

*OVERTIME*

Non-Exempt Employees

Except as provided below, employees in positions designated as “non-exempt” will be eligible for overtime compensation as follows:

- Employees whose normal work schedule is eight hours a day will receive overtime compensation for hours worked in excess of eight hours in a day.
- Employees whose normal work schedule is between eight and ten hours in a day will receive overtime compensation for hours worked in excess of their normal daily work schedule.
- Employees who request and are approved for variable workday as provided in NRS 281.100, 3b (2) will receive overtime compensation for hours worked in excess of 40 hours in the workweek, for hours worked in excess of 10 hours in any one work day or hours worked over 40 in one workweek if the employee has requested and been approved for variable workday as provided in NRS 281.100(3)(b)(2).
- Employees whose hours are established by collective bargaining agreement will receive overtime accordingly.

All overtime hours must be specifically authorized in advance by the employee’s administrator or manager/supervisor. Overtime will be compensated at one and one-half (1.5) times the employee’s regular rate of pay. An employee’s regular rate includes all payments made by the District to the employee. Examples of payments to be included are on-call pay, shift differential, hazard duty pay, and longevity pay.

Employees who earn overtime may, with the approval of the site administrator, elect to receive compensatory time off in lieu of overtime pay. Requests for compensatory time off in lieu of overtime must be made in writing and, once approved, will be placed in the employee’s payroll file. Compensatory time will be earned at the rate of one and one-half (1.5) hours off for each overtime hour worked. Employees who elect compensatory time off may accrue up to thirty hours. When an employee has exceeded the maximum number of hours specified, the excess hours will be paid out as overtime. Compensatory time off is to be taken at the earliest time which is mutually agreeable to the employee and administrator or manager/supervisor. Paid overtime will be included in the same paycheck covering the pay period in which the overtime was earned. At any time, the District may pay an employee in cash on any regular paycheck for compensatory time earned and not used. The District reserves the right to pay out any and all compensatory time earned at its discretion.

Time paid but not worked, such as sick leave, holidays, and annual leave, does not count toward hours worked for the purpose of computing overtime hours.

Exempt Employees

Generally, exempt employees are hired with the understanding that they are responsible for accomplishing the duties required for their assigned position. It is the District’s policy to comply with all aspects of the Fair Labor Standards Act (FLSA) including its salary basis requirements. Therefore, making any deductions from the salaries of exempt employees which

are not allowed by law is prohibited.

Consistent with the FLSA and NRS, employees in exempt positions are not required to be paid for overtime.

Exempt employees utilizing intermittent leave under the Family Medical Leave Act (FMLA) may have their pay deducted, including from sick or annual leave balances, for partial day or hour-by-hour absences.

The District may deduct a partial days' absence from an employee's accrued leave, but not from the employee's pay or salary. Accordingly, if the employee does not have accrued leave and still works part of a day, the employee must be paid their full salary. However, if an employee does not have accrued leave and is absent for a full day then the employer can deduct from the employee's pay or salary for that full day.

Deductions will also be made to offset amounts employees receive as jury or witness fees or for military pay or for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions. The District will prorate an employee's salary based upon the days worked during the initial and terminal pay period of employment.

Any employee who believes that an improper deduction has been made to his/her salary should immediately report this information to his/her direct administrator or manager/supervisor, or to payroll department.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, s/he will be promptly reimbursed for any improper deduction made.

Exempt employees are generally expected to be available to perform their job duties during normal school hours, Monday through Friday. It is expected that, in order for exempt employees to complete their assigned work, from time to time it will be necessary that they work beyond the normal work days and business hours of the District. If, however, an exempt employee is working well beyond a 40-hour work week on a regularly recurring basis, the District may examine staffing levels and the employee's work habits and procedures.

The District may choose to recognize an exempt employee for hours worked beyond normal business hours. In recognition of instances when an employee has completed an extraordinary work assignment and spent substantially more than a typical work week to accomplish the job, administrators or managers/supervisors may allow an exempt employee to take limited periods of time off without using accrued paid leave.

The limited periods of time off do not constitute additional compensation to exempt employees on an hour-for-hour basis for hours worked in excess of forty (40) hours per week. Accordingly, exempt employees will not "accrue a balance" of compensatory leave hours.

Reference: NRS 281.100