

## **GDL SUPPORT STAFF WORKLOAD**

### **Load/Scheduling**

The District's academic functions, student services, and physical plant operation do not permit a single work schedule for all departments. Supervisors are responsible for establishing work schedules appropriate to their respective areas, in accordance with the following:

#### ***The workday:***

The normal full-time workday for staff employees is eight (8) hours per day and a one (1) hour unpaid lunch period. Any exception to this schedule must be submitted to the human resources division in writing, listing the group or individuals affected by the Fair Labor Standards Act.

#### ***The workweek:***

A. The standard workweek for full-time staff members is forty (40) hours in any one (1) calendar week.

B. The federal Fair Labor Standards Act specifies that once the beginning time of an employee's workweek is established, it remains fixed regardless of the schedule of hours worked by the employee. Any exception to the established schedule outlined in the above paragraph is to be submitted to the human resources department to assure compliance with the federal statutes.

C. For purposes of this policy, the workweek for full-time staff members and for part-time staff members is considered to be seven (7) consecutive calendar days between 12:01 a.m. each Sunday and 12:00 midnight the following Saturday.

D. The schedules of part-time staff members (hours and days) shall be submitted to and be subject to approval by the director of human resources. No changes shall occur in the schedules of part-time staff members without approval by the director of human resources, except that short-term changes in scheduling may be approved by the employee's supervisor, provided that written notification of the change shall be provided to the director of human resources within three (3) days of such change. For the purposes of this policy, the phrase short-term changes means any change for not more than one (1) month within any three (3)-month period.

E. For the purposes of determining vacation days for part-time staff members, the schedule approved by the Director of Human Resources shall be the schedule utilized, and short-term changes shall not be considered.

## **Wage and Hour Law**

### ***Applicability:***

The District is subject to the federal Fair Labor Standards Act (FLSA), including the regulations relating thereto, and state law regulating the payment of wages. The District is committed to meeting all of its obligations arising from these wage and hour laws and requests the cooperation of its employees in achieving this objective.

### ***District obligations:***

The District shall compensate all employees who are not exempt from the wage and hour provisions of the FLSA (hereinafter "nonexempt" employees) (1) at an hourly rate at least equal to federal minimum wage for each hour worked in a workweek up to and including forty (40) hours and (2) at an hourly rate equal to at least one and one-half (1 1/2) times their regular hourly rates for all hours worked in excess of forty (40) hours in a workweek (subject to the "occasional or sporadic" exception set forth herein). In addition, the District shall make, keep, and preserve accurate records regarding its employees' wages, hours, and conditions of employment.

### ***Employee categorization:***

An "exempt" employee is one who is not subject to the minimum wage and overtime provisions of the FLSA. A "nonexempt" employee is one who is subject to the minimum wage and overtime provisions of the FLSA. The classification of an employee as "exempt" or "nonexempt" is based upon the duties and responsibilities actually performed by an employee and shall be made by the District in accordance with the guidelines set forth in the federal statutes and regulations concerning the two (2) categories of employees. Although the categorization shall be made on an individual basis with regard to each employee, in general, employees whose primary duties are of a professional, executive, or administrative nature will be "exempt" employees, while most other employees will be "nonexempt" employees. Questions of employees regarding their categorization as "exempt" or "nonexempt" should be directed to their immediate supervisors. If a supervisor is unable to address an employee's questions, the supervisor shall consult with the District's human resources office to obtain the requested information.

### ***"Workweek" defined:***

The workweek of a District employee is considered to be the seven (7) consecutive calendar days between 12:00 a.m. each Sunday and 12:00 midnight, the following Saturday.

### ***Overtime:***

The District recognizes that there are occasions on which District employees may be expected to work overtime; however, these occasions should be determined in advance by a supervisor, based upon the supervisor's assessment of the circumstances, rather than upon an individual employee's belief that overtime work is required. In this regard, an employee may not work more hours than the employee is scheduled to work in a workweek without explicit prior consent by the employee's supervisor. The District also recognizes the fact that an emergency situation may arise that may result in the employee working overtime. In such case, the employee should make an attempt to obtain authorization. If the employee is unable to get prior authorization, the employee must inform the supervisor as soon as possible of the emergency situation. Non-exempt employees who are assigned additional responsibilities normally performed by a staff member whose position is currently vacant can communicate with their supervisor about the option to work overtime if needed. It is the supervisor's responsibility to communicate with the human resources department on overtime requests. An employee who works in excess of the number of hours that the employee is scheduled to work without the explicit prior consent by the employee's supervisor, except as noted above, is subject to disciplinary action, including dismissal, pursuant to District Policy GDQD and Regulation GDQD-R.

