

Non-exempt employees may not volunteer their time and service with this school district when the volunteer hours involve the same type of service which the employee is employed to perform. In other words, employees may not volunteer to do what they are otherwise paid to do. Factors to consider in determining whether this policy is being complied with include:

1. The duties of the employee; and
2. The facts and circumstances in each particular case, including whether the volunteer service is closely related to the actual duties performed by or responsibilities assigned to an employee.

“Non-exempt employees” means those employees included in the overtime provisions of the Fair Labor Standards Act. Additional compensation or compensatory time off will be provided for hours over forty (40) worked during the workweek. Most non-certificated employees are non-exempt employees.



LEGAL REFERENCE:

Fair Labor Standards Act
29 USC Section 203(e)(4)(a)
29 CFR Section 553.103(a)

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