

FAIR LABOR STANDARDS ACT (FLSA)

Reference: 29 USC 201 et seq.
29 CFR Part 541

Non-exempt employees who work more than forty (40) hours in a given work week will receive overtime pay, in accordance with the FLSA, for all hours worked in excess of forty (40).

Non-exempt employees who work overtime without prior approval from the School Leader or a supervisor may be subject to disciplinary action up to, and including, termination.

The work week is established as **(Monday/0730)** to **(Friday/1530)**.

To the extent that an employee's individual contract provides for greater benefits than those mandated by the FLSA, the contract agreement will be honored.

Notwithstanding the fact that exempt school employees continue to meet the salary basis requirements and are not disqualified from exemption, even if the employee's pay is reduced or the employee is placed on a leave without pay, for absences for personal reasons or because of illness or injury of less than one (1) work-day (because accrued leave is not used for specific reasons), the Board reserves the right to make deductions from the pay of otherwise exempt employees under the following circumstances:

- A. the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability;
- B. the employee is absent from work for one (1) or more full days due to sickness or disability, if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness.
- C. to offset amounts, which employees receive as jury or witness fees or for military pay;
- D. for unpaid disciplinary suspensions of one (1) or more full days, imposed in good faith for workplace conduct rule infractions;
- E. for penalties, imposed in good faith, for infractions of safety rules of major significance.

The Board shall not be required to pay the full salary in the initial or terminal week of employment or for weeks in which an exempt employee takes unpaid leave under the Family & Medical Leave Act.

The Board recognizes that, with limited legally permissible exceptions, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes an improper deduction has been made to his/her salary, the employee should immediately report this information to the **Principal or Principi Designee**. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made, and the Board will make a good faith commitment to avoid any recurrence of the error.

Information regarding the Fair Labor Standards Act may be found on the U.S. Department of Labor's Web site <www.dol.gov>.

This policy is intended to comply with and explain the employees' rights under the Fair Labor Standards Act. If the policy results in any conflict or exceeds the statutory requirements, the statute and its implementing regulations prevail.

The Board directs the School Leader or his/her designee to distribute this policy to all employees upon initial hire and on an annual basis.

The School Leader is directed to prepare Administrative Procedures to implement this policy.