

OVERTIME and COMPENSATORY TIME

I. PURPOSE:

The purpose of this policy is to provide guidance for the administration and payment of overtime, and the accrual, accounting, and use of compensatory time, in accordance with the Fair Labor Standard Act, Board Policies, and Collective Bargaining Agreements.

II. LIMITATIONS:

1. Only FLSA nonexempt employees are eligible to receive payment for overtime and/or compensatory time. The following employee groups are eligible to receive overtime and/or compensatory time:

- Secretaries
- Technology Specialists
- Custodians and Maintenance Staff including Chief Custodians
- Child Nutrition Staff
- Paraprofessionals

2. FLSA exempt employees are not eligible to receive overtime pay and/or compensatory time. The following employee groups are not eligible to receive paid overtime and/or compensatory time:

- Administrators
- Instructional and Professional Staff

III. OVERTIME DUTY AUTHORIZATION:

1. Employee work shall be managed by the employee and their immediate supervisor
Minimize the need for overtime duty.

- Overtime shall accrue on a weekly basis.
 - Hours worked in excess of 37.5 per week, or 40 hours for Custodial and Maintenance employees, shall be considered overtime hours. Hours worked in excess of 7.5 or 8.0 per day shall not be considered overtime hours unless and until the number of hours worked in that same week exceed 37.5 or 40 hours.
 - It is the responsibility of the employee's immediate supervisor to authorize or deny overtime duty.
 - It is the responsibility of the employee to record and submit all hours worked.
 - Overtime duty authorization shall be scheduled and pre-approved using the approved Overtime Authorization Form.
2. Emergency overtime duty, as directed by the employee's immediate supervisor, does not require pre-approval.
 3. The immediate supervisor shall complete the Paid Overtime or the Compensatory Time section of the Overtime Authorization Form, including the funding source, and turn it in to the payroll office.

IV. OVERTIME DUTY PAYMENT:

1. All approved paid overtime over 37.5 or 40 hours per week shall be paid at one and one-half (1.5) the employees' hourly rate of pay.
2. It is the responsibility of the immediate supervisor to ensure that funding is available prior to approving scheduled overtime.

V. COMPENSATORY TIME OFF IN LIEU OF OVERTIME PAYMENT

Compensatory time guidelines are included in the Collective Bargaining Agreements for the following FLSA covered employee groups:

- Secretaries
- Custodial and Maintenance Staff
- Paraprofessionals

For other FLSA covered employees, the following guidelines shall apply:

1. Approved compensatory time shall be accrued at a rate of one and one-half (1.5) hours for each hour worked in excess of 37.5 or 40.0 in a week.
 - Compensatory time shall be approved in accordance with the procedures set forth above.
2. Approved compensatory time shall be recorded on Overtime Authorization Forms and forwarded to the payroll office. The Milford School District Payroll department shall have the authority and responsibility to record and account for compensatory time accrual, usage, and balances for all employees who accrue compensatory time.
3. Compensatory time leave must be requested, at least two (2) working days prior to the actual date of absence. Written approval must be secured from the employee's immediate supervisor for the compensatory time leave prior to the date of the absence.
 - Compensatory time requests shall be approved or denied with due regard to whether sufficient staff remains to provide for the operations of the school or the district.
 - No more than 3 days of compensatory time (22.5 hours) may be taken within one pay period
 - The Chief Operating Officer has the authority and responsibility to review compensatory time balances and audit the records that support the accrual of specific balances.
 - Any balances in question will be discussed with the employee prior to final determination.
 - Employees with compensatory time balances in excess of 45 hours shall meet with their immediate supervisor to develop a plan to reduce the balance so as to not exceed 45 hours. This plan is to be submitted to the Chief Operating Officer for review and approval.

- Compensatory time balances cannot be carried forward into a new calendar year except as approved by the immediate supervisor or per the negotiated agreement.

VI. FLEXIBLE WORK SCHEDULES:

1. Flexible schedules shall be used to the extent possible within the work week to avoid the accrual of overtime hours.
2. Voluntary flexible working schedules are permitted as mutually agreed upon by the immediate supervisor and the employee.
 - Voluntary flexible schedules shall not be approved if they disrupt the operations of the District.
 - All voluntary flexible schedules shall be approved in writing prior to the start of the flexible schedule.
 - The employee's immediate supervisor has the authority and responsibility to terminate and/or rescind an approved voluntary flexible schedule.
3. Voluntary flexible working schedules shall be managed within a single work week.

ADOPTED: 04/26/2004

AMENDED: 4/18/11, 11/25/13, 2/22/16; 4/15/24; 3/17/25