

**General Personnel – Compliance with the
Fair Labor Standards Act**

Job Classifications

The Superintendent will ensure that all job positions are identified as either “exempt” or “non-exempt” according to the Fair Labor Standards Act (FLSA) and the Illinois Minimum Wage Law, and that employees are informed whether they are “exempt” or “non-exempt.” “Exempt” and “non-exempt” employee categories may include certificated and non-certificated job positions. All non-exempt employees whether paid on a salary or hourly basis are covered by the FLSA and the Illinois Minimum Wage Law minimum wage and overtime provisions.

Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. “Overtime” is time worked in excess of 40 hours in a single workweek.

Overtime

The Board discourages overtime work by non-exempt employees. A non-exempt employee shall not work overtime without his or her supervisor’s express approval. All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Superintendent’s written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy, the Illinois Minimum Wage Law, and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. Accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the District Office. The District Office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Superintendent. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to board policy 5.310 Compensatory Time-Off.

Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension, if the deduction would cause a loss of the exempt status. Certificated employees may be suspended without pay in accordance with board policy 5.240 Professional Personnel – Suspension. Non-certificated employees may be suspended without pay in accordance with board policy 5.290 Educational Support Personnel – Employment Termination and Suspensions.

Administrative Implementation

The Superintendent shall implement this policy to ensure compliance with the Illinois Minimum Wage Law and the FLSA.



LEGAL REF.: 820 ILCS 105/4a.
Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516, 541, 548, 553,
778, and 785.
Illinois Minimum Wage Law
CROSS REF.: 5.240, 5.290, 5.310.
ADMIN.PROC.: