



Title: **Overtime Regulation and Compensation for Non-Exempt Classified Staff**

Code: GDBB

Section: Section G: Personnel Policies

This policy governs the district's use of overtime and overtime compensation for non-exempt staff members and is designed to ensure compliance with the Fair Labor Standards Act and amendments.

The district administration shall determine which district staff members are subject to the minimum wage and overtime requirements of federal law. These non-exempt staff members shall be paid overtime at the rate of one and one-half times the regular rate of pay for hours worked (including on-call hours) in excess of 40 hours, during the district defined workweek of Sunday through Saturday.

A blended overtime rate for dual assignment staff members will be calculated according to the amount of time worked at each non-exempt job they perform for the district.

Non-exempt staff members may not volunteer to perform work for the district.

Whenever feasible, supervisors will not schedule or authorize non-exempt staff members to work in excess of 40 hours, during the district defined workweek. Supervisors who become aware that non-exempt staff members are working unauthorized overtime shall take prudent steps to enforce this policy and prohibit the staff member from working the excess time.

All hours worked shall be accurately recorded in the manner required by the district business office and submitted to the payroll office on a monthly basis. All records of overtime work are required to be collected monthly and filed in the payroll office.

Non-exempt staff members, who believe that they have not been compensated for overtime that they have worked, and are entitled to, are obligated to notify the Assistant Superintendent for Human Resources within ten working days of the date of the occurrence or of the date that the staff member first became aware of it. The notification shall take place prior to notifying any other agency or entity.

Definitions

Non-Exempt Staff Members:

Non-exempt staff members are the districts classified staff members who are paid an hourly wage. Non-exempt staff members are directed by others and do not set policies. Non-exempt staff members do not exercise independent judgment and cannot hire or fire other staff members. Non-exempt staff members are entitled to earn overtime. This policy requires overtime to be pre-approved in writing by a supervisor. (29 C.F.R. 541)

Overtime. Hours worked over 40 hours, during the district defined workweek, by non-exempt staff members.

Overtime Compensation. Overtime Pay. Payment at 1.5 times the non-exempt staff member's regular rate of pay (or the blended rate of pay for dual assignment staff members) for every hour worked over 40 hours, during the district defined work week.

Compensatory Time Off. Compensatory time off does not apply to district staff members.

Dual Assignment Staff Member. A district staff member who works two non-exempt positions for the district, e.g. bus driver/custodian. This also includes a district staff member who works activities, events or building rental coverage.

Volunteer. A non-exempt staff member may not volunteer to perform services for the district, except that a non-exempt staff member may volunteer as a parent in his or her own child's school or classroom as long as the duties performed as a volunteer are substantially different than those performed for pay (during the regular workday).

On-Call Time. On call time is when restrictions are placed on a staff member's personal time to allow him or her to report physically to a district facility or event in response to a supervisor's direction. Time when a non-exempt staff member is asked or assigned by his/her supervisor to be "engaged to wait" is considered on call time. A non-exempt staff member "engaged to wait" may participate in non-work related activities while on call but must be able to timely respond to a district location or district-sanctioned activity, as requested. A staff member who is not required to remain on school district premises or at a school district sanctioned activity but is merely required to leave word at his/her home or with school district officials where he/she may be reached is not working "on-call." A staff member who is on-call may not be under the influence of alcohol or drugs and shall meet all requirements of Administrative Policy GBEC – Alcohol/Drug-Free Workplace and Procedure GBEC-R – Alcohol/Drug-Free Workplace Procedure. A non-exempt staff member will receive compensation of one hour of additional pay for every shift (up to a 24-hour period) of on-call duty (not to exceed seven hours per week).

Adopted: May 1, 1986

Revised: September 2, 2004

August 18, 2005

June 30, 2008

March 31, 2010

November 1, 2010

August 15, 2013

July 1, 2017

Legal Refs:

29 U.S.C. § 201 et seq. (Fair Labor Standards Act)

29 C.F.R. § 501 et seq. (Regulations)

29 C.F.R. § 701 et seq.

Cross Refs:

GBK – Staff Concerns and Complaints

GBK-R – Staff Concerns and Complaints – Procedure

EL 2.0 Global Executive Constraint

EL 2.3 Treatment of Staff

EL 2.6 Financial Planning & Budgeting

EL 2.7 Employment, Compensation & Benefits

EL 2.9 Communications & Support to the Board

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