

Administrative Rule

CLASSIFIED STAFF OVERTIME PAY REGULATION

Code GCRD-R Issued 12/15/21

Minimum Wage

The minimum wage paid on an hour-by-hour basis to all employees, either full or part time, permanent or temporary, will be at the approved rate as determined by the federal government, except under designated training and apprenticeship programs exempt under special U.S. Department of Labor certification.

Workweek

A workweek will be a continuous period of 168 hours in the form of seven (7) consecutive twenty-four (24)-hour periods. The district workweek begins at 12:01 a.m. each Monday for all employees and runs for seven (7) consecutive days. Each workweek stands alone for the purpose of determining overtime pay for non-exempt employees.

Hours Worked

Hours worked means all hours during which the individual is required to be on duty, generally from the required starting time to normal quitting time. Meal periods of thirty (30) minutes or longer do not count as hours worked unless the individual is required to be on duty or perform work duties during the meal period. Break periods of twenty (20) minutes or longer do not count as work time.

Travel

Ordinary travel time from home to a base location or vice versa is not work time. Official travel that occurs during an individual's regular working hours will be considered hours worked.

Leave

Time taken for annual leave, sick leave, leave without pay, or other leave taken for the purpose of jury duty, military assignment, or because of death in the family will not be counted as time worked and is, therefore, not counted as compensable time for the purpose of overtime pay.

Overtime Hours

Overtime hours will be held to a minimum consistent with the needs and requirements of sound and orderly administration. All overtime hours worked by non-exempt employees must be scheduled and duly authorized by the employee's principal, or, at the district level, by the employee's immediate supervisor. Overtime hours worked over forty (40) hours during the

PAGE 2 – GCRD-R – CLASSIFIED STAFF OVERTIME PAY

workweek must be authorized in writing prior to the time the work is performed. Unauthorized overtime will not be approved.

With respect to the payment of overtime in money or in compensatory time, the district will have the discretion to determine which method of payment to choose. The district reserves the right to require employees taking comp time to schedule compensatory time in minimal increments of four (4) hours. This requirement is subject to change by the district upon written notification to all affected employees.

Where an employee in a single workweek works at two (2) or more different types of work for which different straight-time rates have been established, the employee's regular rate for that week is the weighted average of such rates. (That is, the earnings from all such rates are added together.) This total is then divided by the total number of hours worked at all jobs.

Compensatory time off

Non-exempt employees who work more than forty (40) hours during any workweek may be awarded compensatory time off (comp time). Comp time will be awarded at the rate of one and one-half (1.5) hours for each hour of overtime worked in any given workweek.

Comp time may be accrued to a maximum of forty-eight (48) hours (thirty-two (32) overtime hours). Overtime work beyond this maximum accrual will be monetarily compensated at the rate of one and one-half (1.5) times the individual's normal hourly rate of pay.

Every effort will be made to permit the use of comp time at the time mutually agreed upon by the individual and his/her supervisor. However, where the individual's absence would unduly disrupt the district's operations, the district retains the right to postpone comp time usage.

Time off later for working on an official holiday will not be considered compensatory time off but as a delayed holiday. Employees who are required to work on an announced holiday must be given equal time off within the same fiscal year.

Monetary compensation

Non-exempt employees who work in excess of forty (40) hours per workweek will be paid at one and one-half (1.5) times their regular rate if the district elects to pay money rather than compensatory time or once the maximum amount of compensatory time has been accrued. If an employee is paid on a salary basis, the salary is intended to compensate the employee for any straight-time hours worked during a particular workweek and the employee will be entitled to a half-time premium for hours worked over forty (40) in a particular workweek.

Termination

Individuals with unused comp time who are terminated or who terminate their employment will be granted comp time prior to their final date of employment or monetarily paid for unused comp time at one and one-half (1.5) times their final regular rate of pay or for the average rate of pay

PAGE 3 – GCRD-R – CLASSIFIED STAFF OVERTIME PAY

for the final three (3) years of employment, whichever is higher. The district will have the discretion to determine which method of payment to choose.

Volunteers

A volunteer is defined as an individual who receives no compensation or who is paid expenses, reasonable benefits, or a nominal fee to perform the services for which the individual volunteered and such services are not the same type of services which the individual is employed to perform for the district.

Students

Career and technology students performing work as part of a curriculum are students and not workers. Students helping in office capacities for short periods of time are volunteers and not employees.

Exemptions

Executive, administrative, and professional employees, including computer professionals, will be considered exempt from overtime payment or compensatory time accrual if they meet the salary and duties tests for exemption from coverage under the Fair Labor Standards Act and applicable Department of Labor regulations.

Improper Deductions

The board prohibits improper pay deductions. Employees who believe that improper pay deductions have been taken should immediately report the concern to human resources. Employees will be reimbursed for any improper pay deductions. If an employee's request for reimbursement of a deduction is denied, the employee may appeal that decision by following the grievance procedure set forth in district policy GAE, Staff Concerns, Complaints, and Grievances.

Nothing in this policy will prevent the district from properly charging absences against sick leave, personal leave, or other such leave or from making deductions from pay for unapproved or unpaid absences, as established in board policy.

Recordkeeping

Exempt employees

The following records must be kept for each employee:

- name and identifying number
- home address
- birth date if the employee is under nineteen (19)
- sex and occupation in which employed

PAGE 4 – GCRD-R – CLASSIFIED STAFF OVERTIME PAY

- basis on which wages are paid, ensuring sufficient detail to permit calculation for each pay period of the employee's compensation

Non-exempt employees

The following records must be kept for each employee:

- name and identifying number
- home address
- sex and occupation in which employed
- time and day on which his/her workweek or work period begins and length of the work period
- regular rate of pay for any workweek or work period
- hours worked each day and each workweek or work period
- total daily, weekly, or work period straight-time earnings (includes one time, but not time and one-half pay for overtime)
- overtime excess compensation (the "half time" or more extra compensation for overtime)
- total additions to or deductions from wages paid each pay period
- total wages paid each pay period
- date of payment and the pay period covered by the payment

Retention of records

Preserved for five (5) years:

- payroll records
- certificates, agreements, plans, notices, etc. (e.g. contracts, written agreements, or memoranda summarizing the terms of oral agreements)
- sales and purchase records
- supplementary basic records such as basic employment and earnings records, wage rate tables, and work time schedules
- order, shipping, and billing records
- records of additions to or deductions from wages paid
- records which explain the basis for payment of any wage differential to employees of the opposite sex in the same establishment

Adopted 12/14/21
