Non-exempt employees must be compensated for hours worked in accordance with the Federal Fair Labor Standards Act and Board policy. Noncompliance is a very serious and costly matter for the district.

Non-Exempt Employee Responsibility

Non-exempt employees are directed to record their actual hours worked in the TimeClockPlus system. If a non-exempt employee works unauthorized overtime/compensatory time, they will be compensated in compliance with the Fair Labor Standards Act, however, they may be recommended for termination. If a non-exempt employee works unauthorized overtime/compensatory time and does not reflect this time in the TimeClockPlus system, and later the district is made aware of or they claim payment for overtime/ compensatory time, they may be recommended for termination. If a non-exempt employee is asked to work overtime/compensatory time and are told by his/her supervisor not to claim the time worked, they are to contact the Deputy Superintendent at FLSA@kellerisd.net or 817-744-1014 immediately.

Supervisor Responsibility

Supervisors are responsible for knowing what work is being done by non-exempt employees and when that work is being done. This includes allowing non-exempt employees to stay late or take work home with them. Even if the employee does not notify the supervisor of the work being done outside of the work schedule, the Department of Labor (DOL) requires that the employees be paid as the supervisor had "suffered and permitted" the work. The DOL holds that the supervisor *should have been aware* that the work was being done.

If a supervisor allows a non-exempt employee to work without accurately reflecting their time, the supervisor will be held accountable and will be counseled or subjected to disciplinary actions which may include a recommendation of termination, as appropriate.

Supervisors shall monitor the compensatory/overtime worked for non-exempt employees under their area of responsibility. Compensatory time should be used as time off whenever possible. In accordance with Board Policy, when an employee has a balance of more than 60 hours of overtime, the employee will be required to use the compensatory time or will receive overtime pay. The request to pay the compensatory time in excess of 60 hours as overtime shall be via a memo from the supervisor to their Function Level supervisor (Cabinet level senior leader). The Function Lead supervisor will approve the overtime payment and send to payroll or direct the supervisor to allow the employee to take the compensatory time in excess of 60 hours as time off immediately.

All compensatory time should be taken as time off by the end of June. If time off is not an option due to workload, the compensatory time balance will be paid to the employee in July.