

OVERTIME POLICY SIGNATURE FORM

Exempt Personnel – Time Worked in Excess of 40 Hours

When it becomes necessary for employees who are classified as "exempt" under the Fair Labor Standards Act (FLSA) to work in excess of 40 hours in a given workweek, the employee's immediate supervisor and the division superintendent or his designee may grant other compensatory leave time for those hours worked in excess of 40. This is a benefit extended to exempt employees and is not required by the FLSA.

Non-Exempt Personnel - Overtime

Employees who are classified as "non-exempt" under the Fair Labor Standards Act shall not work overtime without express approval in writing by their immediate supervisors and the division superintendent or his designee. The School Board discourages overtime work by non-exempt employees. All supervisory personnel must monitor overtime on a weekly basis and report such time to the division superintendent or his designee. Principals and supervisors will monitor employees' work schedules and will ensure that all employees are compensated for any overtime work as required by the Fair Labor Standards Act. Principals and supervisors, however, shall adjust daily work schedules where possible to prevent non-exempt employees from working more than forty (40) hours per workweek. For purposes of this policy and compliance with the Fair Labor Standards Act, the workweek for the school division shall be from 12:00 a.m. Saturday until 11:59 p.m. Friday. The school division and each employee shall maintain accurate and complete time sheets for actual hours worked during the workweek, which shall be signed by each employee and submitted to the principal at the school level, and to the finance officer for Central Office and other building employees. The finance officer shall review work records of employees on a regular basis to make an assessment of overtime and compensatory time use.

Compensatory Time in Lieu of Overtime

In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time is: (1) pursuant to an agreement between the employer and the employee reached before overtime work is performed; and (2) authorized by the employee's immediate supervisor.

Employees will be permitted to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division. Employees may accrue a maximum of 240 compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In no circumstances shall vacation or compensatory leave exceed the amount specified in applicable sections of the Mecklenburg County School Board Policy and Regulations Manual. See Policies 5-7.6 and 5-7.7.

In addition, upon the termination of his employment with the school division, an employee shall 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 last three years of employment, or (2) the final regular rate received by the employee.

Non-exempt employees whose work week 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 paid overtime rates or receive compensatory time as provided herein for hours worked in excess of 40 in any work week.

Employees will be provided a copy of this policy and will be required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy shall constitute the written agreement required for compensatory time, as described in this section.

Flexible Schedule

The division superintendent is authorized to delegate to principals and directors the authority to establish flexible working hour schedules for non-licensed employees to the extent permitted by applicable law. The division superintendent, if he or she elects to exercise this authority, shall establish procedures that ensure compliance with the Fair Labor Standards Act and other applicable law, and that ensure productive work schedules.

EMPLOYEE NAME (PRINT): _____

EMPLOYEE SIGNATURE: _____

DATE: _____