

What is the benefit of compensatory time?

The Fair Labor Standards Act requires most employers to pay overtime compensation for all hours worked over 40 per week. Employees of governments, including school districts, are permitted to use compensatory time in lieu of overtime compensation so long as the time off is given at the rate of one and one-half hours for each hour of overtime work. In some circumstances, there are very busy times of the month with many deadlines, i.e. payroll that can be offset with time off during less busy periods. Compensatory time allows the employee to have the option to be more flexible with his or her work schedule.

How can an employee select compensatory time?

An employee must sign an agreement prior to the performance of overtime which is substituted for compensatory time. Once this agreement is signed, the employee keeps track of the overtime earned and comp time used on the Compensatory Time Report. All overtime worked must still be at the request of the supervisor and have prior approval.

How do we keep track of the comp time due the employee?

On the time sheet, there are columns for extra hours earned and comp hours used. It is the **employee's** responsibility to keep track of the balance every month until the comp time balance goes to zero.

Once I consent to substitute compensatory time for overtime, may I change my mind?

A consent form covers all overtime worked from that point on. If hours are accumulated and compensatory time off is not available, the agreement can be revoked by giving written notification to the supervisor. Revocation of the agreement will be allowed once a year, and must be made prior to working any additional overtime. Compensatory time earned up until that point will be held until it is used, or until August 30, whichever comes first. Accumulated compensatory time will **not** be paid before the September check unless employment is terminated.

LENGTH OF WORK DAY

Administrators

Administrators are Fair Labor Standards Act (FLSA) exempt and do not have regularly set, predetermined work hours. Administrators are expected to report to work during the established public hours of the site(s) to which the administrator is assigned and consistent with all district expectations and directives. Administrators are expected to work before and after established public hours of the assigned site(s) to accomplish job duties.

Certificated Staff

Regular building hours for teachers and other certificated, non-administrative staff will be one-half hour before school starts to one-half hour after school ends, including a 30-minute duty-free lunch period. Individual schools may request a board waiver from these district-wide provisions consistent with applicable provisions of collective bargaining agreements. The starting and dismissal times for students, which may vary from school to school, will be determined by the district.

Certified staff may often spend time outside the work day to fulfill their professional responsibilities, including:

- A. Preparing for instruction of classes, planning lessons;
- B. Consulting with students, grading assignments, completing paperwork;
- C. Improving communication with parents, including but not limited to, initiating contact with parents after or before building hours;
- D. Participating in curriculum development committees leading towards the improvement of the educational program;
- E. Attending staff meetings, including attending necessary professional development, provided by the district, to improve and maintain teaching skills;
- F. Supervising and directing extra-curricular activities; and
- G. Participating in such other activities that pertain to the district's educational program.

Classified Staff

A classified hourly staff member will be paid at the rate of one and one-half times the salary schedule rate when he/she works for more than 40 hours during the regular work week or consistent with applicable provisions of collective bargaining agreements. The regular work day will include one 15-minute break for each four hours of work. A lunch period of not to exceed

one hour will be scheduled but will not be counted for pay purposes. The district will be responsible for establishing the work day schedule for each classified staff member.

In the event a supervisor requests that a staff member work beyond the specified working hours and thus exceeds the 40 hours during the established work week, the district may grant, at the staff member’s request, compensating time off in lieu of overtime pay consistent with applicable provisions of collective bargaining agreements. A staff member may accumulate up to 240 hours of compensatory time. When the staff member reaches the 240-hour limit compensatory time will cease to accrue and the staff member must either take compensating time off or receive pay for such excess hours.

Custodial/maintenance and office staff will report for work when schools are closed for bad weather when required by the superintendent/designee.

Legal References: 29 U.S.C § 201 et seq. Fair Labor Standards Act

- RCW 28A.405.140 Assistance for teacher may be required after Evaluation
- RCW 28A.405.466 Presence of certificated personnel at school Before and after school – Policy
- RCW 49.46.120 Chapter establishes minimum standards and is supplementary to other laws—more favorable standards unaffected
- RCW 49.46.130 Minimum rate of compensation for employment in excess of forty hour workweek—Exceptions
- WAC 296-128-550 Regular rate of pay
- WAC 296-128-560 Compensating time off in lieu of overtime pay

Adoption Date: April 19, 1988

Revision Dates: July 21, 1998
August 22, 2006
December 18, 2012
November 18, 2015