

## **HHS Certification Process FAQ revised 3/7/13**

**1. Question: How do we determine which exempt and non-exempt employees have to certify their time?**

Answer: All FLSA non-exempt employees are required by policy to complete the monthly certification process. Exempt employees may be required to certify at the discretion of agency management. An employee must have been in their current position for one calendar month before they will have access to certify their time.

**2. Question: Why do selected employees have to certify time?**

Answer: An employer is required to be sure employees covered by the Fair Labor Standards Act (FLSA) account for all time worked. The certification process is a proactive strategy to better position ourselves to demonstrate the accuracy of time records for FLSA covered employees. This process provides the agencies a better audit trail for FLSA non-exempt employee Time and Labor activities.

**3. Question: In what conditions would a manager certify time on behalf of an employee?**

Answer: The goal is to have each FLSA non-exempt employee certify his/her own time each month, but in situations where the supervisor are entering time on behalf of the employee (i.e. the employee is out on leave, FMLA, ESL/SLP, and LWOP) the supervisor will need access to certify on behalf of the employee.

**4. Question: Can an employee recertify time within the same month?**

Answer: No, once an employee certifies a month it can't be recertified. This is a "point in time" certification process. If a manager or employee updates leave or hours worked after the employee certified their time, there is still an audit trail in the system to validate when the retroactive transaction occurred. Certifying time is a process designed to ensure FLSA non-exempt employees have considered at least once per month that to the best of their knowledge at that point in time all hours worked over scheduled hours or leave taken transactions have been entered on the timesheet.

**5. Question: How do I retroactively certify my time?**

Answer: Logon to CAPPS and select "Employee Self Service".

Select "Employee Timesheet" which is located in "My Time & Leave". CAPPS will automatically default to the beginning of the current month in the date field.

Enter the beginning of the month that needs to be certified (e.g., if December is the month that needs to be certified, override the date to reflect "12/0/2012". An employee may certify their time as far back as needed, there are no restrictions placed on back-dating timesheet certifications within the same agency.

**6. Question: If an audit is performed, will the supervisors or Work Schedule Administrator (WSA) be held accountable if they certify on behalf of an employee?**

Answer: When a WSA certifies time on behalf of an employee they are certifying that based on the information they have at the point in time of certification, that the entries are correct. If retroactive additions/changes are made then the WSA needs to follow their normal business process for updating/correcting entries in CAPPs. There is an audit trail for each transaction performed, which identifies who performed the certification process on behalf of the employee.

**7. Question: For the agencies that have designated Work Schedule Administrators, what will be the additional work load for them?**

Answer: The certification process was designed to be simple and quick. If an employee is unable to certify their own time and a WSA is required to certify on behalf of the employee, it will just be a small additional step to the current business processes.

**8. Question: Can the Certification link be accessed anywhere?**

Answer: Yes, it is an addition to the current web based CAPPs timesheet which can be accessed by the employee or supervisor from any internet connection by inserting the CAPPs link below in the URL. <https://hrportal.cpa.texas.gov/psp/EPHRPRD/?cmd=login>

**9. Question: What happens if an employee does not certify his/her timesheet?**

Answer: The HHS Time Labor and Leave Department will run a query each month and report to the executive management at each agency the employees who have failed to comply with the policy requirement to certify their time on a monthly basis. A continued lack of compliance could result in Positive Performance or disciplinary action. Failing to certify time will not cause an employee to not be paid.

**10. Question: Do semi-monthly employees certify their time each month the same as monthly employees?**

Answer: Yes, all employees will be required to certify their time for the previous month between the 2<sup>nd</sup> and the 15<sup>th</sup> of the following month regardless of whether they are paid monthly or semi-monthly.

**11. Question: Can employees certify their time a month in advance if they know they will be out on leave?**

Answer: No. When an employee is out on leave and not able to certify his or her own time, then the supervisor must certify on behalf of the employee.

**12. Question: Will the manager be notified if the employee has not certified his/her time?**

Answer: There will not be any system generated notification that an employee has not certified their timesheet. However supervisors can run a Time Certification report in Manager Self Service that will populate a list of employees who have not certified their time. The Employee Monthly Time Report has also been updated to reflect if the employee has certified time for the month. There will also be a monthly report generated for agency management to use as a

reminder. Also, on the 10<sup>th</sup> of each month, a system generated email will be sent to each manager with FLSA covered staff reminding them to have staff certify their time,

**13. Question: If an employee does not agree with the supervisor regarding entries on the timesheet and does not want to certify the time as shown, how would the employee escalate the concern?**

Answer: The employee should follow agency protocol for problem/complaint resolution. Please note, the employee is certifying that to the best of their knowledge at that point in time all hours worked over their schedule have been entered, all leave taken has been entered, and that they have worked their schedule hours.

**14. Question: If the employee does not certify his/her time, how should the manager handle it?**

Answer: Normal positive performance protocol may be initiated by the supervisor, if warranted.

**15. Question: If the manager is out and not able to certify on behalf of the employee who is out on extended leave, is there a secondary person that can certify the employee's time on his/her behalf?**

Answer: If the first level manager is out, the second level manager can access the employee using the current drill down functionality on the manager center in CAPPS.

**16. Question: Will the certification process affect FMLA?**

Answer: No, the certification process is not directly related to FMLA. However, employees out on FMLA will need to certify that their hours are correctly coded with the Override Reason Code FMLA.

**17. Question: Where can an employee find out if he/she is FLSA exempt or non-exempt?**

Answer: An employee can ask their supervisor, or contact the HHS Service Center.

**18. Question: Will the employee still get paid if the employee forgets to certify his/her time?**

Answer: Yes, the certification process will not impact any payroll or time and leave activity.

**19. Question: By what date does an employee have to have his/her time certified?**

Answer: The employee should certify time on or after the 2<sup>nd</sup> and before the 15<sup>th</sup> for the previous month (e.g., on or after March 2<sup>nd</sup> and before the 15<sup>th</sup> you will certify for the month of February).

**20. Question: Do employees need to certify their timesheets if they are out on a Leave of Absence?**

Answer: No, there will not be any entries on the timesheet to certify.

**21. Question: Can a supervisor certify time for a terminated employee after the term date?**

Answer: The system will not allow the supervisor to certify time for an employee after the termination date, so all months that require certification need to be done prior to the termination being entered in the system. In the event the certification is not completed before the termination is entered, then the supervisor would need to contact the HHS Service Center to certify time for terminated employees on their behalf.

**22. Question: What if an employee transfers to a different HHS agency and they have not certified their time?**

Answer: The employee will no longer have access to the timesheet of the previous agency once they have been hired at the new agency, but they will continue to show up delinquent if they have months that have not been certified. To keep this from happening; the employee can contact the HHS Service Center authorizing them to certify their timesheet. The employee should provide their name, employee ID# beginning with 00000 and the reason for the certification request.

**23. Question: What if an employee makes changes to their timesheet after their time has been certified?**

Answer: No problem. Whenever an employee certifies their time, they are certifying that at that point in time all entries and revisions that have been made to their timesheet since their last certification are correct. There are no edits in the system to prevent employees and managers to make entries once a month has been certified.