COMPENSATORY TIME FOR OVERTIME
(NON-EXEMPT EMPLOYEES)

The Fair Labor Standards Act (FLSA) extends flexibility to technology centers in adopting arrangements that provide compensatory time off in lieu of monetary overtime compensation. Accordingly, the technology center will provide, within reasonable limits, compensatory time off. The calculation used to determine the amount of compensatory time available to a nonexempt employee is one and one-half hours of compensatory time for each hour of overtime worked. Compensatory time received by an eligible employee extinguishes the employee’s entitlement to monetary overtime compensation. Compensatory time off is subject to all of the conditions provided in this policy and the technology center’s other policies concerning FLSA. The technology center’s administration shall, at all times, retain the authority to make the decision to permit an employee to accumulate and use compensatory time or to pay the employee for overtime worked; however, the standard of time and one-half for overtime hours worked shall apply in either instance. The technology center’s policy and applicable procedures concerning compensatory time are more fully detailed below.

Prior Approval of Overtime Required

Overtime will not be allowed to any non-exempt employee unless prior approval has been given by the employee’s supervisor, the deputy superintendent, the superintendent, or his/her designee. Non-exempt employees working in excess of forty (40) hours per workweek without prior written approval may be subject to appropriate disciplinary action, up to and including possible termination.

Calculation of Compensatory Time

If a non-exempt employee is properly assigned to work more than forty (40) hours in a workweek, the technology center may provide compensatory time (“comp time”) off in lieu of monetary overtime compensation at a rate of not less than one and one-half (1-1/2) hours of compensatory time for each hour of overtime worked. It shall be the responsibility of the employee and the employee’s supervisor to maintain accurate records of all comp time accrued. All overtime recorded to be accrued as comp time must be requested by the employee and approved by the immediate supervisor or his/her designee by the end of the week following the week in which the overtime is worked.

Scheduling Use of Compensatory Time

Any non-exempt employee who has accrued comp time and who requests the use of the comp time shall be permitted to use the comp time by the end of the current quarter, after making the request, as long as the use of the comp time does not unduly disrupt the operation of the technology center. All requests to use comp time must be requested in the
leave system. If the request is denied, then the employee and supervisor are to arrange an alternate date for the comp time to be used within the current quarter.

**When Hours are Not Considered Work Hours**

Time periods in excess of twenty (20) minutes during which the employee is not actually performing job duties will not be included as “hours worked” if the time can effectively be used for the employee’s own purpose.

**Volunteer Work**

Non-exempt employees are not allowed to do “volunteer” work for the technology center. Although the technology center appreciates the occasional willingness of nonexempt personnel to volunteer their time, FLSA regulations create an unacceptable risk of overtime liability when nonexempt personnel volunteer to perform services for the technology center or volunteer to work longer hours without compensation. An exception to the volunteer prohibition is an employee of the technology center who is a parent, grandparent, or guardian who volunteers in connection with school activities involving the individual’s child or grandchild and the activity is one for which parents or others customarily volunteer. In addition, the volunteer’s activities or services must be unrelated to the employee’s compensated duties with the school.

**Payment for Comp Time**

Comp time which has not been used by the end of the quarter in which it was earned (September, December, March, and June) will be paid on the following month’s payroll (October, January, April, and July).

Any non-exempt employee whose employment with the technology center terminates and who has accrued but not used comp time shall be paid at time and a half of his/her regular hourly or salary rate in effect at the time the employee receives the payment. The technology center reserves the right, at any time, to substitute a cash payment, in whole or in part, for comp time.

**Notice of policy to Nonexempt Employees**

A copy of this policy will be provided to all of the technology center’s nonexempt employees along with a compensatory time agreement which employees will sign and which the employee’s supervisor will sign. The agreement, unless withdrawn by the technology center, will remain in effect while the employee works for the technology center. This compensatory time off policy shall be considered as a condition of employment for all non-exempt employees of the technology center.