The Garrett County Public Schools will correctly classify employees as exempt or non-exempt and will ensure that non-exempt employees who are required to work overtime as a condition of their employment will receive compensation for overtime. Such compensation shall be consistent with the Fair Labor Standards Act (FLSA), Maryland Wage and Hour Law, and applicable overtime language that was negotiated between the Garrett County Board of Education and the exclusive bargaining units representing non-exempt employees.

DEFINITIONS

- Overtime—Compensation for work in excess of the duty day or work week and is computed based upon applicable laws and an employee’s bargaining unit designation
- Straight Time—Compensation earned at an employee’s regular hourly rate of pay
- Flextime—Adjustment of an employee’s regularly scheduled workweek to compensate for overtime during the pay period in which it was earned
- Exempt Employees—Employees (e.g., teachers and administrators) who are not eligible to receive overtime in accordance with FLSA
- Non-Exempt Employees—Employees (e.g., secretaries, custodians, nurses, instructional assistants, food service assistants, etc.) who are eligible to receive overtime in accordance with FLSA
- Non-Covered Employees—Employees (e.g., substitutes, temporaries, coaches, advisors, etc.) who are not covered by FLSA
- Emergency—An unforeseen circumstance that impedes the normal operation of the school system, jeopardizes the safety of students or staff, compromises building security, or results in potential damage to school system facilities

The following administrative procedures shall apply to overtime:

1. For work beyond a non-exempt employee’s regularly scheduled work week but totaling 40 hours or less, overtime shall be compensated at the straight time rate; head custodians and cafeteria managers shall be compensated in accordance with their negotiated agreement.
2. For work extending a non-exempt employee beyond 40 hours during a workweek, overtime shall be
compensated at 1.5 times the employee’s hourly rate; head custodians and cafeteria managers shall be compensated in accordance with their negotiated agreement.

3. Administrators and supervisors shall utilize flextime for non-exempt employees to the extent possible during the pay period in which the additional time was earned.

4. If additional work time cannot be flexed within the pay period during which it was earned, it shall be paid as overtime.

5. All flextime and overtime shall be recorded and submitted in accordance with a reporting standard established by the Office of Human Resources and Employee Relations and an instrument approved by the Finance Department.

6. As a general rule, overtime earned in a particular work week shall be compensated during the pay period in which it was earned. When the correct amount of overtime compensation cannot be accurately determined or when overtime is reported or discovered late, compensation shall paid on the next regular pay period.

7. Illness, vacation or personal leave shall not be counted toward compensation for overtime.

8. Except in the case of an emergency, non-exempt employees shall not work overtime without the prior written authorization of the employee’s immediate supervisor and/or the Superintendent designee.

9. Voluntary overtime is strictly prohibited. A non-exempt employee who works overtime without authorization shall be subject to discipline up to and including the possibility of separation from service.

10. An employee who is unable to obtain approval of overtime prior to working overtime shall immediately bring overtime work to the attention of his/her supervisor.

11. Supervisors are required to strictly enforce the prohibition of unauthorized overtime. To this end, a supervisor shall not allow an employee to work overtime if he/she knows or reasonably suspects that an employee is working in excess of hours authorized. A supervisor who fails to take reasonable action to enforce this administrative procedures shall be subject to discipline up to and including possible termination of employment.

12. Each employee is responsible for the complete and accurate reporting of his/her time, and shall verify that the time reported is truthful to the best of the employee’s knowledge and experience.

13. If at any time an employee believes that he/she has been docked wages improperly or has received inaccurate pay, the employee shall immediately bring the matter to the attention of his/her supervisor and the Director of Human Resources and Employee Relations. The employee shall identify in writing the error or discrepancy, the date it was allegedly made, and an explanation of why the employee believes an error exists. The claim shall be promptly investigated and a reimbursement made if the alleged error is substantiated.

Last Modified by Karen Brewer on October 28, 2014