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The Board of Education adopts the standards embodied in the Fair Labor Standards Act regarding the payment of overtime and/or the awarding of compensatory time. The Superintendent is authorized to determine which categories of support staff are exempt from the Fair Labor Standards Act and which are non-exempt. All certified employees are considered to be exempt employees under the Fair Labor Standards Act.

- a. Responsibilities of Supervisors and Non-Exempt Employees - All employees who serve in a supervisory capacity are charged with the responsibility to assure that the provisions of the Fair Labor Standards Act are being met. A primary duty that all supervisors have is to make sure that non-exempt employees are not being allowed to work hours for which they receive no compensation. Each department head shall keep accurate records of the hours worked by each non-exempt employee, including the date on which any overtime is worked and the reason for overtime. The total number of hours worked by an employee during each pay period is to be accounted for on the payroll data sheets. Any waiver of normal hours to be worked, either overtime or absences taken, must be reported to payroll according to the time schedules established by Finance. The Supervisor will attest to the correctness of each payroll data sheet by personally signing it. All employees who are non-exempt from the Fair Labor Standards Act are charged with the responsibility to secure approval from the Superintendent before working additional hours. Failure of either the supervisor or non-exempt employee to meet these requirements may be grounds for disciplinary action.

- b. Approval Process for Additional Hours to be Worked - Supervisors are expected to anticipate foreseeable situations which may require additional hours to be worked on a particular day or days and to deal with those whenever possible by revising the work schedule for that week so that additional hours can be worked on the particular day(s) without causing non-exempt employees to work more than forty (40) total hours in a week. A request for a non-exempt employee to work additional hours must be approved through the Superintendent's office.

- c. Determination of Rate of Pay for Additional Hours Worked - For the purpose of determining compliance with the Fair Labor Standards Act and computing overtime pay, when applicable, the period used to determine whether a non-exempt employee has actually worked more than forty (40) hours will be from 12:00 am Sunday through 11:59 pm Saturday. Hours shown on timesheets for holidays, annual leave, and sick leave do not count as hours actually worked. A non-exempt employee must actually be performing work on the job site for more than forty (40) hours in a given week before becoming eligible for compensation

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at the one and one-half (1½) times rate for any additional hours worked. Additional hours worked that are not in excess of forty (40) hours per week are compensated at the straight time rate.

Compensation may take the form of time off rather than additional pay if the time worked is taken within the same pay period that the additional hours were worked. The supervisor shall maintain records of compensatory time for each of the non-exempt employees under his supervision and these records shall be retained for a period of five (5) years. In any given school year a non-exempt employee is not allowed to accumulate more than thirty-nine (39) hours of compensatory time.

- d. Superintendent's Approval for Dual Employment - Any situation in which a position is proposed for dual employment, and may be working overtime on a consistent basis, requires the advance approval of the Superintendent. Whenever possible, separate employees are to be hired for separate jobs. Usually, dual employment occurs when one of the two jobs involves driving a school bus.