

## Bigfork School District # 38

### PERSONNEL

5336

#### Compensatory Time and Overtime/Classified Employees

It is unlawful under the Federal Fair Labor Standards Act for any classified employee to take compensatory time for overtime work in a different work week. A week is generally defined as 1:01 a.m. Sunday to 12:59 a.m. the following Sunday and shall be so understood unless otherwise stated by memorandum specific to a given individual. Compensatory time may be taken on an equal basis (1:1) if approved by the supervisor during the same week.

Occasionally it is necessary to have a classified person work more than 40 hours in a given work week. This automatically results in an overtime pay of 1 1/2 times the normal hourly rate. No overtime is authorized for any classified employee without the specific approval of the superintendent of schools except as the superintendent shall otherwise prescribe.

Under Montana law and the Federal Fair Labor Standards Act, a classified employee may not volunteer work time in an assignment similar to his or her regular work without pay.

A non-exempt employee who works overtime without authorization may be subject to disciplinary action.

Legal Reference: MCA 39-3-401-409  
29-USC-201-218, Etseq.  
29-CFR-1620.1, Etseq.

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