Support Staff Supplementary Pay/Overtime

Overtime

The administration shall determine which BOCES employees are subject to the minimum wage and overtime requirements of federal law. These non-exempt employees shall be paid overtime at the rate of one and one-half times the regular rate of pay for hours worked in excess of 40 in any work week.

Alternatively, in lieu of overtime compensation non-exempt employees may receive compensatory time off at a rate not less than one and one-half hours for each hour of employment for which overtime compensation is required.

A determination as to whether overtime shall be compensated by overtime pay or by compensatory time shall be made prior to the performance of the work.

An employee shall be permitted to use compensatory time within a reasonable period of time after making a request to his or her supervisor. Such requests shall be granted if the use of the compensatory time does not unduly disrupt the operations of the BOCES.

A non-exempt employee may accrue no more than 240 hours of compensatory time in accordance with federal law unless the employee's supervisor gives advice that accrual of additional hours is allowed under the law.

All overtime work shall require the advance approval of the Executive/Special Education Director. An effort shall be made whenever possible not to schedule non-exempt employees for more than 40 hours per week.

All hours worked shall be accurately recorded in the manner required by the Executive/Special Education Director.

Rates for supplementary services

BOCES employees who put in extra hours to supervise and/or serve community groups using BOCES facilities shall be paid at the rate established by the Board for such contract services. Any supplementary pay shall be in accordance with federal law.

(Adoption date: June 16, 2021)

LEGAL REFS.: 29 U.S.C. 201 *et seq. (Fair Labor Standards Act)*
29 C.F.R. Parts 510 to 794