

## **General Personnel**

### **Compliance with the Fair Labor Standards Act**

#### Job Classifications

The Superintendent will ensure that all job classifications are identified as “exempt” or “non-exempt” according to the Fair Labor Standards Act (FLSA). Employees are informed if they are “exempt” or “non-exempt.” “Exempt” and “non-exempt” may correspond to certified and non-certified positions. All non-exempt employees, whether paid on a salary or other basis, are covered by FLSA minimum wage and overtime provisions.

#### Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Sunday until 11:59 p.m. Saturday. Employees will be compensated for all hours worked including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek. “Overtime” is time worked in excess of 40 hours in a single workweek.

#### Overtime

An employee shall not work overtime without his or her supervisor’s express approval. All supervisors shall:

1. monitor overtime use on a weekly basis and report such use to their immediate supervisor;
2. seek the Superintendent’s 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 work, or in lieu of salary, agree to compensatory time as the method of compensation.

Accurate and complete time sheets of actual overtime hours worked during the pay period shall be signed by the employee and the employee’s supervisor and submitted to the Business Office. The Business Office will review work records on a regular basis, make an assessment of overtime use, and provide the assessment to the Superintendent. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off according to Board policy.

#### Compensatory Time Off

This section applies exclusively to educational support personnel who (1) are covered by the overtime provisions of the Fair Labor Standards Act; and (2) are not covered by a collective bargaining agreement.

Employees may be given one and one half hours of compensatory time in lieu of cash payment for each hour of overtime worked. Employees may accumulate a maximum of 40 hours of compensatory time, which represents compensation for 26.67 hours of overtime.

If any employee accrues the maximum number of hours, the employee:

1. is paid for any additional overtime hours worked at the rate of one and one half times the employee’s regular hourly rate of pay; and

2. may not accumulate any additional compensatory time off until the employee has used an equal amount of accrued time off.

An employee who has accrued compensatory time off shall be permitted to use such time in at least one half day increments, provided such requests do not unduly disrupt the District's operation. The employee's supervisor must approve the requests to use compensatory time off. Compensatory time off is time when the employee is not working and is therefore not counted as hours worked for the purposes of overtime compensation.

LEGAL REF.: 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.

CROSS REF.: 5:240 (Suspension), 5:290 (Employment Termination and Suspensions)

ADOPTED: April 5, 2011, November 18, 2014, July 16, 2019