

Hours of Personnel and Compensatory Time

Board Policy: P-1

Adopted: March 9, 1992

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I General Policy Statement:

All full-time permanent employees of the school system shall be employed and paid as required by General Statute 115C-316 and the Fair Labor Standards Act (FLSA). The following defines the minimum schedule and conditions of work for employees.

II Regulations:

A. Work Time (Standard Work hours noted)

1. Administrators (Exempt Employee from FLSA):

Central Office: 8:00 a.m. – 4:30 p.m.

Principals: 7:30 a.m. – 4:00 p.m.

Assistant Principals: 8:00 a.m. – 4:00 p.m.

Administrators are expected to maintain consistent work hours in order to conduct the necessary business of operating the school system. Regular hours provide an established time frame in which the community can access individual schools, administrators, and central office administrative staff. Due to their responsibilities, administrators are expected to attend activities outside the regular workday that are necessary for the orderly and effective operation of the school system. Summer hours for administrators may vary. However, the hours will continue to constitute a minimum 40-hour workweek.

2. Teachers/Licensed employees (Exempt from FLSA): 8:00 a.m. – 3:30 p.m. Teachers' schedules should facilitate the instructional program of the school. The nature of the school day is such that all teachers must be required to be at school during the time that school is formally in session. However, teachers have additional responsibilities that extend beyond this minimal block of time. These responsibilities demand willingness on the part of teachers to give time and energy whenever the occasion calls for it. This policy in no way reduces the principal's authority to assign duties and responsibilities requiring teachers to arrive before and/or remain after the regular school closing time whenever such assignment is necessary for the efficient operation of the school. Likewise it in no way relieves any teacher of the professional responsibility for contributing to those extra-class and professional development activities, which further the objectives of the school system.

3. Support staff (Non-exempt employees from FLSA-See II.B.1 for employee groups):

a. The work schedule for all full-time support staff shall be based upon a 40-hour workweek and an eight (8) hour workday.

b. The budget and the employee's principal or administrative supervisor shall determine employee work schedules.

c. The workweek shall begin on Sunday at 12:01 a.m. and end at 12:00 p.m. on the following Saturday.

B. Overtime/Compensatory Time:

1. For the purpose of overtime compensation, non-exempt employee groups include but not limited to the following: teacher assistants, other assistants, clerical/secretarial workers, school food service workers, custodians, maintenance workers, transportation workers, technology staff, bus drivers, and bus monitors.
2. Overtime refers to any hours worked by non-exempt employees beyond 40 hours in any given workweek. Lunch break is not to be counted as work time, provided the employee is completely free of any duty. Breaks of less than 20 minutes must be counted as work time.
3. Any overtime worked must be at the request of, or with the prior approval of, the supervisor. The method of compensation (whether compensation time during the workweek in which the overtime was performed on an hour for hour basis, compensatory time at a later date after the work week in which the overtime was performed at a rate of 1.5 hours per hour worked, or compensation at the rate of 1.5 times their calculated pay rate) must be determined by the supervisor before the overtime work is performed.
4. If compensatory salary is the selected form of compensation, it must be with the prior approval of the superintendent.
5. Non-exempt employees who work more than 40 hours in a workweek shall earn compensatory time at a rate of 1.5 hours per hour worked.
6. If an employee receives paid sick leave, vacation, holidays, etc., during a week in which additional hours are worked, the employee shall receive compensatory time at the rate of one hour for each additional hour worked until the total hours actually worked exceed 40 hour for the workweek. Compensatory time at the rate of time-and-a-half would be earned for each hour over 40 hours worked during the workweek.
7. Employees, who are employed for a standard workweek of less than 40 hours, will be compensated at a rate of 1.0 hour for each hour worked up to 40 hours.
8. Employees may accrue no more than the maximum of forty, (40) hours of compensatory time, which must be taken, with the prior approval of the supervisor, no later than the last working day of the fiscal year. Any available compensatory time must be taken (used) before annual-vacation leave is taken. *Any exception to this rule must have prior approval of the superintendent or his/her designee.*
9. At the time an employee resigns, retires, or is terminated; any balance of compensatory time shall be paid.
10. Employees may volunteer to provide services without the hours as a volunteer counting toward overtime compensation if the volunteer services provided are not the same type of service which the individual is employed to perform or are performed voluntarily on a non-regular basis as part of their child's education program.
11. The Fair Labor Standard Act is a federal program, and time records and compensatory leave provisions are subject to audit by the U.S. Department of Labor. It is, therefore, imperative that each non-exempt employee complete a time sheet and that the signed time sheet be an accurate report of hours worked by the employee and of any compensatory time taken. Failure to accurately report time earned or taken may result in sanctions. The employer shall retain records for a period of at least three years.

C. Leave Time:

(See Policy P-15 Employee Leave)

D. Principal's /Administrator's Authority:

This policy in no way reduces the principal's/administrator's authority to assign duties and responsibilities requiring staff members (employees) to remain outside the regular school day whenever such assignment is necessary for the efficient operation of the school. The administrator must keep in mind how this assignment will impact a non-exempt employee's 40-hour workweek.

E. Multiple Pay Scales:

Employees paid on more than one salary schedule will have their work schedule designated by their Principal or Administrative Supervisor with the approval of the superintendent or designee.

F. Flexible Scheduling:

Administrators and/or the principal may establish flexible schedules with input from the site based school committee.