

DEFINITION OF WORKWEEK, OVERTIME, AND COMPENSATORY TIME

All classified employees shall be considered subject to the minimum wage and overtime provisions of state and federal law unless specifically shown to be exempt.

Workweek

For the purposes of calculating overtime, the District defines the workweek as beginning on Sunday at 12:00 am and ending on Saturday at 12:00 pm.

Overtime Restrictions

Non-exempt employees are restricted from working more than 40 hours a week without prior written permission from their immediate supervisor and approval of the Superintendent. Non-exempt employees who work more than 40 hours a week without authorization are subject to disciplinary action up to and including discharge.

The immediate supervisor in consultation with the Superintendent shall determine if it is necessary for non-exempt employees to work overtime hours. Non-exempt employees shall be required to perform all overtime hours assigned to them.¹ Supervisors are charged with ensuring that employees do not work overtime hours except as assigned. Failure to enforce this requirement may result in discipline of the supervisor.

Recordkeeping

Accurate records shall be kept of hours worked by all classified employees. The District has instituted the Time Management Program for this purpose.

Compensation

Overtime hours will be compensated in accordance with the Fair Labor Standards Act and the North Dakota Department of Labor Regulations.

Employees will be reimbursed with overtime compensation in accordance with law for all overtime worked unless the District and employee agree to compensatory time off in lieu of overtime pay². Employees shall be notified of this arrangement upon employment and before performance of overtime work.

If an employee is employed for two or more different positions which have different rates of pay, the District will pay the employee overtime compensation based upon the weighted hourly rate or may enter into an agreement with the employee before the work is performed to pay overtime at the overtime rate of pay for the actual work performed after the first 40 hours of work in that work week.³

Complementing NDSBA Templates (may contain items not adopted by the Board)

- DCB-E, Compensatory Time Off Law

End of Hope-Page School District #85 Policy DCB Amended: 09.08.2021

¹You have the right to assign overtime hours unless the overtime hours assigned are excessive.

²Certain restrictions apply if an employer and employee agree to compensatory time off in lieu of overtime pay. Please refer to exhibit DCBB-E.

³This agreement would be beneficial to the District only if the overtime hours could be controlled so that they were always at the lower rate.