

PENN MANOR SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED: October 17, 2012

REVISED:

330-AR-0. OVERTIME

Only nonexempt employees are eligible for overtime pay. Each affected district employee will be notified annually of this nonexempt status and will be notified of the hours, days, and beginning and ending times of the job.

The district will pay a nonexempt employee for overtime at not less than one and one-half (1½) times the employee's regular rate of pay for all hours worked in excess of forty (40) hours per week (including the difference between the normal workweek and forty (40) hours).

Any overtime hours must be approved in advance by the employee's immediate supervisor. If an employee works overtime without authorization, the employee will be paid for the overtime but will be disciplined for violating Board policy and administrative regulations.

The district will inform employees about the provisions of the Fair Labor Standards Act (FLSA) by posting information disseminated by the U.S. Department of Labor. Information posters will be posted in employee lounges, school offices, cafeteria kitchens, supply closets, and other places where employees gather.

The district will maintain procedures for time keeping and complying with the FLSA.

Nonexempt employees in the district include, but are not limited to: secretaries, paraprofessionals, cafeteria workers, custodians, and maintenance personnel.

Compensable Time Defined

Nonexempt Employee - refers to employees who are not exempt from the overtime provisions in the wage and hour laws.

Hours Worked - nonexempt employees must be compensated for all hours worked in a workweek. In general, hours worked include:

1. All the time an employee must be on duty.
2. All the time an employee must be on the employer's premises.
3. All the time an employee must be at any other prescribed place of work.

4. Any additional time an employee is allowed to work, i.e. suffered or permitted to work.

Suffered or Permitted to Work - if an employer knows or has reason to know that a nonexempt employee starts work early or continues to work late, it is considered work time. This includes knowing or having reason to know that an employee works at home, as when a secretary calls for substitutes early in the morning.

Volunteering to Perform Regular Work - nonexempt employees may not volunteer to perform their regular work duties off-the-clock and without compensation. An employee must be paid, even if s/he offers to do the work on his/her own time. Employees cannot waive wage and hour law requirements.

Volunteering to Perform Services Not the Same as Regular Work - nonexempt employees may volunteer to perform services under these conditions:

1. The volunteer services are not the same as or similar to the employee's regular work duties.
2. The employee offers the services freely and without coercion.
3. The employee provides the services without the promise of compensation, although s/he may be paid expenses, reasonable benefits or a nominal fee. A fee is not nominal if it is a substitute for compensation or tied to productivity.

Compensatory Time

The district may grant compensatory time off for food service and custodial employees only in lieu of overtime pay in accordance with Board policy.