

TIMEKEEPING, TIMECARD, AND PAYROLL GUIDELINES FOR ALL CALIFORNIA FREELANCE EMPLOYEES

[COMPANY] is obligated to comply with all applicable state and federal wage and hour statutes and regulations¹. [COMPANY] is committed to ensuring that all workers are paid accurately and in full for all hours worked. To achieve this, all Employees must adhere to the following regulations:

1. Timekeeping

- Federal and state laws require the [COMPANY] to keep accurate records of hours worked by nonexempt employees and daily on-call employees, as applicable (“Employees”). Nonexempt employees must accurately record all hours worked, including any time worked before their scheduled start. Working before or after scheduled hours requires prior supervisor approval in writing and employees therefore should not clock in ahead of their scheduled start time and should clock out immediately upon their shift ending. Minimum guarantees will be paid pursuant to CBAs regardless of whether an Employee worked less time.
- Every nonexempt employee is required to enter their hours worked accurately, including all meal periods. Nonexempt workers are prohibited from rounding their time. It is [COMPANY] objective to ensure that employees are paid for all of their time worked.
- It is a violation of company policy to clock in or out for another employee. Employees who fail to clock in or out at any time must immediately inform their supervisor. Employees are expected to review their timecards for accuracy and immediately report any discrepancies or missed time entries to their Producer or Production Supervisor as soon as possible.

2. On-the-Job Hours

- Employees are required to record their actual start time, not their call time to ensure that they are compensated for all hours worked. Employees agree that all time worked will be accurately recorded and employees are prohibited from rounding their time².
- Working off-the-clock, either before or after clocking in or out or during a meal period is strictly prohibited. In addition, failing to accurately record all time worked is prohibited.
 - No work may be performed by non-exempt employees without accurately recording the time. Employees who fail to promptly record or submit their timecards will be paid for all time worked, but may be subject to discipline. Any supervisor who asks an employee to work without recording the time will be subject to discipline.

¹ This memorandum is provided by AICP for informational purposes only and is intended for the voluntary use of its members or others. It does not, and is not intended to, constitute legal advice. This document is not intended to encourage, facilitate, or otherwise promote any agreement or understanding among AICP and its members or others. Any decisions made by members regarding such matters must be made independently, in compliance with all applicable antitrust and competition laws. Members should not rely on this memorandum as a substitute for obtaining legal advice from qualified counsel regarding their specific circumstances. AICP makes no representations or warranties as to the information provided herein. Use of this memorandum is at the member’s sole discretion.

² Please be advised that if a CBA governs your employment and your CBA provides for the entering of time in specific time increments or units, those provisions govern. This Handout is meant for informational purposes to complement any applicable CBA and separately applies to those not governed by a CBA. Notwithstanding the foregoing, Employees must still record all time worked to ensure that final compensation is fully and accurately paid in accordance with all applicable CBAs.

- Working before or after scheduled hours requires prior supervisor approval in writing and employees therefore should not clock in ahead of their scheduled start time and should clock out immediately upon their shift ending.

3. Overtime Hours

- At certain times [COMPANY] may require nonexempt employees to work overtime. [COMPANY] will attempt to give as much notice as possible if overtime work is known to be needed or expected. All overtime worked, even if not authorized, must be accurately recorded. Employees understand that if they fail to record overtime worked or work unauthorized overtime, employees will be paid for time worked but may be subject to discipline.

4. Off The Clock Work

- Employees must obtain approval before performing work outside of scheduled hours. Unless otherwise agreed, employees are prohibited from engaging in any work off the clock. This prohibition includes answering emails or placing or taking phone calls.
- Regardless of authorization, employees understand that work performed must be recorded and will be compensated. Employees who violate this policy may be subject to discipline.

5. Reporting Pay Discrepancies

- [COMPANY] is committed to ensuring accurate and timely payment of all wages owed to its employees. Employees who believe that there is an error with their paycheck, including missing hours, incorrect rates, or any other discrepancies, must notify [COMPANY REPRESENTATIVE] as soon as possible.
- Employees understand that the prompt reporting of any pay discrepancies helps the [COMPANY] resolve any issues immediately and ensure employees are paid correctly and on time.
- [COMPANY] strictly prohibits retaliation against any employee who reports, in good faith, a concern regarding their wages, hours worked, or any other pay-related issues. Employees understand that they will not be disciplined, penalized, or subject to any adverse action for reporting a potential pay discrepancy or cooperating in any related investigation.

6. Submission of Hours Worked and Timely Payment of Wages

- Timecards must be completed accurately and Employees are encouraged to submit their timecard at the end of each working day to prevent any payroll delays or errors. Employees understand that if they do not submit their timecards on a daily basis, they must submit their timecards either at the end of each week or at the end of each pay period, whichever comes first.
- Should an employee submit a late timecard, [COMPANY] will take all necessary steps to ensure the timely payment of wages, including conducting a prompt investigation into why the timecard(s) was not timely submitted and determining the total number of hours worked by the employee that day. Employees agree to facilitate any investigative efforts regarding their submission of time and payment of wages.

- Employees understand that if they do not timely submit their timecard before the payroll submission deadline, it may result in a late payment. In cases where timecards are late or missing, and to prevent the late payment of wages, [COMPANY] will engage in an effort to verify the hours worked and issue full payment based on the best available evidence (such as call sheets, supervisor confirmation, production reports, etc.). Based on [COMPANY]'s investigative efforts, it will issue payment based on the result of the investigation. If additional wages are later determined to be owed, [COMPANY] will promptly pay all additional wages promptly during the next payroll period which will be identified as a separate line item on the paystub as a true-up payment.
- If employees believe that they have not been paid all of the wages owed to them, Employees understand and agree that they will promptly contact [COMPANY] regarding the wages that they are believed to be owed to them.

7. Receipt of Company Policy

- Copies of this company policy are available upon request from Production.
- A digital copy may also be accessed upon request from Production.

Failure to adhere to these guidelines may result in corrective action. If you have any questions regarding timekeeping procedures, please contact your supervisor. We are committed to providing legally compliant work conditions and appreciate your cooperation in observing break schedules and reporting any issues

Thank you for your cooperation and professionalism on set.

**Timekeeping, Timecard, and Payroll Guidelines for All California
Freelance Employees Acknowledgment and Receipt**

I acknowledge that I have received a copy of [COMPANY]'s Timekeeping, Timecard, and Payroll Guidelines for All California Commercial Production Freelance Employees. I am aware that it is my responsibility to read the Timekeeping, Timecard, and Payroll Guidelines for All California Commercial Production Freelance Employees policy in its entirety, understand it fully, and agree to abide by the guidelines set forth. I understand that it is my responsibility to comply with the policies contained therein.

I am aware that I am required to accurately record all time worked and to timely submit my timecard to prevent any payroll delays or errors. I am also aware that I am expected to review my timecards for accuracy and immediately report any discrepancies or missed time entries to my Producer or Production Supervisor as soon as possible.

I understand that if I have any questions or concerns at any time about the Timekeeping, Timecard, and Payroll Guidelines for All California Commercial Production Freelance Employees policy, I will consult with my Producer or Production Supervisor and/or [COMPANY REPRESENTATIVE] as soon as possible. I also understand that I am not permitted to perform any off-the-clock work and that any hours beyond my regularly scheduled hours must be approved in advance by my supervisor.

I understand that if I am a member of a union with an applicable collective bargaining agreement ("CBA"), and there is a conflict between the policies set forth in this policy and the applicable CBA, the CBA will govern.

Employee Name: _____

Employee Signature: _____

Date: _____