

POLICY 6.12

4-C I recommend the Board adopt the proposed revisions to Policy 6.12, to be entitled "Overtime/Compensatory Time Off under Certain Circumstances."
[CONTACT WILLIAM MALONE, 649-6424]

, Adoption

, The Board voted to approve the proposed revisions in the Special Board Meeting on Policies held February 25, 2002.

, The proposed revisions at lines 68-71 are made at the suggestion of Senior Associate Counsel and the Chief Labor Negotiator.

PROPOSED REVISIONS TO POLICY 6.12

OVERTIME/COMPENSATORY TIME OFF PAY UNDER CERTAIN CIRCUMSTANCES
CONDITIONS

1. Overtime/Compensatory Time

- a. Eligible employees covered under the Fair Labor Standards Act ("FLSA") shall receive cash overtime, or compensatory time off in lieu of cash overtime, under certain circumstances as specified in the FLSA or the Code of Federal Regulations ("CFR"), for all hours worked in excess of forty (40) hours during a work week.**
- b. Employees who are exempt from coverage under the FLSA or the CFR are not eligible to accrue or take cash overtime or compensatory time.**
- c. All cash overtime or compensatory time shall be approved in writing by the appropriate administrator/ supervisor prior to the time being worked.**
- d. For the purposes of cash overtime or compensatory time, the calculation of hours does not include paid leave, unless contrary to the terms of the applicable collective bargaining agreement, if any. Consistent with the FLSA and CFR, eligible employees must have actually worked and performed services on behalf of the district in excess of forty (40) hours during the course of a work week in order to be eligible to receive cash overtime or compensatory time off, unless contrary to the terms of the applicable collective bargaining agreement, if any.**
- e. The administrator/supervisor shall keep detailed, accurate records of the cash overtime and/or compensatory time granted and taken by an eligible employee. These records shall include, at minimum:**
- i. A copy of the advance written agreement between the appropriate administrator/supervisor and the eligible employee;**
- ii. Proof that the employee worked a forty (40) hour work week;**
- iii. Documentation of hours worked in excess of forty (40) hours; and**
- iv. For cash overtime, documentation of hours paid in excess of forty (40) hours; and**

43 v. For compensatory time; documentation of hours taken in excess of forty
44 (40) hours.

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46 2. Cash/Overtime

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48 Eligible employees who meet the standards listed in Section 1, who worked in excess
49 of forty (40) hours during a work week, and who are not being granted compensatory
50 time off, shall be compensated at the regular rate of one and one-half (1.5) hours for
51 each hour worked over forty (40).

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53 3. Compensatory Time Off

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55 a. Compensatory time off shall be granted for eligible employees who meet the
56 standards listed in Section 1 and who are not being compensated cash for
57 overtime, by advance written agreement between the appropriate
58 administrator/supervisor and an eligible employee, consistent with the terms of
59 the applicable collective bargaining agreement, if any.

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61 b. Compensatory time off, when granted, must be at the regular rate of one and
62 one-half (1.5) hours for each hour of overtime worked.

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64 c. Unless an extension is granted in writing by the administrator/supervisor, all
65 compensatory time accrued must be used by the eligible employee no later
66 than the end of the pay period subsequent to when it was accrued.

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68 4. Collective Bargaining Agreements

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70 If this policy conflicts with the provisions of a collective bargaining
71 agreement, the provisions of the collective bargaining agreement shall prevail.

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73 Eligible employees who are required to work in excess of 40 hours in any work week shall be
74 compensated for the hours in excess of 40 at the rate of one and one-half (1-1/2) times the
75 regular rate of pay for the services performed.

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78 STATUTORY AUTHORITY: 120.53, 230.22 §§ 230.22(2); 231.001; 230.23005(6);
79 230.23005(11), Fla. Stat.

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81 LAWS IMPLEMENTED: 120.53, 230.22—29 U.S. Code §§ 201-219; §
82 230.23005(6), Fla. Stat.

84 CODE OF FEDERAL
85 REGULATIONS
86 IMPLEMENTED: 29 CFR § 516; 29 CFR § 548; 29 CFR § 778
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88 HISTORY: 4233.1, 4/6/83; / /2002
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90 Legal Signoff

91 Proof of Publishing Police Development

93 Estimated Cost Form