

**Chapter: Leave, Time, and Attendance**  
**Title: On-Call Duty**

**Effective Date: 12/1/11**  
**Page: 1 of 2**  
**New**

ACA Standard(s): N/A

---

(a) **Policy.**

The Texas Juvenile Justice Department (TJJD) designates certain position classifications and employees as subject to being placed in an on-call status to meet the operational needs of the agency. When a position is designated as subject to being placed in an on-call status on a frequent or routine basis, the designation will be incorporated into the position's job description. The chief local administrator (CLA) or designee may place employees in other positions in an on-call status under special or extenuating circumstances.

(b) **Definitions.**

Except as noted below, see the PRS Glossary for definitions of certain terms used in this policy.

**On-call Status**--When an employee is required to remain accessible during off-hours to be contacted (e.g., by phone) to perform duties on an as-needed basis.

**Designated Worksite** – The location where an on-call employee is required to physically report when called in to work.

(c) **Procedures.**

(1) **Fair Labor Standards Act (FLSA) Exempt Employees.**

The CLA or designee may place an FLSA exempt employee in an on-call status that will require him/her to routinely provide information or report to work in response to requests while on-call (e.g., administrative duty officer for secure facilities).

(2) **FLSA Non-Exempt Employees.**

With the exception of a Special Tactics and Response (STAR) Team member required to meet the special on-call requirements set forth in PRS.19.23, the CLA or designee may place an FLSA non-exempt employee in an on-call status that requires the employee to:

- (A) be easily accessible by land-line or cell phone so that he/she may be called in to work in response to an emergency or other situation, including a JCO staff shortage; and
- (B) arrive at the worksite within two hours of being called in to work.

(3) **Hours Considered as Time Worked.**

- (A) If the nature of the required on-call work assignment makes it possible for an employee to complete the assignment without reporting to a designated worksite, only time spent actually engaged in completing the on-call assignment will be considered time worked. The following limitations apply if the employee voluntarily reports to a worksite to complete such an on-call assignment.
  - (i) The employee's travel time will not be time worked.
  - (ii) If the employee voluntarily waits at the worksite for another on-call assignment, the waiting period will not be time worked.

- (iii) If the employee voluntarily performs other work unrelated to the on-call assignment after choosing to report to the worksite, the time performing such assignments will be considered as time worked. However, the provisions in PRS.27.23 relating to advance approval for overtime for FLSA non-exempt employees and advance approval for earning compensatory leave time for FLSA exempt employees will apply.
- (B) If an employee is required to report to a designated worksite to complete the work, all time at the worksite while working on-call will be considered as time worked.
- (C) The normal travel time from home to the designated worksite and back home will be considered as time worked only if:
  - (i) the employee is required to return to the worksite on the same day after completion of his/her regular day's work or first on-call assignment on a regularly scheduled day off and there is a break between the completion of the on-call assignment and the start of his/her regular shift; or
  - (ii) the designated worksite is somewhere other than the employee's normally assigned worksite.
- (4) **FLSA Overtime or State Compensatory Time.**

Whether the hours considered as time worked will result in overtime or compensatory time hours will be determined in accordance with PRS.27.23.

---

---