

SH 100 Wages and Hours

SH 120 Hours: Overtime; Breaks; Meal Periods

Adopted: 6/85, Revised: 7/88, 8/91, 10/95, 2/03, 6/09, 11/16

Policy

In accordance with the Fair Labor Standards Act (FLSA), the Metropolitan Library System will ensure that all non-exempt employees receive compensation for all time worked. Overtime pay for hours worked in excess of 40 hours per workweek will be paid at a rate of 1.5 times their regular rate of pay. The Act does not require overtime pay for work on Saturdays, Sundays, holidays, or on-call duty.

Definitions

Full-time employees are expected to work 40 hours per week unless on authorized leave.

Designated less than full-time employees can regularly expect a designated number of hours, normally 20 or 30 (designated half-time or three-quarter-time), and who are expected to work the designated number of hours per week unless on authorized leave.

Part-time employees occupy authorized budgeted positions and are hired on an as needed hourly basis less than 40 hours per week and which may or may not vary from one week to the next based on library system need. There is no guarantee of fixed or designated number of hours.

Temporary employees have a term of employment for whatever reason that is expected to last less than a total of 960 hours in both any calendar and fiscal year. A temporary employee can work on a 40 hour per week or less basis, thereby being full-time, designated part-time or part-time in status. Temporary employees include seasonal employees hired to provide services during a period of seasonal activity such as the summer.

Exempt status is the recognized FLSA standing of those employees who meet the criteria as defined by the FLSA and identified by the library system's executive director.

Non-exempt status is the recognized FLSA standing of those employees of the system who do not meet the criteria for exemption as defined by FSLA, or those who do but who the library system opts not to exempt.

Minimum wage is the hourly rate of compensation as established by the FLSA.

Time and one half is the employee's regular hourly rate multiplied by 1.5 for purposes of overtime compensation (Unless defined otherwise by the FLSA).

On-call duty time is when an employee is waiting to be engaged, although is still able to use his/her time freely and is not performing a specific task for the library system, but is available by mobile device if needed.

Work schedule adjustment is the practice of the supervisor adjusting an employee's work schedule within the same workweek to: 1) avoid or reduce overtime, or 2) make-up missed hours.

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Regulations

1. No employee is compensated at a rate less than the minimum wage established by law.
2. Non-exempt employees while assigned to on-call duty will receive the hourly minimum wage as defined by FLSA. Exempt employees are not eligible for compensation for on-call duty pay.
3. All non-exempt employees are compensated at a rate of 1.5 times their regular hourly rate for any time worked in excess of 40 hours per week. On-call duty is not counted as time worked towards 40 hours workweek.
4. All employees, for the purpose of public accountability, are charged applicable paid leave for being off work at times normally required to be on the job.
5. The established workweek for the library system is from 12:01 a.m. on Monday through 12:00 midnight on Sunday of each week.
6. Time sheets indicating hours and days worked will be completed by all employees except those specifically excluded by the executive director and otherwise exempt under the law.
7. Any employee scheduled to work in excess of four continuous hours in any one day is permitted a rest break of 15 minutes for each four-hour work period. Rest breaks should be taken as closely to the midpoint of the scheduled work hours as is practical given staffing considerations. This rest break time is "on the clock" and considered as paid time. Employees are expected to remain at the work site and are subject to interruption and recall to work duties during paid rest breaks when required by staffing levels and/or unusual conditions. Rest break time is not cumulative within a workday or between workdays nor can it be used to allow for late arrival or early departure or to extend meal breaks.
8. Any employee scheduled to work in excess of six continuous hours (including rest break time) in any one day will take a break of no less than 30 minutes. This meal break is "off the clock" and not considered to be paid work time. The employee is to be released from all work duties during this meal break and not permitted to do work for the benefit of the library system.

In preparing work schedules, supervisors may determine, based on staffing levels and hours of operation, the length of meal breaks to be scheduled for employees. During a meal break period, an employee is free to leave the work site or to remain on-site provided he/she does not engage in work benefiting the library system. An employee who is interrupted during a meal break of 30 minutes and required or allowed to return to work prior to the expiration of the scheduled meal break will be compensated for the entire period as though he/she was on the job for the entire period. An employee who is interrupted during a meal break of more than 30 minutes and required to or allowed to return to work after the expiration of at least 30 minutes will be compensated for the amount of time actually worked. The supervisor

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is required to monitor precisely and adjust the employee's schedule so as to avoid an overtime situation. A minor (i.e., under the age of 16) is to be scheduled for a one-hour meal break and is expected to take this full amount of time on any day when scheduled to work eight hours (including rest break time).

9. All such records as required by the FLSA are prepared and maintained to comply with its provisions.

Note: In any circumstances in which this policy and the Fair Labor Standards Act are in conflict, the Act pre-empts this policy.