

<b>All Personnel FLSA Compliance</b>	<b>D.1</b>
<i>Adopted: October 11, 2016</i>	

**FAIR LABOR STANDARDS ACT COMPLIANCE**

The district will comply with all aspects of the Fair Labor Standards Act (FLSA). Any employee who has questions regarding overtime or believes that the FLSA is not being correctly followed should immediately report this to a district administrator.

The penalties for even inadvertent FLSA violations are severe. Any employee, regardless of position, who violates any aspect of this policy will be subject to disciplinary sanctions up to and including termination.

Employee Classification

Employees will be notified of their FLSA classification as a part of their job description, but any employee who believes that a misclassification has occurred must immediately notify his/her supervisor of the suspected error.

*Exempt employees.* Exempt employees are not entitled to overtime or comp time for working more than forty (40) hours in a workweek. Exempt employees generally include positions such as superintendents and assistant superintendents, principals and assistant principals, certified counselors and psychologists, technology directors, CPAs, RNs, librarians, and teachers.

*Non-exempt employee.* Non-exempt employees are entitled to overtime or comp time for working more than forty (40) hours in a workweek. Non-exempt employees generally include positions such as bus drivers, cafeteria workers and dieticians, custodians, maintenance employees, secretarial and clerical assistants, security personnel, and nurses who are not RNs.

*Noncovered positions.* Board members and volunteers are not covered by the FLSA. Due to FLSA regulations, non-exempt employees may only volunteer as a parent/grandparent/etc. in a role typically assigned to volunteers. Additionally, those volunteer services must be unrelated to the employee’s compensated duties.

Multiple Assignments

Non-exempt employees are permitted to work multiple assignments as long as the combination of those assignments does not make it likely that the employee will work more than forty (40) hours per week. Non-exempt employees who work multiple positions at different hourly rates will be paid for authorized overtime at a blended rate.

Employment benefits for non-exempt employees will be granted based on the employee’s primary position unless otherwise provided by law. The primary position is the position in which the employee works the most hours.

Exempt employees will not be employed in multiple positions if such employment would jeopardize the employee's exempt status. Exempt employees may be assigned an extra duty (coaching, activity sponsor, etc.) and receive a stipend in accordance with the terms of an extra duty contract.

### Time Keeping

Non-exempt employees are required to accurately track work hours in accordance with established district procedures. These employees must "clock in" and "clock out" within seven (7) minutes of their scheduled shifts. Time periods in excess of twenty (20) minutes during which the employee is not actually performing job duties will not be included as "hours worked" if the time can effectively be used for the employee's own purposes.

Employees must contact their supervisors if they notice an error on their time records. Falsifying time records, including under-reporting hours worked, is strictly prohibited.

### Required Pre-Authorization

No employee may work overtime without prior authorization. Supervisors are required to strictly enforce the district's prohibition on working unauthorized overtime.

### Paying Overtime and Comp Time

Overtime compensation is paid to non-exempt employees at a rate of one and one-half times the employee's regular rate of pay for each hour worked in a workweek in excess of forty (40) hours per week. Overtime payments will be made with the employee's next regular payroll or, if logistical considerations make this impractical, with the next succeeding payroll.

The district may elect, at its option, to provide comp time to employees in lieu of paying overtime. Comp time is also calculated at one and one-half hours for each overtime hour worked. Comp time should generally be used in the pay period in which it is earned, but if logistical considerations make this impractical it should be used by the end of the next payroll period. Comp time must be used at a time mutually agreeable to the supervisor and the employee.

The district may require employees to be paid for comp time in lieu of taking time off when necessitated by business needs. Upon termination, an employee will be paid for all accrued but unused comp time.