### ***Time records:***

Nonexempt District employees are expected to keep time records of the hours worked for the District. Hours worked for the District and work hours include 1) all scheduled hours when the employee is actually present for work or actually performing services for the District, whether on District premises or elsewhere; and 2) all unscheduled hours when the employee is performing services for the District. All District employees who are required to record their work hours must do so accurately and honestly. An employee should not record hours that the employee has not actually worked, nor should an employee refrain from recording hours that the employee has actually worked. The failure on the part of employees to accurately report their hours worked on their time records may constitute the falsification of a public document, punishable by criminal prosecution. An employee who does not accurately and honestly record the time worked on the employee's time records is subject to disciplinary action, including dismissal, pursuant to District Policy GDQD and Regulation GDQD-R.

### ***On-call time:***

An employee who is required to remain on call on the District's premises or so close thereto that the employee cannot effectively use that time for the employee's own purposes shall be considered to be working while on call. As a result, a nonexempt employee will be compensated for such time,

and it will be included in the calculation of the hours worked by the employee in a workweek for purposes of determining overtime compensation that may be due. An employee who is not required to remain on the District's premises but is merely required to leave work where the employee may be reached shall not be considered to be working while on call. Such employee is not entitled to compensation for such time, and it will not be included in the calculation of the hours worked by the employee in a workweek for purposes of determining overtime compensation that may be due.

***"Occasional or sporadic" exception:***

If a District employee undertakes, on an occasional or sporadic basis, and solely at the employee's option, part-time employment for the District that is in a capacity different from any capacity in which the employee is regularly employed with the District, the hours such employee is employed in performing the different part-time employment shall be compensated at the regular hourly rate for such services and shall be excluded from the calculation of the hours worked by the employee in a workweek for purposes of calculating overtime compensation that may be due.

***Volunteers:***

A District employee may volunteer to perform services for the District for which the employee will receive no compensation, provided that such volunteer services are not the same type of services that the employee is employed to perform for the District. A volunteer may, under certain circumstances, be paid expenses, reasonable benefits, or a nominal fee without jeopardizing volunteer status. A District employee who also performs volunteer services for the District is not an employee with regard to the volunteer services performed; therefore, the employee will not be compensated for the calculation of the hours worked by an employee in a workweek for the purposes of calculating overtime compensation that may be due.

***Questions:***

Questions of employees concerning assigned job responsibilities or wage-and-hour obligations and procedures should be directed to the employees' immediate supervisors. Supervisors who need additional information in order to adequately answer employees' questions should direct their inquiries to the District's human resources office.

***Interpretation:***

This policy is not intended to provide, nor should it be interpreted as providing, any rights, benefits, or interests to District employees in excess of those provided in accordance with federal and state law.

## **Employee Pay**

### ***Overtime pay:***

A. The standard workday normally will consist of eight (8) hours, and the standard workweek normally will consist of forty (40) hours. Employees normally are not expected to work more than eight (8) hours per day or forty (40) hours per week. However, if the need arises, employees will be expected to work overtime. If, on occasion, extenuating circumstances prohibit an employee from working overtime, said employee may be excused with approval by the supervisor.

B. In accordance with state and federal labor laws, it shall be the policy of the District that each employee who does work in excess of forty (40) hours per workweek shall be compensated at one and one-half (1 1/2) times the normal rate of pay.

C. If an employee is on paid leave of any type during the workweek, with the exception of Board-approved paid holidays and professional leave, said leave time will not be computed as "hours worked" as it pertains to overtime.

D. *Approval.* Prior approval must be obtained from the human resources division before overtime is authorized. Emergency situations requiring overtime will be considered on an individual basis.

### ***Premium pay:***

A. Employees whose regularly scheduled workweek is Monday through Friday who work on a Saturday or Sunday will receive premium pay at the rate of one and one-half (1 1/2) times their normal rate of pay regardless of the total hours worked during the workweek, except employees being compensated for extracurricular activities.

B. *Varying workweeks.* A regularly scheduled workweek may differ from that described above. For example, if an employee is normally scheduled to work Wednesday through Sunday, said employee's normal "weekend" would be Monday and Tuesday, and work performed on either day would be paid at the premium pay rate of one and one-half (1 1/2) times the normal rate of pay, regardless of the total hours worked during the regularly scheduled workweek, except employees being compensated for extracurricular activities.

C. *Paid holiday.* Eligible employees who cannot be excused from their duties on a holiday are entitled to receive holiday pay in addition to their regular straight-time rate of pay for all hours worked within their standard shifts at two (2) times their normal hourly rate of pay.