

**NONEXEMPT EMPLOYEE  
OVERTIME AND COMPENSATORY TIME OFF**

**Overtime**

Overtime must be approved in advance, except in the event of an emergency, by the Superintendent, the Director of Human Resources or the Chief Financial Officer.

The overtime policy of Sweetwater County School District Number One, State of Wyoming is in compliance with the provisions of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C.A. § 201 et seq. Nonexempt employees who work more than forty (40) hours, including vacation, holiday, and sicktime in one work week, be paid overtime at the rate of one and one-half times their regular hourly rate of pay. There is no prohibition against working in excess of eight (8) hours per day without payment of overtime as long as the forty (40) hour per work week maximum is not exceeded. Overtime earned in a particular work week is ordinarily paid on the regular pay day of the period in which the work is performed. However, if the amount of overtime cannot be determined during that period, payment may be delayed until the next pay period.

Workweeks are scheduled in accordance with District Policy File DLA, "Staff Time Schedules and Timekeeping".

In accordance with Policy File DLA, nonexempt employees of the District are required to maintain daily and weekly documentation of the actual hours worked on a District-approved, time-reporting form or in a timekeeping system. Verification of the reported hours is provided by Employee and Supervisor or Building Administrator signatures or electronic approvals on the approved time-reporting form or in the timekeeping system.

The official work week of the District begins on Saturday and continues for seven (7), consecutive days, and ends on Friday. The workweek is a fixed and recurring period of one hundred sixty-eight (168) hours in seven (7), consecutive twenty-four (24) hour days. Each work week represents a discrete period for computation of overtime under this policy. Employees or Supervisors may not average two or more work weeks.

**Compensatory Time In Lieu of Overtime**

In place of overtime pay, nonexempt employees of the District may have the option, with the approval of the Director of Human Resources, Chief Financial Officer, or Superintendent of receiving time off in lieu of overtime pay. This is known as compensatory time. Nonexempt employees receiving compensatory time shall receive one and one-half hours off for each hour of overtime worked.

In accordance with File DLA, nonexempt employees of the District shall maintain daily and weekly documentation of the actual number of compensatory hours earned, used or compensated by payment on a District-approved, time reporting form or in a timekeeping system. Verification of the compensatory hours is provided by Employee and Supervisor or Building Administrator signatures on the approved-time reporting form or in the timekeeping system.

Nonexempt employees who request accrued compensatory time off will be permitted by their Supervisor or Building Administrator to use the time within a reasonable period as long as the request for time off does not unduly disrupt District operations.

**Compensatory time shall be used before an eligible employee takes any vacation leave. Employees may be required to take compensatory time off whenever the District determines it is necessary.**

Unused compensatory time shall be paid off as of June 30 of each year or when an employee terminates employment. The compensation rate for unused compensatory time is computed using the employee's hourly compensation rate as of the date of accrual. The maximum number of hours of compensatory time an employee can accrue shall be limited by applicable law. 29 U.S.C.A. § 207(o).

### **Holiday Emergency Call Outs**

Employees shall not work District holidays unless approved by the Superintendent, the Director of Human Resources, or the Chief Financial Officer. Nonexempt employees of the District required to work on a District holiday due to an emergency situation will be compensated at the rate of one and one-half times their regular hourly rate of pay.

Legal References: Fair Labor Standards Act of 1938

Adopted: 2/14/77

Revised: 3/13/96 6/14/04 9/22/08 7/21/21; 1/10/2022

School District #1, Sweetwater County, Wyoming