

Policy Code: 7500 Workday and Overtime

A. WORK SCHEDULES

The length of the school day for licensed and professional staff will be a minimum of seven hours and thirty minutes and will continue until professional responsibilities to the student and school are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning, extracurricular activities, professional development, tutoring, assisting students with assignments and providing other help may require hours beyond the stated minimum. Work schedules for other employees will be defined by the superintendent or designee, consistent with the Fair Labor Standards Act and the provisions of this policy.

B. WORKWEEK DEFINED

Working hours for all employees not exempted under the Fair Labor Standards Act (FLSA), including secretarial, cafeteria, janitorial and maintenance personnel, will conform to federal and state regulations. The superintendent shall ensure that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors shall make every effort to avoid circumstances that require non-exempt employees to work more than 40 hours each week. For purposes of FLSA Compliance, the workweek for school system employees will be 12:00 a.m. ~~Saturday~~ **Sunday** until 11:59 p.m. ~~Friday~~ **Saturday**. A copy of the FLSA and any administrative procedures established by the superintendent will be available to employees in the human resources office.

C. OVERTIME AND COMPENSATORY TIME

The board of education discourages overtime work by non-exempt employees. A non-exempt employee may not work overtime without receiving approval in advance from his or her supervisor and the superintendent or designee. All supervisory personnel shall monitor overtime use on a weekly basis and report such use to the superintendent or designee. Principals and supervisors shall monitor employees' work, shall ensure that overtime provisions of this policy and the FLSA are followed, and shall ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete timesheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer shall review work records of employees on a regular basis to make an assessment of overtime use.

In lieu of overtime compensation, custodian, clerical and maintenance employees and other designated groups determined by the superintendent may receive compensatory time off at a rate of not less than one and one-half hours for each one hour of overtime worked, if such compensatory time (1) is agreed to by the employee before the overtime work is performed and (2) is authorized by the immediate supervisor. Employees must be allowed to use compensatory time within a reasonable period after requesting such use (see policy [7510](#), Leave). Employees may accrue a maximum of ~~80~~ **240** compensatory time hours before they must be provided overtime pay at the appropriate rate. In addition, upon leaving the school system, an employee must be paid for any

unused compensatory time at the rate of not less than the higher of (1) the average regular rate received by the employee during his or her last three years of employment or (2) the final regular rate received by the employee. Teacher assistants, cafeteria staff, bus drivers and other hourly employees will be paid the appropriate rate for overtime as worked.

Non-exempt employees whose workweek is less than 40 hours will be paid at the regular rate of pay for time worked up to 40 hours. Such employees will be provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek.

Employees will be provided a copy of this policy at the time of hire and will be required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy will constitute the agreement required in this section.

D. ATTENDANCE EXPECTATIONS

All employees are expected to be present during all working hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

Legal References: The Fair Labor Standards Act of 1938, as amended, 29 U.S.C. 201, et seq.; G.S. 115C-47(18), -288, -307; *North Carolina Public School Personnel Employee Salary and Benefits Manual* (most current version), North Carolina Department of Public Instruction, Division of School Business, available at <http://www.ncpublicschools.org/fbs/finance/salary/>

Cross References: Leave (policy 7510)

Adopted: August 7, 2012

Revised: January 7, 2014; March 1, 2016