

**Policy Name: Classified Personnel  
Compensatory Time****Policy Code: 8.11****Date Adopted: R/A 9/28/15**

Hours of work of all employees shall be determined by the Superintendent of Schools. Beginning and ending hours for maintenance and custodial employees may vary during different seasons, but an eight hour day, five days each week, during a calendar month, shall be the basic work month.

As a part of each assignment, the Superintendent or immediate supervisor shall assign extra duties when necessary.

Classified employees may be required, by a supervisor or circumstances, to work in excess of their contracted or customary shifts. In such cases, the employee may be entitled to compensatory time off, hour-for-hour, or at a rate of 1.5, if total week exceeds forty (40) hours, for additional work.

Compensation time shall not carry over from one contracted year to the next, and earned time may be taken off from work only with the permission of the employee's immediate supervisor.

The request for compensatory time shall be made in writing specifying the number of hours to be taken and date, and, further, specify the dates on which such extra work was performed.

In order to qualify as work which entitles the employee to compensatory time off, the employee is responsible for providing time records to his/her immediate supervisor within five (5) working days of the extra time actually worked.

This policy does not abrogate the requirement that extra time worked (i.e., overtime) be approved in advance.

#### **Definitions**

Overtime is hours worked in excess of 40 per workweek. Compensation given for hours not worked such as for holidays or sick days do not count in determining hours worked per workweek.

Workweek is the seven day consecutive period of time from 12:00 AM on Sunday to midnight on the following Saturday. Each workweek is independent of every other workweek for the purpose of determining the number of hours worked and the remuneration entitled to the employee for that week.

#### **Breaks and Meals**

Each employee working more than 20 hours per week shall be provided two, paid, 15 minute duty free breaks per workday.<sup>k</sup>

Meal periods which are less than 30 minutes in length or in which the employee is not relieved of duty are compensable.<sup>l</sup> Employees with a bona fide meal period shall be completely relieved of their duty to allow them to eat their meal which they may do away from their work site, in the school cafeteria, or in a break area.

The employee shall not engage in any work for the District during meal breaks except in rare and infrequent emergencies.

Covered employees who work thirty-five (35) hours a week and receive a duty free meal period shall not be eligible to receive the two (2) paid breaks for working more than twenty (20) hours.<sup>k</sup>

**Legal References:**

- A:** 29 USC x 206(a), ACA x 6-17-2203
- B:** 29 USC x 207(a)(1), 29 CFR x 778.100
- C:** 29 USC x 207(o), 29 CFR x 553.50
- D:** 29 CFR x 778.218(a)
- E:** 29 CFR x 778.105
- F:** 29 USC x 213(a), 29 CFR xx 541 et seq.
- G:** 29 USC x 207(e), 29 CFR x 778.108
- H:** 29 CFR xx 785.9, 785.16
- I:** 29 CFR x 516.2(7)
- J:** 29 CFR xx 785.1 et seq.
- K:** ACA x 6-17-2205 and 2207
- L:** 29 CFR xx 785.19
- M:** 29 USC x 207(a), 29 CFR x 778.100, 29 USC x 207(o), 29 CFR xx 553.20 – 553.32
- N:** 29 CFR x 778.106
- O:** 29 USC x 207(g)(2), 29 CFR x 778.115
- P:** 29 USC x 207(o)(2)(A), 29 CFR x 553.23
- Q:** 29 CFR x 553.20
- R:** 29 USC x 207(o)(4), 29 CFR x 553.27
- S:** 29 USC x 211(c), 29 CFR xx 516.2, 516.3, 553.50
- T:** 29 CFR x 516.4
- U:** 29 CFR xx 516.5, 516.6
- V:** 29 USC x 211(a)(b)