

**Administrative Procedures for Policy #6500 (Personnel) of the Board of Education  
Regarding Compliance with the Fair Labor Standards Act (FLSA)**

I. Process

- A. The Director of Human Resources or designee shall be responsible for monitoring compliance with the Fair Labor Standards Act of 1938 (FLSA) and successor laws as amended.

II. Definitions

- A. Compensatory Time - Paid time off from duty as approved by the Calvert County Public Schools for work performed by a non-exempt employee beyond his/her regular work schedule. In the case of overtime, non-exempt employees will receive one and one-half (1.5) hours of compensatory time for one hour of overtime work
- B. Fair Labor Standards Act of 1938, as Amended – A federal law that requires employers to pay employees a minimum hourly wage and premium pay for overtime hours and requires employers to keep records of hours worked
- C. Non-exempt Employee - employees, also designated as a “covered employee,” in one of the following job classifications: instructional assistant, secretary, building service worker food service worker, maintenance personnel or any other employee not employed in an executive or professional position as determined by the Superintendent or designee in compliance with FLSA
- D. Overtime – hours worked by a non-exempt employee in excess of forty (40) hours in a given work week
- E. Overtime Pay - A rate of pay that is one and one-half (1.5) times the employee’s regular rate of pay for overtime worked
- F. Work Week (for a non-exempt employee) – Sunday, 12:00 a.m., to the next Saturday, 11:59 p.m.

III. Guidelines

A. Authorization

- 1. All time worked beyond the regular work schedule for a non-exempt employee must be authorized by the employee’s supervisor. A non-exempt employee may not make unauthorized decisions to work beyond his/her regular work schedule. Working unauthorized hours may subject the employee to disciplinary action.

B. Recordkeeping

- 1. The Chief Budget and Business Officer or designee maintains timesheet and payroll reports to meet the recordkeeping requirements of FLSA.

2. Compensatory time records will be maintained by the employee's supervisor

C. Restrictions

1. No non-exempt employee will be permitted to work additional time either at the job site, at home, or elsewhere, regardless of willingness to do so, unless the additional work time is properly authorized in advance by the employee's supervisor.
2. Non-exempt employees may not volunteer their time to complete work related to the job.

D. Responsibility of Department Heads/Principals

1. Department Heads/Principals are responsible for monitoring work hours of non-exempt employees under their supervision and for ensuring that information reported on timesheets is complete and accurate.
2. Department Heads/Principals are required to maintain a record of compensatory hours earned for each non-exempt employee.
3. Department Heads/Principals should work with non-exempt employees to schedule use of accrued compensatory time.

E. Pay for Additional Work Time

1. Non-exempt employees will be paid their regular hourly wage for time worked beyond their regular work schedules up to 40 hours in any given week. Non-exempt employees shall have the option of choosing either additional pay or compensatory time.
2. Non-exempt employees will be paid at the rate of one and one-half (1.5) times the employee's regular rate of pay for approved overtime worked. Non-exempt employees shall have the option of choosing either overtime pay or compensatory time.
3. For those non-exempt employees who are working two or more jobs for the Calvert County Public Schools, overtime pay shall be calculated on the basis of a blended hourly rate for all work completed in accordance with a formula set by Calvert County Public Schools.

F. Compensatory Time

1. Non-exempt employees may choose to receive compensatory time for authorized time worked beyond his/her regular work schedule. In the case of overtime, non-exempt employees will receive one and one-half (1.5) hours of compensatory time for one hour of overtime worked. Non-exempt employees may accumulate up to 240 hours of compensatory time. Any employee who has accumulated 240 hours shall only be permitted to receive overtime pay.
2. Every reasonable attempt will be made to allow employees to use accumulated compensatory time as soon after it is earned as possible.