
Fair Labor Standards Act Procedure (HRS-P003)

DCSS – Human Resource Services

1.0 SCOPE:

- 1.1 This procedure provides for minimum standards for both wages and overtime entitlement, and spells out administrative procedures by which covered work time must be compensated. It also ensures that wages are paid for all hours worked and that all overtime hours, overtime pay and collected unpaid overtime due is paid to wage earners.

The online version of this document is official. All printed versions are uncontrolled copies.

2.0 RESPONSIBILITY:

- 2.1 Executive Director, Finance & Operational Services

3.0 APPROVAL AUTHORITY:

- 3.1 Executive Director, Finance & Operational Services

4.0 DEFINITIONS:

- 4.1 None

5.0 PROCEDURE:

5.1 General Information

- 5.1.1 The Certified staff of the Dougherty County School System is exempt under the Fair Labor Standards Act. An exemption to this is a substitute teacher who is classified as a nonexempt worker under the Fair Labor Standards Act. (See 5.13)
- 5.1.2 The majority of Classified Workers of the Dougherty County School system are non-exempt under the Fair Labor Standards Act
- 5.1.3 Dougherty County School System's classified staff is **NOT** allowed to volunteer their time to the Dougherty County School System.
- 5.1.4 Where a classified member of staff wishes to volunteer their time e.g. read in their child's or another class-room in the same school at which they are employed, the Principal must get a letter from the employee(parent) clearly stating that they are at the school voluntarily and wish to read to their child's class or other students class. This also applies to other activities such as parent teachers associations, band boosters etc. They may not do volunteer work in their regular classroom doing the same work they are paid for.

5.2 Time Recording

- 5.2.1 It is the responsibility of the Employer (County School System) to keep accurate time records for all staff. This will be achieved by all staff using the swipe stations and their identification cards to record time of arrival and leaving work. Thus all Dougherty staff will swipe in as they are about to commence work, swipe out again if they take a lunch break, swipe in again after their lunch break and finally swipe out again when they finish work. Lunch, if taken, needs to be taken away from their normal work place and has to be at least 30 minutes in duration. The swipe stations will be located in the offices at schools and at other strategic points in other administrative offices of the School System.
- 5.2.2 It is the Director/Principal's responsibility to ensure that accurate time records are maintained for all employees and sent to HRS-Payroll in Central Office. These records

Fair Labor Standards Act Procedure (HRS-P003)

DCSS – Human Resource Services

must include an accurate time of starting work, accurate recording of any breaks taken (i.e. lunch break) and accurate sign out times when an employee leaves work.

- 5.2.3 A classified employee can sign in up to 7 minutes before their due time to start work. If an employee signs in before their due time to start then they will be able to leave the same number of minutes earlier in the afternoon, with the prior approval of the Principal/Director.
- 5.2.4 An employee may arrive early for work and not sign in, but they need to be away from their normal area of work. **No** work may be performed before signing in or after signing out. Similarly in the afternoon, if an employee sign out and remain on school premises, he/she **must** leave their normal area of work.
- 5.2.5 The System will presume that failure to swipe in is a result of absence and the appropriate action will be taken i.e. either leave recorded, sick day or pay deducted.

5.3 Breaks

- 5.3.1 The law does not require that employees be given a rest break or a meal break. Any breaks taken must be agreed with the employee's immediate supervisor. If the taking of breaks is abused by employees, they will be withdrawn completely.
- 5.3.2 The Dougherty School System does **NOT** give rest breaks.
- 5.3.3 However, the Dougherty County School System has always and will continue to work closely with all employees regarding reasonable expectations during the work day.

