



The Balance Between Workforce Management and Employee Rights

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In the modern world of work, balancing employee rights with effective workforce management can be a challenging endeavour.



TimeDock, as a time and attendance platform, is often at the crossroads of these conversations. One question that commonly arises from our users relates to the potential for automatically adjusting employee start and finish times, or capping work hours at a certain threshold.

The Challenge of Unauthorised Overtime

Companies across sectors grapple with the issue of unauthorised overtime - situations where employees clock in early, clock out late, or work longer than their prescribed schedules. While some businesses might view automatic time adjustments or capping work hours as a solution, or disciplinary action, we at TimeDock believe it is crucial to address this issue with a balanced approach that respects both managerial control and employee rights.

The legality of "docking hours"

In many countries, employment authorities typically mandate that employees should be paid for all hours worked. Despite this, employers are within their rights to establish policies around unauthorised overtime, which could lead to disciplinary actions for employees who violate these guidelines.

However, legal and ethical guidelines generally do not support reducing an employee's pay for time worked, regardless of whether that time fell outside the authorised schedule. This principle aligns with TimeDock's ethos that if an employee is clocking in for work, they should be paid for that work.

The Managerial Approach

Rather than exploring automated time adjustments, it may be more productive to view unauthorised overtime as a managerial issue. If employees are regularly working beyond their set hours, this could indicate deeper problems, such as inadequate staffing, unrealistic expectations, or issues with time management. Or it could be simply that employees are buffering their wages with a little bit extra, and they're getting away with it!

Effective workforce management involves closely monitoring overtime patterns and addressing the root causes proactively. It may require adjustments in staff scheduling, clarification of job expectations, or enhanced training on company timekeeping policies.

TimeDock: A Partner for Fair Workforce Management

TimeDock's real-time time clocks are designed to foster transparency and accuracy in timekeeping. Our approach aims to support both efficient workforce management and the protection of employee rights. We believe that if an employee is clocking in for work, they should be paid for that time.

By providing accurate, real-time tracking of hours worked, TimeDock assists managers in identifying patterns of unauthorised overtime and addressing them appropriately. In this

way, TimeDock upholds its commitment to being a partner for fair workforce management, ensuring that workers are properly compensated for their time and businesses are equipped to manage their teams effectively.

What the Electronic Code of Federal Regulations (eCFR) says

§ 785.11 General.

Work not requested but suffered or permitted is work time. For example, an employee may voluntarily continue to work at the end of the shift. He may be a pieceworker, he may desire to finish an assigned task or he may wish to correct errors, paste work tickets, prepare time reports or other records. The reason is immaterial. The employer knows or has reason to believe that he is continuing to work and the time is working time.

Source: [The Electronic Code of Federal Regulations \(eCFR\)](#)

Furthermore:

§ 785.13 Duty of management.

In all such cases it is the duty of the management to exercise its control and see that the work is not performed if it does not want it to be performed. It cannot sit back and accept the benefits without compensating for them. The mere promulgation of a rule against such work is not enough. Management has the power to enforce the rule and must make every effort to do so.

Source: [The Electronic Code of Federal Regulations \(eCFR\)](#)

Conclusion

Navigating the world of labor laws and employee rights can be a complex task. As such, it is essential to have the right tools and strategies in place. TimeDock stands by the principle that every minute worked should be a minute paid, and every minute saved through better management is a minute earned. We are here to support businesses in maintaining a

respectful and compliant work environment that champions both productivity and worker rights.

This article provides general guidance and may not be applicable to every situation.

Businesses should always consult with a legal expert or a relevant Employment Authority that is specific to their region and circumstances, to avoid inadvertent legal liability.