

COMPENSATION PLAN
WAGE AND HOUR LAWS

DEAB
(LOCAL)

Classification of Positions

The Superintendent or designee shall determine the classification of positions or employees as “exempt” or “nonexempt” for purposes of payment of overtime in compliance with the Fair Labor Standards Act (FLSA).

Exempt

The District shall pay employees who are exempt from the overtime pay requirements of the FLSA on a salary basis. The salaries of these employees are intended to cover all hours worked, and the District shall not make deductions that are prohibited under the FLSA.

An employee who believes deductions have been made from his or her salary in violation of this policy should bring the matter to the District’s attention, through the District’s complaint policy. [See DGBA] If improper deductions are confirmed, the District will reimburse the employee and take steps to ensure future compliance with the FLSA.

Nonexempt

Nonexempt employees may be compensated on an hourly basis or on an annualized hourly basis. Employees who are paid on an hourly basis shall be compensated for all hours worked. Employees who are paid on an annualized hourly basis are paid for their weekly hours as determined by their assigned work schedule. A nonexempt employee shall be paid at his or her hourly rate up to 40 hours and at one and one-half times his or her hourly rate for hours worked over 40 hours.

A nonexempt employee shall have the approval of his or her supervisor before working overtime. An employee who works overtime without prior approval is subject to discipline but shall be compensated in accordance with the FLSA.

Workweek Defined

For purposes of FLSA compliance, the workweek for District employees shall begin at 12:00 a.m. Sunday and end at 11:59 p.m. Saturday.

Compensatory Time

Except for extraordinary circumstances, nonexempt employees shall receive compensatory time off, rather than overtime pay, for overtime work.

Use

An employee shall normally use compensatory time within the duty year in which it is earned. Earned compensatory time shall be used before any available state or local leave. An employee shall use excess compensatory time at the discretion of the employee’s supervisor.

An employee may use compensatory time in accordance with the District’s leave policies and if such use does not unduly disrupt the operations of the District. The use of compensatory time shall not be restricted by the limits on discretionary use of leave as de-

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scribed in DEC(LOCAL). An employee and his or her supervisor will work collaboratively to reduce excessive compensatory time balances. The District may require an employee to use compensatory time when in the best interest of the District.