5.4 Overtime Hours/Compensatory Leave

- 5.4.1 It is the practice of Dougherty County School System that any additional hours worked by classified staff in excess of an employee's normal working day will be treated as compensatory leave. Compensatory leave must be taken within a reasonable time of the leave being earned. A maximum of 160 compensatory hours may be accrued by an individual in lieu of overtime. This equates to 240 hours of leave time (i.e. 160 hours x 1.5 = 240 hours leave).
- 5.4.2 Any additional hours worked must first be agreed with the Executive Director of Business & Operations by the employee's Principal/Director or in their absence, his/her designee. Hours worked in excess of 40 hours per work week will be compensated at the rate of 1.5 compensatory hours for each hour worked.
- 5.4.3 In relation to regular working tasks, the Dougherty County School System will pay overtime **ONLY** in exceptional circumstances. However, in all instances any overtime requests must first be agreed in advance, in writing with the Executive Director of Business & Operational Services or in his absence, the Deputy Superintendent or in both their absences, the Superintendent. Overtime will be paid for additional duties for which the School System is reimbursed.

5.5 Central Office Staff

- 5.5.1 The normal working hours for Central Office employees unless otherwise informed by the Superintendent are the following:
 - Monday to Thursday 8:00am to 5:00pm
 - Friday's 8:00am to 4:30pm

Fair Labor Standards Act Procedure (HRS-P003)

DCSS – Human Resource Services

A daily one hour lunch break is provided in these hours. Lunch must be taken away from the employees normal work station.

5.6 School Secretaries

5.6.1 The hours worked by staff employed in schools will be agreed with the Principal and will be made up of 8-hour working days (excluding lunch break). Lunch must be taken and will be of 30 minutes duration and needs to be taken away from their normal work place.

5.7 Other Departmental Staff

5.7.1 The hours of work by staff employed in Departments will be agreed with the Director and will be made up of 8-hour working days (excluding lunch break). A lunch will be taken away from their normal work place and has to be at least 30 minutes in duration.

5.8 Custodians

5.8.1 Custodians will be required to work the hours set out in their individual work schedules agreed by the Assistant Director of Facilities. Any changes to their work schedules must first be agreed with their Assistant Director. If Principals/Directors require a change of working hours or working practices these should be agreed with the Assistant Director of Facilities before being notified to staff.

5.9 Child Nutrition Workers

5.9.1 Child nutrition workers hours are set by the Director of Child Nutrition. Any variation in these hours must first be agreed by the Director or his/her designee. The school Principal will be notified of these hours or any variation in these hours by the Director or his designee. Child nutrition workers will sign in and out via their computers as agreed by the Child Nutrition Director. Lunch, if taken, needs to be taken away from their normal work place and has to be at least 30 minutes in duration. No employee is allowed to come in early or stay later than scheduled without showing time as hours worked. This early or late time may **NOT** be on a volunteer basis by the employee.

5.10 Paraprofessionals Who Work With Children

5.10.1 Paraprofessionals will work a 7.5 hour work day with the hours agreed by their Principal/Director. These hours exclude a lunch break and will be continuous; if lunch duty is worked it is counted as part of a paraprofessional's working day. If a lunch break is taken, it will be for a minimum of 30 minutes and must be taken away from the normal work station. A lunch break must be agreed with the paraprofessional's Principal/Director. If a lunch break is taken it will be added to the paraprofessional's normal working day.

5.11 Special Education Paraprofessionals

5.11.1 Special Education paraprofessionals will work a 7.5 hour working day with the hours agreed by their Principal/Director. These hours exclude a lunch break and will be continuous. Where these staff work a lunch duty, it is counted as part of a paraprofessional's working day. If a lunch break is taken, it will be for a minimum of 30 minutes and must be taken away from the normal work station. A lunch break must be agreed with the paraprofessional's Principal/Director. If a lunch break is taken it will be added to the paraprofessional's normal working day.

5.11.2 Special Education paraprofessionals that act as bus monitors will sign in as soon as they step on the bus. This time will be certified by the bus driver as correct. When the bus

Fair Labor Standards Act Procedure (HRS-P003)

DCSS – Human Resource Services

arrives at their school they will sign in at the school office when they arrive. If lunch duty is worked it is counted as part of a paraprofessional's working day. If a lunch break is taken, it will be for a minimum of 30 minutes and must be taken away from the normal work station. A lunch break must be agreed with the paraprofessional's Principal/Director. If a lunch break is taken it will be deducted from the paid hours of the paraprofessional. Special Education paraprofessionals who act as bus monitors are allowed to leave their work sites at 2:45 pm. On leaving the school they will sign out at the school office and ride their bus returning to the Special Education Center with their students. Once all their students have been delivered home, they sign out as a bus monitor countersigned by the bus driver.

