

OVERTIME

I. PURPOSE

To ensure compliance with the Fair Labor Standards Act (FLSA) and to provide guidelines by which overtime is provided for eligible employees.

II. SCOPE

This policy applies to all non-exempt positions (see policy [4054 – Employment Classification](#)) unless otherwise governed by a Memorandum of Understanding (MOU).

III. POLICY STATEMENT

It is the policy of the Shelby County Schools to comply with all federal and state regulations governing the payment of overtime. All employees who are in positions designated as non-exempt shall be paid (1) based on hours worked and (2) overtime wages for all hours worked in excess of forty (40) hours in a workweek.

IV. RESPONSIBILITY

- A. It is the supervisor's responsibility to
 - 1. notify employees of required overtime;
 - 2. provide prior approval for overtime work; and
 - 3. keep accurate records of employees work time above forty (40) hours in a work week.
- B. It is the responsibility of the office responsible for finance to ensure that employees are paid in accordance with time records submitted by the supervisor.
- C. The office responsible for human resources shall be responsible for interpreting this policy.
- D. It is the responsibility of the Superintendent to ensure that this policy is followed.

Legal References:

- 1. Fair Labor Standards Act

Cross References:

- 1. 4054 – Employment Classification

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Standard Working Schedule

The standard work schedule for District employees generally consists of eight (8) hours a day excluding meal periods (see policy [4060 Meal and Break Periods](#)) and five (5) days a week. Such times and days are designated by the District.

It is recognized that the operations of the various facilities within the District's jurisdiction may require the performance of work in excess of eight (8) hours a day and/or in excess of five (5) days a week in order to meet its varying requirements. Accordingly, employees shall work hours or days other than those provided for in their normal work schedule when assigned or scheduled to do so by the District.

Accrual of and Compensation for Overtime

Overtime is accrued when a non-exempt employee works more than forty (40) hours in any given workweek. The standard workweek is defined as a consecutive seven (7) day period.

Computation of overtime shall be based solely on the actual hours worked in excess of forty (40) hours in one workweek. Compensation for any overtime worked shall be paid in accordance with federal and state statutory requirements; and withholding of overtime pay for any reason shall be prohibited.

Prior approval for any overtime worked shall be required by the employee's immediate supervisor at the direction of the division director or department head. Exceptions may be granted in situations deemed as an emergency. An employee who works overtime without prior supervisory approval may be subject to disciplinary action up to and including termination from employment. Even if an employee does not receive prior approval, once worked, withholding of overtime pay for work is strictly prohibited and shall not be used as a method of discipline.