

OVERTIME/COMPENSATORY TIME OFF

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 hours (40) or the individual's contractual obligation during a workweek.
- 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. The Academy President or Management Company Representative shall approve all cash overtime or compensatory time in writing 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 school in excess of a complete contractual workweek, and during the course of a designated workweek, 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 Personnel Manager 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 (Overtime/Compensatory Time Authorization Form) between the President or Management Company Representative and the eligible employee;
 - ii. Proof that the employee worked a complete contractual workweek;
 - iii. Documentation of hours worked in excess of a complete contractual workweek; and
 - iv. For cash overtime, documentation of hours paid in excess of a complete contractual workweek; and
 - v. For compensatory time, a balance sheet accounting for hours of time accumulated, hours of time used, and a balance of time remaining.

2. Cash/Overtime

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

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3. Compensatory Time Off

- a. Compensatory time off shall be granted for eligible employees who meet the standards listed in Section 1 and who are not being compensated cash for overtime, on “an hour off per hour worked” exchange basis. An Overtime/Compensatory Time Authorization Form shall be completed and signed by the President or Management Company Representative and Employee in advance of services being performed by the employee, consistent with the terms of the applicable collective bargaining agreement, if any. This form shall serve as a written agreement between the President or Management Company Representative and an eligible employee, and compensatory time will not be granted for time worked without an advance agreement being executed.

- b. All compensatory time accrued must be used by the eligible employee no later than the end of the fiscal year in which it was accrued. Compensatory time may not be accumulated from year to year or otherwise accrued to serve as leave time to be taken in excess of two consecutive days. The President or Management Company Representative must approve use of compensatory time as leave time must be approved in advance.

Authority: §§ 230.22(2); 231.001; 230.23005(6); 230.23005(11), Fla. Stat.

Implemented: 29 U.S. Code §§ 201-219; § 230.23005(6), Fla. Stat.

Code of Federal Regulations Implemented: 29 CFR § 516; 29 CFR § 548; 29 CFR § 778

Reference: Palm Beach School District Policy 6.12

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