

Policy 4018 – Fair Labor Standards Act (Minimum Wage and Overtime)

Work Week:

The work week for overtime purposes shall be 12:00 a.m. Sunday until 11:59 p.m. Saturday. The administration may establish a different 7-day workweek from time to time for specified employees or employee groups.

Overtime:

Overtime will be paid to non-exempt employees as required by law. Compensatory pay in lieu of overtime may be implemented in accordance with the law. A non-exempt employee shall not work overtime without the express approval of the employee's supervisor.

Salaried Basis:

The District's policy is to not permit improper deductions from the salary of exempt employees who are required to meet a "salaried basis" test for the exemption to be applicable. (Teaching professionals are not subject to the "salaried basis" test). An employee who feels an improper deduction affecting exemption status has occurred may submit a complaint to the Superintendent of the Superintendent's designee, who shall promptly investigate the complaint. Reimbursement shall be made and a good faith commitment to comply in the future will be given in the event it is determined that an improper deduction affecting overtime exemption has been made.

The District's policy is to authorize unpaid disciplinary suspensions of a full day or more for infractions of workplace conduct rules and to apply such policy uniformly to all similarly situated employees, including exempt employees who are required to meet a "salaried basis" test for the exemption to be applicable. Unpaid disciplinary suspensions of a partial day or of a full day or more may be implemented for infractions of safety rules of major significance. Deductions of pay of a partial day or of a full day or more may be made of FMLA leaves and in the first and last weeks of employment. In addition, based on principles of public accountancy, deductions from pay of a partial day or of a full day or more will be made for absences for illness, injury or personal reasons when accrued leave is not used or not available, and or absences due to any budget-required furlough.

Legal Source:

Fair Labor Standards Act, 29 U.S.C. 201 et seq;

29 CFR 541.303; 541.602; 541.603; 541.710; 553.20-.28; and 771.105