to leave work at his or her home or with company officials where he or she may be reached.

(2) Any period of thirty (30) minutes or more when the employee has been previously advised that such is a nonpaid period and no services are required to be performed, such as:

(A) Lunch periods of thirty (30) minutes or more.

(B) Time between split shifts if the employee is free to use the period of time for his or her own benefit.

(C) Periods of time when the employee is waiting to be engaged due to delay, loading, unloading, during which no services are expected from the employee and the employee is free to use the time to his or her own use.

(3) The time is for lectures, training, or meetings outside required working hours, is voluntary and to the benefit of the employee not directly related to the employee's assigned job and no productive work is performed.

(4) Time spent by an employee (outside his or her required working hours) at an employer's work site pursuing his or her own private interests.

(Authorized by K.S.A. 1978 Supp. 44-1202, 44-1207; effective, E-79-26, Oct. 19, 1978; effective May 1, 1979.)

***** Authenticated Kansas Administrative Regulation *****