ARTICLE 3
HOURS OF WORK AND OVERTIME

A. HOURS OF WORK

The normal workday (except as provided for in D below) for full-time permanent unit employees shall be no longer than seven and one-half (7-1/2) consecutive hours (including one-half hour unpaid lunch period) for school personnel and eight (8) consecutive hours (including a one-hour unpaid lunch period) for county-level personnel.

B. OVERTIME

Hours worked up to 40 in a week shall be compensated at straight time.

Employees who work overtime in excess of forty (40) hours work per week shall be compensated at an hourly rate, one-and-one-half times their regular hourly rate. Compensatory time must be pre-approved by written mutual agreement of the appropriate administrator, immediate supervisor or designee and the affected employee. Compensatory time may be given in lieu of overtime for the first 160 hours. Compensatory accrual time must be recorded/maintained in the SAP/ERP system.

1. The compensatory time must be granted at a rate not less than one-and-one-half hours for each hour of overtime worked. Therefore, an employee may not accrue more than 240 hours of compensatory time (160 hours of overtime x 1.5 hours of compensatory time).

   a. An employee may request the use of compensatory time in full-day or half-day units. For the purpose of medical or dental appointments hourly increments may be requested.

   b. A request for the use of compensatory time shall be made by the employee, on the appropriate compensatory request form, not later than forty-eight (48) hours prior to the time/date compensatory time is requested to be used, except for an emergency, as determined by the administrator, immediate supervisor or designee.

   c. The compensatory time request form shall be submitted by the employee to the division head, immediate supervisor or designee for consideration and shall not be unreasonably denied. Within twenty-four (24) hours of submission of the
request, the employee shall be notified of approval or denial of the request.

d. Compensatory time must be utilized before other paid leave except when such usage may result in the loss of that paid leave. However, compensatory time earned in the last quarter of the fiscal year is not subject to this stipulation.

e. The employee may carry over compensatory time from fiscal year to fiscal year with a maximum of thirty-five (35) hours. Any compensatory time that is not carried over from one fiscal year to the next, shall be paid based on the rate in effect on June 30th. Payment shall be made by the last day of August, minus applicable taxes.

f. Upon the transfer/promotion of an employee to another location/department, the employees’ accrued but unused compensatory time shall be paid based on the pay rate in effect prior to the transfer/promotion within sixty (60) days of the effective date of the transfer/promotion.

2. From time to time, the employee’s administrator, immediate supervisor, or designee may require the performance of overtime.

Overtime shall be offered to qualified permanent employees on a rotating basis as follows: the offer shall be extended to the most senior permanent employee first and then in a descending order, based on seniority, until all permanent employees have had the opportunity to perform overtime.

All overtime shall have the prior written approval of the appropriate administrator, immediate supervisor or designee. Said approval must be provided to the employee before the start of the overtime to be worked.

3. Whenever possible, at least twenty-four (24) hours advance notice that overtime will be necessary, shall be given to the employee.

4. Administrators shall be responsible for documenting all compensatory time and will comply with the provisions of the Fair Labor Standards Act. The administrator shall provide employees with the compensatory time balance within a reasonable time after a request is made.
5. This Article is intended to be construed only as a basis for overtime and shall not be construed as a guarantee of hours of work per day or per week.

C. BREAKS/LUNCH PERIOD

All employees working six (6) or more hours per day shall have two (2) fifteen (15) minute paid breaks each day, one in the morning and one in the afternoon except as noted in Section D below. Employees working less than six (6) hours per day shall have one (1) fifteen (15) minute paid break each day. Scheduled breaks may not substitute for paid work time. Break schedules will be determined by the appropriate supervisor. Supervisor will provide written break schedule to employees.

Employee lunch period may be changed according to the needs to the department. The supervisor will give the employee written notification if the lunch period is changed for three (3) days or more.

The lunch period shall not be interrupted, except in case of emergency, as determined by the administrator, immediate supervisor or designee. Employees who are required to work during their scheduled lunch period shall receive their lunch period in its entirety.

D. FOUR DAY WORK WEEK

The Board reserves the right to establish and utilize a four-day, up to a 10-hours per day work week schedule. The normal workday for full-time permanent unit employees shall be no longer than ten (10) consecutive hours (including a one-half hour unpaid lunch period for school personnel and including a one-hour unpaid lunch period for county-level personnel). At the discretion of the supervising administrator, employees working six or more hours per day on the four day work week may have three ten minute paid breaks per day.

1. No work week will include both weekend days as a workday for any employee except on a voluntary basis. A schedule may indicate Sunday as the first day of the work week or Saturday as the last day of the work week.

2. For purposes of this section, at such time as a vacancy exists or a new shift/work week becomes available, volunteers will be solicited from all applicable employees prior to the filling of the position(s).

3. Where more volunteers are available than open positions, seniority and qualifications shall prevail among the applicable employees.
4. Where there are no volunteers or not enough volunteers to fill the opening(s), the position(s) will be filled in reverse seniority order.

5. In the event that the Board implements this four day work week in an entire department, and this creates a serious medical and/or personal problem, substantiated by a Board selected physician or acceptable written explanation as determined by the Superintendent (designee), on any employee within the department, the Board shall strive to reasonably accommodate the employee’s individual needs.

6. In the event that the majority of employees at a location wish to request the consideration of a four (4) day work week, but the immediate supervisor is opposed to it, a representative of the staff will be allowed to present the request to the Director without any reprisal.

E. EMERGENCY WORKING CONDITIONS

In the event of an emergency closing of work location(s) and/or declared emergency, bargaining unit members shall be compensated as described below:

1. Bargaining unit members regularly scheduled to work during the time of the emergency or who are ordered to return home during the emergency or prior to the completion of said employees’ scheduled hours shall be paid for all hours during the emergency period which the employees had been scheduled to work.

2. Employees on sick leave, annual leave, or personal reasons leave during the declared emergency period shall have leave time returned to the applicable leave accumulation.

3. Any employee ordered or assigned by the Superintendent/Designee or the Board to work during the declared emergency period shall be compensated at double the employee’s base hourly rate of pay for all hours physically worked. This compensation shall be in addition to compensation as stated above within subsection (1).