

## PERSONNEL

### Length of Work Day

#### **Overtime and/or Compensatory Time for Eligible Staff**

To comply with the Fair Labor Standards Act and the laws and rules of the State of Washington, the following procedures will be established:

- A. **Exempt or non-exempt status:** All certificated staff are exempt from the 40-hour work week. The district will determine the status of classified employees based upon the criteria established for defining administrative (WAC 296-128-520) or professional (WAC 296-128-530) status and any additional FLSA standards.
- B. **Work week:** Seven consecutive 24-hour periods make up the work week. Non-exempt staff members are entitled to 1-1/2 times the regular rate of pay for all hours worked in excess of 40 hours per week if the overtime pay option is chosen. A staff member may plan, in conjunction with their supervisor, to take compensatory "time off" in lieu of overtime pay so long as the staff member's assigned responsibilities are adequately covered during the planned absence. Compensatory "time off" will accumulate at the rate of 1-1/2 times the hours worked. The accumulation and use of any compensatory time will be at the direction of management and will fall within the rights of each collective bargaining agreement and the Fair Labor Standards Act.
- C. **Travel time:** Travel time, during a workday, to a meeting is compensable if done in a private vehicle and when it is required by the district.
- D. **Meal periods:** Staff members will not be required to perform any duties during the employee's meal period.
- E. **Non-working time:** Time between shifts will be free of responsibilities or obligations. Standby time can be negotiated but must be at the rate of the minimum wage or more.
- F. **Records:** Records must be kept for a minimum of three years. U. S. Department of Labor posters must be posted at each site.

### Legal References

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

RCW 28A.405.140 Assistance for teacher may be required after evaluation

Administrative Regulation No. 5231  
Length of Work Day - Continued

RCW 28A.405.466 Presence of certificated personnel at schools before and after school

— Policy

RCW 49.46.120 Chapter establishes minimum standards and is supplementary to other laws — More favorable standards unaffected

RCW 49.46.130 Minimum rate of compensation for employment in excess of forty hour work week — Exceptions

WAC 296-128-550 Regular rate of pay

WAC 296-128-560 Compensating time off in lieu of overtime pay

Management Resources

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Policy News, June 2006 Certificated Staff Work Hours