

A POLICY STATEMENT OF

THE HANCOCK COUNTY BOARD OF EDUCATION
New Cumberland, West Virginia 26047

STAFF SCHEDULES AND CALENDARS

The purpose of this policy is to ensure that the Hancock County Board of Education, hereinafter referred to as the Board, complies with the overtime provisions of the Fair Labor Standards Act (FLSA), regulations of the U.S. Department of Labor, Employment Standards Administration, Wage, and Hour Division, and all applicable state statutes and regulations related to the compensation of full-time and part-time employees.

General

All employees of the Board are expected to work their scheduled work week and specified work hours. Based upon an employees' position with the Board of Education, employees are to work the following workday/week:

Fulltime:

Professional/non administrative*.....	7.5-hour day/37.5-hour week
Professional/administrative*.....	8-hour day/40-hour week
Secretary (all).....	8-hour day/40-hour week
Custodial.....	8-hour day/40-hour week
Maintenance	8-hour day/40-hour week
Account payable/secretary.....	8-hour day/40-hour week
Clerk/computer operator.....	8-hour day/40-hour week
Mechanic.....	8-hour day/40-hour week
Payroll coordinator.....	8-hour day/40-hour week
Warehouse/mailperson.....	8-hour day/40-hour week
Food truck driver.....	8-hour day/40-hour week
Aide	7-hour day/35-hour week
Autism mentor.....	7-hour day/35hour week
Cook.....	7-hour day/35-hour week
Bus driver.....	7-hour day/35-hour week
Bus driver.....	5.75-hour day/28.75-hour week

Halftime:

Professional/non administrative*....	3.5-hour day/17.5 week
Professional/administrative*.....	3.5-hour day/17.5 week
Secretary (all).....	3.5-hour day/17.5 week
Custodial.....	3.5-hour day/17.5 week
Food truck driver.....	3.5-hour day/17.5 week
Aide (all).....	3.5-hour day/17.5-hour week
Autism mentor.....	3.5-hour day/17.5-hour week
Cook.....	3.5-hour day/17.5-hour week
Bus driver.....	2.75-hour day/13.75-hour week

The length of the school day for licensed and professional staff will be a minimum of seven and one-half hours and will continue until professional responsibilities to students are completed. Administrative meetings, curriculum development, student supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum.

*Work schedules for all other employees will be defined by the superintendent or his/her designee and will be consistent with the Fair Labor Standards Act, West Virginia statutes, and provisions of this policy.

Non-exempt employees are not permitted to volunteer to perform services for or on behalf of the school system if the

volunteer duties involve the same types of duties that the employees normally perform as a part of their regular duties for the school district. Further guidance and a volunteer form are provided in Subsection C.1 and C.2 following this policy.

Work Week

For purposes of the Fair Labor Standards Act, the workweek for all employees of the Board is defined as beginning at 12:00 a.m. on Monday and ending at 11:59 p.m. on Sunday.

Working hours for all non-exempt employees of the Board under the Fair Labor Standards Act will conform to federal and state laws and regulations, including the Fair Labor Standards Act. All employees classified as professional employees will be considered exempt.

Below is a list of all employee positions of the Board and whether each is exempt or non-exempt for purpose of the Fair Labor Standards Act:

EXEMPT/PROFESSIONAL	NONEXEMPT/SERVICE	
Superintendent	Aides	General Maintenance
Assistant Superintendent	Bus Drivers	Carpenters
Directors	Clerks	Computer Operators
Coordinators	Cooks	Custodian (all)
Counselors	Electricians	Electronic Technicians
Teachers	Grounds-men	HVAC Technicians
Professional Accountants	Handymen	Locksmiths
Psychologists	Masons	Mechanics
Attendance Officer	Multi-Skilled	Painters
Physical/Occupational Therapists	Plumbers	Operations Chiefs
Athletic Trainers	Secretaries	Truck Drivers
Technology Systems Specialists	Mailperson	Warehouse Clerks
Administrators		

Attendance Expectations

All employees are expected to be present during their scheduled working hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary actions, up to and including dismissal, unless otherwise required by state or federal law.

Non-exempt employees, except bus drivers, who have not been granted prior approval by appropriate authority to work overtime may not sign in and begin work earlier than three minutes before their scheduled starting time and must curtail their work and sign out within three minutes following their scheduled ending time. Employees may not take work from their specified work locations to be completed after work hours at home or another location without the written permission of their immediate supervisor. Failure to comply with this requirement may result in disciplinary actions, up to and including dismissal.

Because of changing weather, road conditions, or in order to accommodate school activities, bus drivers' daily starting and ending time may vary. The bus drivers' paid time will begin when the drivers arrive at the location where their bus is parked and they begin preparing the buses to make their runs. The drivers' paid time will end when the buses are parked at the conclusion of the run and the post check of the buses are complete. If the changes in the starting or ending time require a driver to exceed his/her daily contracted hours, then permission must be granted by the immediate supervisor. Due in part to the extensive variation involved with driving a bus, drivers will be responsible for coming to work in time to perform their pre-trip inspection, attend meetings requiring their presence, and getting their buses prepared for travel over the roadways. Prior approval will not be required but should be sought whenever possible. Furthermore, abuse of this system will not be tolerated and can result in disciplinary action, up to and including discharge.

Time and Attendance Reports

Every employee classified as non-exempt is required to complete a time sheet for each week worked during the employee's employment term, reflecting the actual starting and ending times for each day worked and the total time worked. This time sheet shall include the employee's verification that the time sheet is an accurate statement of hours worked. The employee and the employee's immediate supervisor will each sign the time sheet and initial the report.