5.11.3 All other Special Education paraprofessionals will remain at their schools until their 7.5 hour working day is complete. If lunch duty is worked it is counted as part of a paraprofessional's working day. If a lunch break is taken, it will be for a minimum of 30 minutes and must be taken away from the normal work station. A lunch break must be agreed with the paraprofessional's Principal/Director.

5.12 Other Paraprofessionals

5.12.1 Where paraprofessionals are not required to work with children during their lunch breaks, their working day will be for 7.5 hours excluding lunch. A lunch break will be taken by these staff of ½ hour and then hours will be set by their Director/Principal.

5.13 Paraprofessional /Coaches

5.13.1 Those paraprofessionals who are hired as coaches will sign in and out for their normal school duties. They will also sign in as a coach and work their required duties and hours as set out in their individual agreements. Once they have completed their required hours they must swipe out. The Principal of each school will be responsible for ensuring that these arrangements are complied with and that accurate time records are kept. These para/coaches are not allowed to volunteer or give DCSS extra coaching hours.

5.13.2 If the above procedure is not followed or abused then the practice of using paraprofessionals as coaches will be withdrawn.

5.14 Substitute Staff (Teachers or others)

5.14.1 These are considered temporary staff and as such are not exempt under the Fair Labor Standards Acts. Thus if they work for more than 40 hours per week their pay rate for those hours over 40 is enhanced by 50%. Their hours of work and breaks will be consistent with the category or employee under which they are being employed. These employees will be required to sign in and out.

Substitute teachers work hours are as follows:

High Schools	Report for work at 8:00 am and teach 6 periods per day with a 30 minutes lunch break. Their work day ends at 4:00pm. A planning period may be given at the discretion of the Principal.
--------------	---

Middle Schools	Report for work at 8:00 am and teach 7 periods per day with a 30 minutes lunch break. Their work day ends at 4:00 pm. A planning period may be given at the discretion of the Principal.
----------------	--

Fair Labor Standards Act Procedure (HRS-P003)

DCSS – Human Resource Services

Elementary Schools Report for work at 7:45 am and their work day ends at 3:45pm including a 30 minute lunch break supervising their class during their lunch break.

If substitutes work less than these daily hours the appropriate reduction in pay will be made in relation to those hours worked.

5.14.2 All other substitute staff will work the hours directed by their Director.

6.0 ASSOCIATED DOCUMENTS:

6.1 Employee Overtime Application – BUS-F007

6.2 Pre-Approval Of Overtime Form – BUS-F011

7.0 RECORD RETENTION TABLE:

Identification	Storage	Retention	Protection	Disposition
Employee Overtime Application	Hard Copy in Payroll	Seven (7) Years	Maintained in Secure Location	Shred
Pre-Approval Of Overtime Form	Hard Copy in Payroll	Seven (7) Years	Maintained in Secure Location	Shred
Daily Sign-In/Sign-Out Sheet	Hard Copy at Location	Seven (7) Years	Maintained in Secure Location	Shred

8.0 REVISION HISTORY:

Date:	Rev.	Description of Revision:
03-Sep-04	A	Initial Release
20-Jul-05	B	Changes in sections 5.1.1, 5.2.1, 5.2.4, 5.2.5, 5.6, 5.6.1, 5.7.1, 5.10, 5.10.1. Deleted sections 5.2.6 and 6.3. Added new section 5.12 (Other Paraprofessionals)
25-Apr-06	C	Wording change in sections 5.2.4, 5.2.5, 5.9.1, and 5.12.1.

* * * E n d o f P r o c e d u r e * * *