General Personnel

Compliance with the Fair Labor Standards Act

Job Classifications

The CEO or designee will ensure that all job positions are identified as either "exempt" or "non-exempt" according to State law and the Fair Labor Standards Act (FLSA) and that employees are informed whether they are "exempt" or "non-exempt." "Exempt" and "non-exempt" employee categories may include certificated and non-certificated job positions. All non-exempt employees, whether paid on a salary or hourly basis, are covered by minimum wage and overtime provisions.

Workweek and Compensation

The workweek for NKEC employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours. "Overtime" is time worked in excess of 40 hours in a single workweek.

Overtime

A non-exempt employee shall not work overtime without his or her supervisor's express approval. All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the CEO or designee's written pre-approval for any long-term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete timesheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review the work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the CEO or designee. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to Board policy *Compensatory Time-Off.*

Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension if the deduction would cause a loss of the exempt status. Licensed employees may be suspended without pay in accordance with Board policy *Suspension*. Non-licensed employees

may be suspended without pay in accordance with the Board policy of *Employment Termination and Suspensions*.

Implementation

The CEO or designee shall implement the policy in accordance with the FLSA, including its required notices to employees. In the event of a conflict between the policy and State or federal law, the latter shall control.

Legal Reference: 820 ILCS 105/4a.

Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

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Board Adoption Date: April 10, 2023.