

**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 the regular assigned work schedule.
- 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 that are entitled to protections under the Fair Labor Standards Act and who do not meet the criteria for exempt status including specific job duties and salary thresholds.
- 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) – A fixed, regularly recurring period of 168 hours, which is equivalent to seven consecutive 24-hour periods.
- G. Employee Access Center (EAC) – The web-based electronic employee portal that provides employees with access to various employment related information, including employee leave balances.

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.
- 2. Directors and Principals must gain permission from their direct supervisor before approving any overtime. When requesting permission, the funding source of the overtime must be identified by the Director or Principal.

3. Directors and Principals may approve compensatory time without prior approval from their direct supervisor as long as the employee's compensatory time balance does not exceed 40 hours.

B. Recordkeeping

1. The Chief Financial Officer or designee maintains timesheet and payroll reports to meet the recordkeeping requirements of FLSA.
2. Compensatory time balances will be maintained in EAC.

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-Directors/Principals

1. Directors and Principals are responsible for monitoring work hours of non-exempt employees under their supervision and for ensuring that reported compensatory time or overtime is accurate.

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 for any approved time worked beyond their assigned workday.
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. Non-exempt employees will receive one and one-half (1.5) hours of compensatory time for one hour of overtime worked when working in excess of 40 hours. Non-exempt employees may accumulate up to 40 hours of compensatory time. Any employee who has accumulated 40 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.
3. Employees are encouraged to use compensatory time prior to using other forms of leave.