

## SUPPORT STAFF SUPPLEMENTARY PAY/OVERTIME

Code **GDBC** Issued **3/05**

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Purpose: To establish the basic structure for district compliance with the Fair Labor Standards Act (FLSA) provisions regarding minimum wage and overtime.

The district is subject to the provisions of the Fair Labor Standards Act (FLSA). This Act includes provisions applicable to school districts relating to minimum wage and overtime pay for non-exempt employees.

The minimum wage paid on an hourly basis to all district employees, either part time or full time, permanent or temporary, will be no less than the federal minimum wage, except under authorized training and apprenticeship programs.

The board recognizes that while its goal is not to have any employee work overtime, it may occasionally be necessary for non-exempt persons to work more than 40 hours during a given workweek. Those non-exempt employees working overtime will be paid time-and-a-half (in money or compensatory time off) for each hour of overtime worked. No overtime, as defined by the FLSA, will be suffered or permitted without authorization from the employee's principal, or at the district level, the employee's immediate supervisor.

All employees who are subject to the provisions of the FLSA are required to complete a daily time record showing actual hours worked. Failure to maintain, or falsification of, such records may be grounds for disciplinary action.

The administration will maintain records and establish regulations that are consistent with this policy and the requirements of the Fair Labor Standards Act.

Adopted 7/1/75; Revised 8/13/91, 3/8/05

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### Legal references:

- A. United States Code:
  - 1. Fair Labor Standards Act, 29 U.S.C. §§ 201-216.
- B. Department of Labor Regulations:
  - 1. 29 C.F.R. Parts 511-800.
- C. United States Supreme Court:
  - 1. Garcia v. San Antonio Metropolitan Transit Authority, 105 S. Ct. 1005 (1985) - Minimum wage and overtime hours provisions of the federal FLSA applied to state and local government employees.
- D. Court cases:
  - 1. Purdham v. Fairfax Co. Sch. Bd., 637 F.3d 421, 427 (4th Cir. 2011).