



## Southwest Open School

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### Compensatory Time Off Policy

Adopted: 9/13/22

Revised:

#### **Purpose**

It is the policy of Southwest Open School to permit exempt employees who work more days than regularly scheduled to receive compensatory time off. The purpose of this policy is to promote and uplift the experiential and outdoor education focus related to the school's mission. The programming at SWOS is relatively unique and has developed over the years to focus on project based learning and outdoor education. SWOS uses project based learning (PBL) as a way to engage students with the curriculum. Outdoor education includes character education components, the understanding of environmental stewardship, and other elements that extend beyond a traditional academic curriculum. The outdoor and experiential educational components at SWOS often require that teachers facilitate trips, events, and otherwise work on non-contractual days. The purpose of this policy is to account for this time.

#### **Eligibility**

The provisions of the Fair Labor Standards Act (FLSA) established a test to determine overtime exemption which can be applied to all positions within Southwest Open School. Exempt employees are those who are exempt from minimum wage and overtime pay requirements. This is because exempt employees are paid a salary rather than an hourly wage, and they work in what are considered executive or professional jobs.

## **Granting Compensatory Time Off**

Compensatory time off is granted to exempt positions. There is no legal requirement or obligation of Southwest Open School to grant compensatory time off to exempt employees. The Director may choose to grant compensatory time off to exempt employees who work during non-contractual days, for instructional activities related to projects/trips during weekends or any normally scheduled days off. Compensatory time will be granted on a day (8.5 hours) for a day basis. Time worked on non-contractual days that is under 8.5 hours will be documented and compensatory time off will be granted when those hours reach a total of 8.5 hours. Compensatory time does not roll over from one fiscal year to another.

## **Procedures**

The Director, who signs the timesheet, is authorized to grant compensatory time off to exempt employees only. The Director's approval of the employee's timesheet will constitute the granting of the employee's compensatory time. All employees should record the appropriate time worked and time taken on a timesheet.

## **Using Compensatory Time Off**

An employee who has accrued compensatory time and requests use of the time must be permitted to use the time off within a "reasonable period" after making the request. The Director may deny the request if the use of compensatory time will "unduly disrupt" the school's operations. The Director can require an employee to take compensatory time off to manage the accrual limitation.

All compensatory time earned by exempt employees in any workweek must be taken during the two-month period following the end of the workweek during which the compensatory time was earned. Compensatory time accrued is subject to an accrual limitation of 40 hours. Employees cannot accrue compensatory hours in excess of 40 in a two-month period.