

## FAIR LABOR STANDARDS ACT PROCEDURES

It is the intent of this school district to fully comply with the Fair Labor Standards Act (FLSA), its regulations, and relevant court decisions and to cooperate with state agencies in an effort to maintain compliance with the FLSA.

The following procedures and guidelines are to be followed in each department to ensure employees are properly compensated for approved hours worked in excess of the established work week as required by the provisions of the FLSA.

### Definitions

"Overtime" is defined as authorized, compensable work time in excess of forty (40) hours per work week.

A "work week" for full-time nonexempt employees is forty (40) hours during one consecutive seven-day period beginning at 12:00 a.m. on Sunday and ending at 11:59 midnight on the following Saturday.

"Non-covered employees" are those who are excluded from the definition of "employee" within the meaning of 29 USCA §203(e) (Supp. 1990).

"Covered employees" are those who meet the definition of "employee" within the meaning of 29 USCA §203(e) (Supp. 1990). Covered employees will be either exempt or nonexempt employees.

An "exempt employee" is a covered employee who is exempt from FLSA by virtue of meeting one of the tests for exemption.

A "nonexempt employee" is a covered employee who does not meet one of the tests for exemption.

### Exemptions

The FLSA exempts certain groups of covered employees from coverage. The following categories of exemptions are established:

1. Executives
2. Administrators; e.g., superintendents, principals
3. Professionals; e.g., teachers, special education skilled service providers, attorneys, auditors, nurses, counselors

**Fair Labor Standards Act Procedures, Cont.**

1. This district will inform employees of the law by posting information disseminated by the U.S. Department of Labor.
2. This district will compensate all nonexempt employees with compensatory time off at the rate of one and one-half hours off duty for each overtime hour worked. Provided, however, that for any overtime hours to be credited for overtime pay such overtime hours must be approved in advance in writing by the employee's designated supervisor. Failure to get approval for overtime may result in disciplinary action being taken, which may include termination of employment.
3. All approved hours worked exceeding 40 hours per week, will be compensated in the form of compensatory time at a rate of time and one-half hours per hours worked.
4. For purposes of the Fair Labor Standards Act, the District's work week shall commence on Sunday, at 12:00 AM and end on Saturday, at 11:59 PM.
5. Compensatory time accumulated must be used prior to the end of the current month.
6. Bereavement leave time will be counted as time worked on the week an employee has overtime hours. Personal, sick, and vacation leave and compensatory time used will not count toward time worked on a week an employee has overtime hours.
7. A site supervisor may not obligate Piedmont Public Schools for any accumulation of compensatory time off without first submitting and obtaining the prior approval of the Superintendent or Personnel Director. Supervisors who violate this regulation will be subject to disciplinary action.

**REFERENCE CVFA  
CVFA-R**

Fair Labor Standards Act Procedures, Cont.



*Piedmont Public Schools*

GENERAL PERSONNEL POLICIES

WORK HOURS

Request for Working Overtime

\_\_\_\_\_  
Date

\_\_\_\_\_  
Site

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Number of hours requested

\_\_\_\_\_  
Dates of Work

\_\_\_\_\_  
Reason for Request

\_\_\_\_\_

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Supervisor's Signature

Submit for approval of compensation for overtime

\_\_\_\_\_  
Superintendent or Designee

\_\_\_\_ Approved  
\_\_\_\_ Disapproved

\_\_\_\_\_  
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