

MEMORANDUM OF ADMINISTRATIVE POLICY

SECTION: Human Resources

Number: 02.A.10

AREA: General

SUBJECT: Shift Differential

I. PURPOSE

Shift differential may be paid to individuals required to work other than a daytime work schedule. This document provides direction for determining when shift differential pay may be warranted and guidelines for the payment of shift differential.

II. POLICY

- 2.1 It is the University of Houston Clear Lake's policy to compensate certain employees for inconvenience experienced when assigned to shifts that fall outside of the regularly scheduled daytime shift.
- 2.2 Only regular, non-exempt staff employees who work during either the evening (second) or night (third) shift are eligible to receive shift differential pay.
- 2.3 The policy of the University of Houston Clear Lake is to ensure equal opportunity in all its educational programs and activities, and all terms and conditions of employment without regard to age, race, color, disability, religion, national origin, veteran's status, genetic information, or sex (including pregnancy), except where such a distinction is required by law. Additionally, UH Clear Lake prohibits discrimination in all aspects of employment and educational programs on the basis of sexual orientation, gender identity, or gender expression. For the UH System's Official Non-Discrimination Statement, see [SAM.01.D.05 – Equal Opportunity and Non-Discrimination Statement](#).

III. DEFINITIONS

- 3.1 Regular Employee: A regular employee is defined as one who is employed at least 50 percent FTE on a regular basis for a period of at least four and one-half continuous months, excluding students holding positions for which student status is a requirement for employment.
- 3.2 Non-exempt Employee: An employee occupying a position deemed to be nonexempt according to the [Fair Labor Standards Act \(FLSA\)](#).

- 3.3 Standard Workweek: The standard workweek is defined at the University of Houston Clear Lake to be the period beginning at 12:01 a.m. on Wednesday and extending through the seven-day period, ending at midnight the following Tuesday.
- 3.4 Standard Work Hours: The standard work hours are defined at the University of Houston -Clear Lake to be the hours between 8:00 a.m. and ending at 5:00 p.m.
- 3.5 Day Shift: Any shift that regularly starts on or after 6:00 a.m. but before 2:00 p.m.
- 3.6 Evening Shift (second shift): Any shift that starts on or after 2:00 p.m. and before 10:00 p.m., or ends on or after 10:00 p.m.
- 3.7 Night Shift (third shift): Any shift that starts on or after 10:00 p.m. and before 6:00 a.m.

IV. POLICY PROVISIONS

- 4.1 Non-exempt employees who work the evening shift may be paid a shift differential for the hours between 2:00 p.m. and 10:00 p.m. at a rate to be determined by the university Human Resources Department.
- 4.2 Non-exempt employees who work the night shift may be paid a shift differential for the hours between 10:00 p.m. and 6:00 a.m. at a rate to be determined by the university Human Resources Department.
- 4.3 The shift differential pay shall be added to the base hourly rate before the calculation of an overtime rate.
- 4.4 Applicable shift differentials are not included in the pay of employees who are on paid leave, such as vacation, sick leave, holidays, etc.
- 4.5 Shift differential pay is an integral part of each eligible employee's gross compensation and is subject to the same payroll deductions and payroll charges as regular salary or wages.
- 4.6 The eligible employee's supervisor is responsible for verifying the biweekly time sheet correctly calculated the appropriate shift differential pay.

V. REVIEW AND RESPONSIBILITIES

Responsible Party: Executive Director for Human Resources

Review: Every five years on or before August 31st

VI. APPROVAL

Mark Denney

Mark Denney

Vice President for Administration and Finance

Dr. Ira Blake

Ira K. Blake

President

Date: 6/18/2021

VII. REVISION LOG

Revision Number	Approved Date	Description of Changes
1	06.18.2021	UH System Policy adopted and placed in UHCL Standardized MAP Template.

VIII. REFERENCES

[Fair Labor Standards Act \(FLSA\).](#)

[SAM.01.D.05 – Equal Opportunity and Non-Discrimination Statement.](#)