

POLICY OF STATE OF DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER 9.23	PAGE NUMBER 1 of 1
	RELATED ACA STANDARDS: NONE	
CHAPTER: 9 HUMAN RESOURCES AND EMPLOYEE MANAGEMENT RELATIONS	SUBJECT: MAXIMUM WORK HOURS	
APPROVED BY THE COMMISSIONER AND EFFECTIVE THIS DATE:		
 7/21/2016		
APPROVED FOR PUBLIC RELEASE		

- I. **AUTHORITY:** 11 *Del. C.* §6517, 29 *Del. C.* §8903
- II. **PURPOSE:** To avoid situations where employees are fatigued or inattentive as a result of working an unreasonable number of consecutive hours and to limit the numbers of hours any employee can work during a pay cycle.
- III. **APPLICABILITY:** All Department employees.
- IV. **DEFINITIONS:** None.
- V. **POLICY:** Employees may not work more than 16 consecutive hours. After 16 consecutive hours, including shift trades, employees may not work again for a minimum of 8 hours. In addition to the consecutive hour limitations, employees may not exceed 160 hours worked per two week pay period.

Employees are responsible for adhering to this policy and will not accept or work overtime and/or shift trades that will conflict with their ability to work their regularly scheduled hours. Employees shall notify the Shift Commander (security), Superintendent (Maintenance) or Director (Food Services) upon reporting if the employee has worked the preceding shift at any facility, to ensure that management is aware of the employee's ability to perform. Department of Correction administration has the right to refuse overtime hours for any employee who appears to require rest or time off duty.

In order to monitor adherence to this policy, the Central Business Office (CBO) will audit hours worked each pay period. If the CBO finds that any employee has worked more than 160 hours in any given pay period, those findings will be reported to the appropriate Bureau Chief, Warden and/or Section Administrator for investigation. If the Bureau Chief, Warden and/or Section Administrator find that the employee is in non-compliance with this policy, appropriate disciplinary actions may be taken.

During extraordinary or emergency circumstances, as authorized by the Commissioner, Deputy Commissioner, Bureau Chief, Warden and/or Section Administrator, the Department may require employees to work more than 16 consecutive hours, and/or 160 hours per two week pay period, based on operational need. Those extraordinary or emergency occurrences may not be approved by a person in any position other than those granted the authority.

