

UNITED SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: OVERTIME

ADOPTED: December 9, 2008

REVISED: September 19, 2012

330. OVERTIME	
1. Authority	In order to ensure consistent treatment of all affected employees and compliance with applicable federal law regarding payment of overtime, the Board adopts this policy.
29 U.S.C. Sec. 201 et seq	In accordance with the Fair Labor Standards Act and this policy, applicable collective bargaining agreement or individual contract, overtime shall be paid for work in excess of the established workday or workweek for each classification of support employees.
2. Definitions	<p>Minimal time - time spent on the job in less than twenty (20) minute increments beyond the regular work day.</p> <p>Compensatory time - hours when an employee is not working and which are paid for at the employee's regular rate of pay. These hours are not counted as hours worked in the week in which they are paid.</p>
3. Guidelines	<p>Overtime accrues only when the nonexempt employee performs work within the same job classification; when employees at their option agree to perform occasional or sporadic work within a different job classification, then such hours shall not qualify for overtime.</p> <p>Custodians, secretaries, and teacher aides may be required to work overtime in emergency situations.</p> <p>All overtime work must have prior approval by the employee's supervisor.</p> <p>Overtime shall be defined and employees compensated in accordance with the terms of the collective bargaining agreement.</p> <p>Sick days, personal days, emergency days, vacation days, and floating holidays will not be included when calculating the eight (8) hours in one (1) day.</p> <p>Early arrivals or late departures of minimal time will not be considered overtime.</p>

Employees may undertake employment on an occasional or sporadic basis in a part-time job in a different capacity than their regular employment. When employees work on an occasional or sporadic basis in a different job the time will not be considered when calculating overtime, unless occasional or sporadic work exceeds eight (8) hours in one (1) day. Examples of occasional or sporadic employment would be employees who undertake supplemental positions, Board Secretary or Board Recorder.

Volunteers are not considered employees and are excluded from overtime. An employee cannot be considered a volunteer when working in his/her regular area of employment.

Employees may, with the approval of their supervisor, substitute during scheduled hours for other employees employed in the same capacity. The hours worked are credited to the scheduled employee and not to the substitute. No records need to be maintained pertaining to the substitution.

Confidential Secretaries

Confidential secretarial employees may be required to work overtime in emergency situations.

All overtime work must have prior approval by the employee's supervisor.

Overtime is defined as work in excess of forty (40) hours per week.

Sick time, personal time, emergency time, vacation, and floating holidays time will not be included when calculating the forty (40) hours per week.

At the discretion of the Superintendent, employees may be compensated in either of the following ways:

1. Payment at the rate of 1 ½ times the employee's hourly rate for each hour of overtime.
2. Compensatory time off at the rate of 1 ½ hours for each hour of overtime worked. At the supervisor's discretion, employees should be given compensatory time as soon as the work load permits. The maximum compensatory time which may be accrued by an employee shall be 240 hours (i.e. not more than 160 hours of actual overtime hours worked.)

Early arrivals or late departures of minimal time will not be considered overtime.

Employees may undertake employment on an occasional or sporadic basis in a part-time job in a different capacity than their regular employment. When employees work on an occasional or sporadic basis in a different job the time will not be considered when calculating overtime, unless occasional or sporadic work exceeds forty (40) hours per week. Examples of occasional or sporadic employment would be employees who undertake supplemental positions, Board Secretary or Board Recorder.

Volunteers are not considered employees and are excluded from overtime. An employee cannot be considered a volunteer when working in his/her regular area of employment.

Employees may, with the approval of their supervisor, substitute during scheduled hours for other employees employed in the same capacity. The hours worked are credited to the scheduled employee and not to the substitute. No records need to be maintained pertaining to the substitution.

References:

Fair Labor Standards Act – 29 U.S.C. Sec. 201 et seq.