

This district will follow all requirements set forth in the Fair Labor Standards Act (FLSA). Non-exempt employees covered by the FLSA will be identified and compensated for overtime hours in accordance with this policy. All district supervisors and administrators must ensure that FLSA provisions relating to overtime and hours worked are strictly adhered to, in compliance with federal law.

DEFINITIONS

“Compensatory (comp) time” means time off in lieu of monetary overtime compensation, calculated at one and one-half (1½) hours for each hour worked over forty (40) hours in any one (1) workweek.

“Non-exempt employees” means those employees included in the overtime provisions of FLSA. Additional compensation or compensatory time off will be provided for hours over forty (40) worked during the workweek. Most non-certificated employees are non-exempt employees.

“Overtime hours” means hours worked in excess of forty (40) hours in any workweek, *midnight Saturday to midnight the following Saturday*.

“Workweek” means five (5) consecutive days during a seven (7) day period. In this district, the regular workweek begins at *midnight Saturday and ends at midnight the following Saturday, although a regular work schedule is generally based on a Monday through Friday week*.

WORK HOURS

All non-exempt employees shall be scheduled to work forty (40) hours or less per week within the established workweek of *midnight Saturday to midnight the following Saturday*.

Non-exempt employees are given a minimum thirty (30) minute unpaid lunch break, which the supervisor will schedule so as to not disrupt the workflow. If required to work during the lunch break, employees will be paid or will receive comp time. Employees must receive supervisor approval before working through a lunch break.

OVERTIME

Non-exempt employees who work in excess of forty (40) hours in any workweek shall be paid one and one-half (1½) times the regular hourly wage or given compensatory time equal to one and one-half (1½) times the overtime hours actually worked, as defined in this policy. Overtime payments or comp time accrual shall be computed on the basis of hours actually worked during a single workweek, as recorded on the employee’s timecard. Holidays, vacation, sick leave, emergency leave, and other hours paid but not worked are not hours worked for the purpose of overtime calculation.

Any employee who works unauthorized overtime will be subject to disciplinary action, which may include suspension without pay and/or termination, as determined appropriate.

OVERTIME COMPENSATION

When non-exempt employees work more than forty (40) hours in a workweek, the district will compensate for overtime hours in the form of comp time. A non-exempt employee may accumulate up to *sixty (60) hours of comp time (40 overtime hours x 1.5)*.

Any overtime accumulated in excess of the *sixty (60) hour comp time* limit shall be paid as overtime pay. Overtime will be paid at the rate of one and one-half (1½) times an employee's regular rate of pay for each hour worked over forty (40) hours in a workweek, unless an exemption applies.

A pro-rata blended rate will be used as the base rate for those district employees who work in two (2) or more positions with different pay rates.

RECORDS

All non-exempt employees covered by this policy are required to maintain a daily time log showing actual hours worked and noting the times taken for meal periods. The employee and his or her immediate supervisor must sign the time log on a monthly basis, acknowledging that the work hours set forth are true and accurate. Employees will be compensated for overtime *or will accrue comp time* based on the completed time log. Failure to maintain accurate logs, or falsification of such logs will be grounds for disciplinary action. No supervisor shall knowingly allow an employee to work unreported overtime to avoid overtime payments.

The district will maintain all payroll records for at least three (3) years. Such payroll records include any documentation (electronic or hard copy) on which wage computations are based, including, but not limited to, timesheets, work schedules, and records of additions to or deductions from wages.



LEGAL REFERENCE:

Fair Labor Standards Act
29 CFR Section 541, *et seq.*

ADOPTED: August 10, 2005

REVIEWED: June 13, 2012

AMENDED:

**Language in text set forth in italics is optional.*