

STAFF TIME SCHEDULES

Gloucester County Public School employees shall be notified each year of their status as exempt or non-exempt employees pursuant to the Fair Labor Standards Act.

Exempt employees

Exempt employees are full-time employees. The minimum workday for full-time licensed and professional staff is seven hours and thirty minutes, including lunch, and encompasses professional duties, responsibilities, or assignments deemed necessary by the school board, superintendent, or principal/administrator for the safe, efficient, and successful operation of the school, activity, or program.

Elementary school teachers are provided at least an average of thirty minutes per day during the students' school week as planning time.

Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum.

Non-exempt employees

Non-exempt employees are paid an hourly rate and are eligible for overtime wages. Working hours for all employees not exempted under the Fair Labor Standards Act, will conform to federal and state regulations. Included, but not limited to this group are: administrative assistants, bus drivers, cafeteria, custodial, groundskeepers, and maintenance personnel.

Supervisors make every effort to avoid circumstances which will require non-exempt employees to work more than 40 hours each week. A non-exempt employee shall not work beyond his/her designated hours during any work week without the express written approval of his/her supervisor.

Overtime and compensatory time by non-exempt employees

The Gloucester County School Board discourages overtime work by non-exempt employees. Non-exempt employees whose workweek is less than 40 hours will be paid at the regular rate of pay for time worked up to 40 hours. Such employees will be provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek. Supervisory personnel must obtain the written approval of the superintendent or his/her designee prior to requiring any non-exempt employee to work overtime. A non-exempt employee may only work overtime with the express approval of the employee's supervisor.

Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed, and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek. Accurate and complete time sheets of actual hours worked during the workweek must be signed by each employee and submitted to the finance officer. The finance officer will review work records of employees on a regular basis to make an assessment of overtime use.

Compensation for overtime work by non-exempt employees

In lieu of overtime compensation, non-exempt employees may request compensatory time at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time:

- (1) is pursuant to an agreement between the employer and employee reached before overtime work is performed, and

(2) is authorized by the immediate supervisor.

Employees will be allowed to use compensatory time within a reasonable period after requesting such use if the requested use of the compensatory time does not unduly disrupt the operation of the school division. Employees may accrue a maximum of 240 compensatory time hours before they will be provided overtime pay at the rate earned by the employee at the time the employee receives such payment. In addition, upon leaving the school division, an employee must be paid for any unused compensatory time at the rate of not less than the higher of

- (1) the average regular rate received by the employee during his/her last three years of employment, or
- (2) the final regular rate received by the employee.

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees will be provided overtime pay or compensatory time as provided above for working more than 40 hours in a workweek.

Employees will be provided with a copy of this policy and will be required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy will constitute the written agreement required in this section.

Attendance Expectations

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

ADOPTED: July 1, 1991

REVISED: September 10, 1997
February 8, 2005 (Effective July 1, 2005)
June 9, 2009
October 14, 2014

LEGAL REFERENCES: 29 U.S.C. § 201 et seq.
29 CFR section 516.1 et seq.
Code of Virginia, 1950, as amended, §§ 22.1-291.1, 40.1-28.8 et seq.

CROSS REFERENCE: IC/ID School Calendar