

**HOURS OF WORK AND OVERTIME****SECTION 3.02****Effective Date: July 27, 2017****Approved: July 27, 2017****Approved By: Governing Board** **Original Date: October 15, 2015**

Unless specifically exempted from Fair Labor Standards Act (FLSA), employees covered by the Act must receive overtime pay for hours actually worked in excess of 40 in a workweek at a rate not less than time and one-half (1½) their regular rates of pay. There is no limit in the Act on the number of hours that employees aged 16 and older may work in any workweek. The Act does not require overtime pay for work on Saturdays, Sundays, holidays, or regular days of rest, during a week that the employee does not work more than 40 hours.

The Act applies on a workweek basis. An employee's workweek is a fixed and regularly recurring period. The Governing Board has determined that Agency-wide the organization's work period is defined as 168 hours during 7 consecutive 24-hour periods (12 a.m. Sunday to Midnight Saturday). Averaging of hours over two (2) or more weeks is not permitted. Normally, overtime pay earned in a particular workweek must be paid on the regular pay day for the pay period in which the wages were earned.

Overtime for nonexempt employees must be pre-authorized by the employee's supervisor, when overtime is anticipated or possible for that week. However, employees must be paid for actual hours worked, including whether pre-authorized or not.

It is the policy of the Governing Board that the normal working week of the agency shall consist of five (5) consecutive days, usually Monday through Friday. Eight (8) hours shall normally constitute a full day's work. The time within which these hours are to be worked is usually 8:00 a.m. to 4:30 p.m.

Forty (40) hours per week is the normal workweek for all staff.

The Executive Director will establish hours consistent with regulatory guidelines, but the core operating hours will be 8:00 a.m. to 4:30 p.m. Monday through Friday.

**Clocking In and Out (Grace Period)**

Employees shall not clock in more than seven (7) minutes before their scheduled start time or clock out more than seven (7) minutes after their scheduled end time, unless they have been asked to do so or granted permission by their supervisor.

Knowingly clocking another employee in or out is a Group III Offense and will be subject to disciplinary action up to and including termination.

## **Failure to Clock In or Out**

Consistently failing to clock in or out (i.e., forgetting to punch or forgetting employee card), is a Group I Offense and will result in disciplinary action in accordance with the personnel policy manual.

## **Flexible Scheduling**

*Flex Time: A flexible work schedule is an alternative to the traditionally scheduled hours within a 40-hour workweek. It allows employees to vary their arrival and/or departure times. The purpose of flex time is to avoid working in excess of 40 hours in one (1) workweek.*

The Executive Director will delegate the responsibility of implementing this policy to the Program Director supervising the employee in question. The Program Director may implement flexible scheduling practices but will use the following guidelines in implementing this procedure:

1. The employee must put in writing their proposed flexible schedule. The Program Director/Supervisor must approve the employees flexible schedule request. The approved flexible schedule will then be forwarded to Human Resources and placed in the employees' personnel file. Failure to have an approved written flexible schedule on file will result in disciplinary action.
2. Flexible scheduling should not hinder program operations.
3. Flexible scheduling shall conform to state and federal wage and hour laws.
4. Once an employee adopts a flexible schedule it should be adhered to and changed infrequently.
5. Scheduling should ensure that the program is staffed during the core operating hours of the agency.
6. In general, flexible working schedules should be adopted only after the end of an employee's instructional period.
7. Employees must work the same number of hours under flexible working schedule arrangements as they would under standard arrangements.

## **Lunch Periods**

Lunch breaks shall be one-half ( $\frac{1}{2}$ ) hour in duration unless flexible scheduling has been previously approved and established. The timeframe for lunch breaks shall generally be between the hours of 11:00 a.m. and 2:00 p.m. unless otherwise approved.

Non-exempt employees are not permitted to perform work of any kind while on a lunch break. Lunch breaks are not compensated hours. Employees should be away from their work stations for the duration of his or her lunch break whenever practicable.