

Educational Support Personnel

5:310 Compensatory Time-Off

Please refer to the applicable collective bargaining agreement(s).

For employees not covered by a current applicable bargaining agreement, please refer to:

- **Educational Support Personnel Handbook**
- **Teaching, Clerical Assistant, and Registered Nurse Handbook**
- **Food & Nutrition Services Personnel Handbook**
- **Substitute Teacher Handbook**
- **Other Support Personnel Handbook**

This policy governs the use of compensatory time-off by employees who: (1) are covered by the overtime provisions of the Fair Labor Standards Act, 29 U.S.C. §201 et seq., and (2) are not represented by an exclusive bargaining representative, or covered under the handbooks listed above.

Employees may be given 1-1/2 hours of compensatory time-off in lieu of cash payment for each hour of overtime worked over 40 hours. At no time may an employee's accumulated compensatory time-off exceed 40 hours. If an employee accrues the maximum number of compensatory time-off hours, any hours over 40 hours of compensatory time-off are paid out at the employee's regular rate of pay at the time the hours were earned. The employee will not carry over more hours past the fiscal year.

An employee who has accrued compensatory time-off shall be permitted to use such time in at least half-day components provided such requests do not unduly disrupt the District's operations. The employee's supervisor must approve a request to use compensatory time-off.

Upon termination of employment, an employee will be paid for unused compensatory time at the employee's final regular rate of pay.

Compensatory time-off is time during which the employee is not working and is, therefore, not counted as "hours worked" for purposes of overtime compensation.

Implementation

The Superintendent or designee shall implement this policy in accordance with the FLSA. In the event of a conflict between the policy and the FLSA, the latter shall control.

LEGAL REF.:

29 U.S.C. §201 et seq., Fair Labor Standards Act; 29 C.F.R. Part 553.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act), 5:185 (Family and Medical Leave), 5:270 (Employment At-Will, Compensation, and Assignment)

Adopted: September 24, 2024