

This district will follow all requirements set forth in the Fair Labor Standards Act (FLSA). Pursuant to the FLSA, all exempt employees of the district shall be paid a salary and no additional compensation will be paid for hours worked in excess of 40 in a given workweek by an exempt employee. The salary for an exempt employee will be set forth in the annual employment contract.

## **DEFINITIONS**

**Exempt Employees**—Employees excluded from the overtime provisions of FLSA, including all employees employed in a bona fide executive, administrative, or professional capacity (including any employee employed in the capacity of academic administrative personnel or teacher in elementary or secondary schools) or as computer systems analysts, computer programmers, software engineers, and other similarly skilled computer employees. Exempt employees are paid a monthly salary.

**Safety Rule of Major Significance**—those district policies relating to the prevention of serious danger in the workplace or to other employees.

**Salary**—a predetermined monetary amount constituting all or part of an exempt employee's compensation.

**Workweek**—consists of five consecutive days during a seven-day period. In this district, the regular workweek begins at *midnight Saturday and ends at midnight the following Saturday, although a regular work schedule is generally based on a Monday through Friday week.*

## **DEDUCTIONS IN SALARY**

The district is authorized to take deductions from an exempt employee's salary in the following circumstances:

1. An exempt employee is absent from work for one or more full days for personal reasons, other than sickness or disability, and the employee has no accumulated personal leave.
2. An exempt employee is absent for one or more full days due to sickness or disability (including work-related accidents), and the employee has no accumulated sick leave.
3. An exempt employee violates any safety rule of major significance and the board imposes such a deduction in pay as a disciplinary action.
4. An exempt employee violates district rules or is otherwise disciplined pursuant to Idaho Code Section 33-513, and the board imposes an unpaid disciplinary suspension of one or more full days.
5. The district will not pay exempt employees for any workweek in which they perform no work. The district will pay a proportionate share of an exempt employee's full salary for the time actually worked in the first and last week of employment, basing

- the payment on an hourly or daily equivalent of the employee's full salary for the time actually worked.
6. Exempt employees on unpaid leave, pursuant to the Family and Medical Leave Act, will be paid a proportionate share of their full salary for time actually worked.
  7. The district may offset any amounts received by an exempt employee for jury fees, witness fees, or military pay against the salary due for that particular workweek.
  8. The district will make other deductions from the exempt employee's salary, as authorized in writing by the employee or ordered by a court of competent jurisdiction.

When calculating the amount of a deduction, the district may use the hourly or daily equivalent of the exempt employee's full weekly salary or any other amount proportional to the time actually missed by the employee. A deduction from pay as a penalty for violations of major safety rules may be made in any amount.

It is the intent of this district that all salaried employees are properly compensated. This district will not allow improper pay deductions to occur. In the event an exempt employee feels that an improper pay deduction has occurred, the employee may file a written complaint with the *payroll office*. The *payroll office* shall review the matter, and determine whether an improper pay deduction occurred. In the event it is determined that an improper deduction did occur, the employee shall be reimbursed the proper amount in his/her next regularly scheduled paycheck.



**LEGAL REFERENCE:**

Fair Labor Standards Act  
29 CFR Section 541, *et seq.*

**ADOPTED:** October 12, 2004

**AMENDED:**