

Wages and Salaries

The Board of Education shall establish salary schedules and rates of pay for the several positions in the District not covered by a collective bargaining agreement. Wages and salaries shall be negotiated with properly certified bargaining representatives for employees who are covered by a collective bargaining agreement.

Changes to Wage Rates and Salaries for Individual Employees

Changes to wage rates and salaries for employees covered by a collective bargaining agreement shall be in accordance with that agreement. Individual changes to the salary schedule and rates of pay set by the Board for individual employees not covered by a collective bargaining agreement may be determined by the Superintendent in consultation with the Executive Director of Human Resources and the Chief Financial Officer. Wages and salaries will be reviewed at least annually and may be increased, frozen or decreased if there is a valid and legal basis to do so.

Overtime

Non-exempt employees shall be compensated on an hourly basis, which is at least the minimum wage set by federal or state law, whichever is higher. Over-time work must have the prior approval of the employee's supervisor. Failure to obtain approval shall result in disciplinary action. Non-exempt employees shall be compensated at one and one-half times their regular hourly wage rate for work over 40 hours in a work week, or shall be granted compensatory time at one and one-half time for work over 40 hours a work week. The District may require that the employee take compensatory time rather than over-time pay provided the employee is notified of this requirement prior to working the over-time hours. A work week shall run from Sunday at 12:01 a.m. to the following Sunday at 12:00 a.m. Holidays, paid vacations and paid leaves of absence shall not count towards the 40 hours for purposes of computing overtime, unless a collective bargaining agreement provides otherwise. Non-exempt employees shall complete daily time records showing actual time worked, or shall be required to use a time-clock. All time actually worked shall be paid. The time records shall be signed if requested. Failure of the employee to maintain such records or falsification of such records will be grounds for disciplinary action.

Salary Basis

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek.

However, the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. The FLSA also exempts certain computer employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than the amount set by the U.S. Department of Labor. Job titles do not determine exempt status. In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

Salary Basis Requirement

To qualify for exemption, employees generally must be paid at not less than the amount set by the U.S. Department of Labor on a salary basis. These salary requirements do not apply to teachers, counselors, librarians, academic administrators i.e., those whose primary duty is performing administrative functions directly related to academic instruction or training, or employees whose primary duty is teaching, tutoring, instructing, or academic functions directly related to academic instruction or training, and exercise independent judgment. Exempt computer employees may be paid at least the amount set by the U.S. Department of Labor on a salary basis or on an hourly basis at a rate not less than the amount set by the U.S. Department of Labor.

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly or less frequent basis. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any work week in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating requirements of the business, that employee is not paid on a "salary basis." If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

Circumstances in Which the Employer May Make Deductions from Pay

Deductions from pay are permissible when an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, an employer is not required to pay the full

salary in the initial or terminal week of employment, for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made to the extent permitted by law.

Pay Deductions for Leaves of Absence

The District provides a variety of leaves of absence to allow employees to be absent from work. As a public employer, the District is expected to record and monitor the work that employees perform and to conform to principles of public accountability in its compensation practices. Therefore, it is the policy of the District that when an employee is absent from work for less than one work day, the employee's pay will be reduced or the employee will be placed on leave without pay if:

- the employee has not sought permission to use paid leave for this partial-day absence;
- the employee has sought permission to use paid leave for this partial-day absence and permission has been denied;
- the employee's accrued paid leave has been exhausted

In each case in which a non-exempt employee is absent from work for part of a work day, a deduction from compensation will be made or the employee will be placed on leave without pay for a period of time which is equal to the employee's absence from the employee's regularly scheduled hours of work on that day.

In no event shall the total number of days subject to pay deduction under this policy exceed three (3) days per school year without prior approval from the superintendent or designee.

Compliance

It is District policy to comply with all applicable laws with respect to payments of wages, salaries, and benefits to employees, including the Fair Labor Standards Act, including specifically the salary basis requirements of the FLSA, and the Iowa Wage Payment Collection Act. Therefore, all administrators and supervisors are prohibited from making any improper deductions from the salaries of employees. Employees are to be aware of this policy and that the District does not allow deductions that violate federal or state law.

If an employee believes that an improper deduction has been made to the employee's salary, or that proper payment has not been made, the employee should immediately report this information in writing to the Chief Financial Officer. Reports of improper deductions or payments will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made. This procedure is in addition to any other complaint process that may also be available to employees.

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