

**NO SHIRT... NO SHOES...NO TIMESHEET...NO PAYCHECK?**  
**NO WAY!**

I own a diner close to the university campus, and we are famous for our home-style breakfasts. We use a time clock here at the diner and employees are expected to punch in at the beginning of the shift and punch out at the end of the shift. (We don't track rest breaks on the employees' time cards, and none of the shifts are six-hours long so none of the staff take an unpaid lunch break.)

At the end of the work week, employees are supposed to total up their hours worked, sign the time card, and put it in my office for me to review and approve before I write out the paychecks.

We have to start preparing to serve our famous breakfast foods very early in the morning. Many of my employees are students and they are frequently late for their early shifts.

Since we use a time clock, one would think it would be easy to determine when an employee arrives late for the start of their work shift. But the employees have apparently found a way to get around the time clock by simply neglecting to punch-in when they arrive, and hand writing in the start time of the shift on the card instead of correctly noting their actual arrival time. Since I'm the head cook as well as the owner, I'm really busy prepping and cooking in the mornings, so I don't have the time or energy to play time clock police.

Over the past few months, employees have been arriving later and later for work, and it seems that it is now more the exception than it is the rule for a time card to have a shift start time stamped on it - especially for the first shifts in the morning. I'm also having a hard time getting employees to submit their time cards on time, and I usually have to go to the time clock, collect all the cards, and then make the rounds to get employees' signatures on them. This takes a lot of time and effort on my part that I think should be done by the employees.

Last week I decided that I'd better do something about all this so that the employees will understand that I want them at work on time, I want their time cards to be right, and that I mean business.

So I posted my new policy on a poster above the time clock for all the employees to read. The poster says:

**NO TIME STAMP FOR THE BEGINNING AND END OF EACH SHIFT?  
NO PAYCHECK!**

**NO SIGNATURE ON YOUR TIME CARD?  
NO PAYCHECK!**

HAND WRITTEN START OR STOP TIMES FOR YOUR SHIFT?  
NO PAYCHECK!

NO TIME CARD IN MY OFFICE ON TIME?  
NO PAYCHECK!

Is there anything else I should communicate to them with in order to get them to submit their time cards correctly?

**ANSWER:** Actually, the threats listed above your time clock already go too far, in the sense that you may not legally withhold paychecks for any of the listed reasons. You may, however, discipline employees for failing to report time accurately and for failing to follow the diner's time clock procedures.

Although it is ultimately the employer's responsibility to track hours worked by employees, an employer may establish policies and procedures for its employees to follow in tracking and submitting timekeeping records. Employers may, as you do, require employees to punch a time clock or sign on at a computer at the beginning and end of each shift, and to punch out or sign out for unpaid lunches and other unpaid periods of time. Employers may also require employees to track hours worked on a time sheet or other means of recording time, and to submit time records to the employer periodically for the employer to utilize in computing hours worked, overtime due, and accrual of vacation, sick leave or other benefits.

In addition, employers usually require employees to acknowledge the accuracy of employee-prepared time sheets by requiring the employee's signature, although there is no legal requirement that time sheets be signed by employees.

An employer may respond to an employee's failure to comply with the employer's timekeeping procedures with disciplinary action. However, withholding or delaying an employee's paycheck because of the employee's failure to satisfy timekeeping expectations is illegal, as it violates Oregon's wage and hour laws.

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