Employees classified as professional personnel are not required to file weekly time sheets, but must indicate days present and absent on the payroll report and initial the report.

Overtime and Compensatory Time

The Board discourages overtime work by non-exempt employees unless absolutely necessary.

A non-exempt employee shall not work overtime without the prior expressed approval of his/her supervisor and Assistant Superintendent or Designee. A form for overtime is provided following this policy.

Coordinators, Directors, Principals, Administrators and Assistant Superintendent or Designee must monitor overtime use on a weekly basis to ensure that all overtime worked is necessary. With the mutual agreement of the employee and the immediate supervisor, as required by the provisions of West Virginia Code §18A-4-8a (8) and §18A-4-8 (d), work schedules may be adjusted within a workweek to preclude the need for overtime. This is considered an adjusted workweek and would not be recorded as overtime, as long as the hours worked during the workweek do not exceed 40.

In computing the 40-hour workweek for overtime purposes, only actual hours worked will be counted. Time taken off work on paid or unpaid leave, including personal, sick, or military leave, vacation, time off without pay, jury duty, or other absences from work, whether approved or unapproved, outside school environment days, and days canceled due to inclement weather (snow days) will not be counted as hours worked.

Coordinators, Directors, Principals, Administrators and Assistant Superintendent or Designee, at his/her discretion, may declare work needed outside a non-exempt employee's scheduled work day or work week as an emergency. Work declared as an emergency will be paid at the employee's overtime rate for the hours worked.

All 261-day exempt and non-exempt employees will report to work as scheduled on closed days. All 261 day employees may schedule outside school environment (OS) days with the approval of the immediate supervisor.

~~Coordinators, Directors, Principals, and Administrators, with the approval of the Assistant Superintendent or Designee may request other non-exempt employees to work hours when school is closed due to inclement weather. Hours worked by these non-exempt employees on such days will be paid at the employees' overtime rate. All employees will report to work when needed and as directed to ensure fulfillment of their contracts without receiving overtime payment.~~

~~In the event of a 2-(two) hour delay or closing, all employees, exempt and non-exempt, may be required to report as regularly scheduled when notified by the Superintendent or Designee. Some non-exempt classifications may be required to report on time or at a time less than a two-hour delay, without additional compensation, to allow for the orderly operation of schools (e.g., central kitchen cooks, custodians.) all 261 employees, exempt and non-exempt, shall report at their regular scheduled time or take a Vacation day at the discretion of their supervisor.~~

~~Non-exempt employees, other than 261s, reporting to work under a two-hour delay when school is further cancelled for the day and required to continue work, will be paid from the time of the cancellation until no longer required to work following pay procedures of this policy. who report on any delay and then school is cancelled will remain on the job site for the entire work day. This day will count as a contract day.~~

On days when school is dismissed before the regular dismissal time, the Superintendent may declare a time following the dismissal for students when employees may also be dismissed. Non-exempt employees scheduled to work the afternoon or night shift will report to work as regularly scheduled, unless otherwise notified by immediate supervisor.

~~Compensatory time in lieu of the payment of overtime will not be a part of this policy and will not be approved.~~

Pursuant to the provisions of West Virginia Code §18A-4-8a (6), any service personnel who is required to work on any legal school holiday as described in West Virginia Code §18A-5-2, shall be paid at a rate of one and one-half times the employee's usual hourly rate.

Pursuant to the provision of West Virginia Code §18A-4-8a (7) any full-time service personnel who is required to work in excess of his/her normal working day during any week which contains a school holiday shall be paid at a rate of one and one-half times the employee's usual hourly rate for the additional hours or fraction of additional hours worked.

Pursuant to the provision of West Virginia Code §18-4-8 (e), an employee whose regular work week is scheduled from Monday through Friday and agrees to perform any work assignments on a Saturday or Sunday is to be paid for at least one-half day of work for each day he or she reports for work, and if the employee works more than three and one-half hours on any Saturday or Sunday, the employee is to be paid for at least a full-day of work.

NOTE: In computing the overtime rate for a workweek in which this provision applies, only the actual hours worked on a Saturday or Sunday and the pay related to those hours will be included in the overtime computations. The pay for hours not actually worked will be paid at the employee's regular rate.

Computation of Overtime Pay

In computing the total number of overtime hours worked, time worked will be rounded to the nearest fifteen-minute increment. For example, one hour and 7 minutes will be rounded to one hour (1.0 hour) and one hour and 8 minutes will be rounded to 1 hours and 15 minutes (1 and ¼ hour).

Overtime compensation will be paid at the rate of one and one-half times the employee's regular rate of pay for each hour worked in excess of 40 during a workweek or for any situation described previously. Generally, the regular rate will include all compensation earned by the employee during the workweek divided by the total number of hours worked.

In situations where an employee performs two or more different duties during the workweek with differing regular compensation rates, such as his/her regular duty and an extra-curricular and /or extra-duty assignment or when an employee takes a move up to fill in for an absent employee, compensation will be computed by taking the weighted average of all jobs performed during the workweek. To find the weighted average, determine the employee's total

earnings for the week and divide this total by the total number of hours worked on all jobs. Once the weighted average has been determined, overtime will be calculated at one and one-half times this average.

Violations

Any exempt or non-exempt employee, who violates any provision of the board's overtime policy, or any regulations or procedures related thereto, may be subject to disciplinary actions, up to and including dismissal.

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