

# Marion County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Overtime Pay of Support Personnel</b>	Descriptor Code: <b>5.604</b>	Issued Date: <b>04/24/01</b>
		Rescinds: <b>5.604</b>	Issued: <b>12/15/97</b>

1 The Board expects that employees will work in excess of standard hours when requested. When work  
2 in excess of standard hours is required, employees will be compensated for the unscheduled hours  
3 worked.<sup>1</sup>

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5 Overtime is defined as hours physically worked in excess of forty (40) hours per week. When an employee  
6 is requested to work over regularly scheduled hours, the following shall apply:

## 7 **Compensation for Unscheduled Hours**

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- 10 1. Hours worked over the scheduled hours must be approved by the immediate supervisor.
  - 11 2. Whenever possible, compensatory time off shall be used in preference to overtime pay.
  - 12 3. All payment for overtime shall be processed through the payroll office.

## 13 **Overtime Pay**

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- 16 1. If it is determined by the immediate supervisor that compensatory time cannot be granted within  
17 the forty (40) hour pay period or without severe disruption of the operation of the facility, overtime  
18 may be authorized.
  - 19 2. Overtime pay shall be paid for all hours worked over forty (40) hours per week.

## 20 **Payroll Provisions**

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- 23 1. Time and one-half (1 1/2) shall be paid for all hours physically worked in excess of forty (40) in  
24 a week.
  - 25 2. An authorization for overtime payment must be submitted by the immediate supervisor.
  - 26 3. Payment for overtime will be included in the paycheck for the period immediately following the  
27 one in which it was earned.

## 28 **Discipline**

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- 31 1. Persons who have been assigned to work overtime, whether voluntary or mandatory, shall be  
32 expected to report to work as scheduled.
  - 33 2. Failure to report shall subject an employee to disciplinary procedures as specified for any other  
34 non-appearance for a regularly scheduled work time.
  - 35 3. Employees shall be released from mandatory overtime, without fear of discipline, when they can  
36 provide a reasonable excuse such as the following:
    - 37 a. Personal family emergency;
    - 38 b. Personal or family health maintenance;
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c. Important family function; weddings, etc.

If there is doubt concerning the employee's sincerity in offering such an excuse, the burden of proof will rest with the employee.

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Legal References:

1. TCA 5-23-101;104; Section 7(o) 29 CFR § 553.20; 21