

# Murfreesboro City Schools ADMINISTRATIVE DIRECTIVE

<p><b>Descriptor Term:</b>  <b>Work Schedules and Overtime  for Non-Exempt Full-Time  Employees</b></p>	<p><b>Descriptor No:</b>  <b>5.602.1</b></p>	<p><b>Effective Date:</b>  November 2021  <b>Former Descriptor:</b>  PER23</p>
<p><b>Policy References:</b>  <a href="#">Board Policy 5.602</a>- Staff Time Schedules</p>	<p><b>Revised:</b> July 1, 2024</p>	

1 This administrative directive only applies to employees who are not exempt under Section 213 of  
2 the Fair Labor Standards Act (FLSA). In general, the provisions governing minimum wage and  
3 maximum hours found in Sections 206 and 207 of the FLSA do not apply to “any employee  
4 employed in a bona fide executive, administrative, or professional capacity (including any  
5 employee employed in the capacity of academic administrative personnel or teacher in elementary  
6 or secondary schools)” or to “any employee who is a computer systems analyst, computer  
7 programmer, software engineer, or other similarly skilled worker” under certain conditions. 29  
8 U.S.C. § 213(a)(1) and (17). These employees are exempt from the overtime requirements of the  
9 FLSA. Exempt employees, which in Murfreesboro City Schools includes all certified employees,  
10 all department heads and supervisors, and certain classified employees as determined by their job  
11 description and/or hiring authorization, are not eligible for overtime pay or compensatory time.

12 **WORK SCHEDULES**

13 Established office hours for each district facility will vary depending on the school day schedule  
14 and/or needs of the district and will be set by the Director of Schools. Each non-exempt, salaried  
15 employee is required to verify their weekly working hours using the Skyward software platform  
16 by the end of each workweek. This process is crucial for maintaining accurate records of hours  
17 worked and ensuring timely and correct payroll processing.

- 18 1. Access and Verification: Non-exempt, salaried employees must log into the Skyward  
19 platform at least once a week to review their recorded working hours. A standard lunch  
20 break duration will be automatically deducted from employees' total working hours each  
21 day. Employees should ensure that the auto-deducted lunch break accurately reflects their  
22 actual break time. Any discrepancies must be corrected before the weekly hours are  
23 submitted. Each employee is responsible for ensuring that the hours logged reflect their  
24 actual work times, including start, break, and end times.
- 25 2. Accuracy and Integrity: It is important that all time verifications are accurate. Employees  
26 must make any necessary adjustments to correct errors or omissions before submitting their  
27 hours for approval. This includes editing incorrect entries and adding any missing work  
28 periods. Failure to comply with this process may result could affect payroll processing.  
29 Consistent failure to adhere to these guidelines may lead to disciplinary action.
- 30 3. Submission: Verified hours must be submitted through Skyward for supervisory approval  
31 by the close of business on the last working day of each week. Late submissions may result  
32 in delays in payroll processing and potential discrepancies in pay.

- 33 4. Supervisor Review: Supervisors are responsible for reviewing and approving submitted  
34 hours promptly. Any discrepancies identified during the review process should be  
35 communicated to the employee for immediate correction.
- 36 5. Technical Issues: In the event of technical difficulties with the Skyward platform,  
37 employees should promptly report the issue to the IT support team. Employees are still  
38 responsible for ensuring their hours are accurately recorded and submitted within the  
39 specified timeframe.

#### 40 **IRREGULAR WORK SCHEDULES FOR NON-EXEMPT EMPLOYEES**

41 Because the Board of Education discourages overtime work by non-exempt employees, a  
42 supervisor may modify a non-exempt employee's workweek schedule to allow flexibility in the  
43 workday schedule. For purposes of compliance with the FLSA, the workweek for school district  
44 employees will be 12:00 a.m. Sunday until 11:59 p.m. Saturday. A supervisor may modify an  
45 employee's workweek depending on the department's needs; however, any modification must  
46 occur in the same workweek so as not to exceed forty (40) hours worked in a workweek.  
47 Employees and supervisors may not make agreements which circumvent provisions of the FLSA.  
48 Modification to a work schedule may include:

- 49 • Allowance for the use of flextime, in which an employee works 7 hours per workday, but  
50 there is flexibility in an employee's scheduled starting and ending times. This option is  
51 intended as an occasional work arrangement.
- 52 • Use of a compressed workweek in which in employee modifies their workday to reduce  
53 the workweek to four days per week. Any long-term modified workweek schedule must  
54 also be approved by the Director of Schools.

#### 55 **OVERTIME**

56 Overtime is approved time worked in excess of a non-exempt employee's normal workweek  
57 schedule for which extra compensation is authorized. Principals and supervisors shall monitor  
58 employees' work, shall ensure that overtime provisions of this policy and the FLSA are followed,  
59 and shall ensure that all employees are compensated for any overtime worked. Depending on the  
60 number of hours physically worked within the workweek, a non-exempt employee will be eligible  
61 to receive:

- 62 1. Payment at the employee's regular rate of pay if the employee is non-exempt and hourly  
63 and the hours worked are under forty (40) hours during the workweek, but over the  
64 employee's scheduled thirty-five (35) hours; or
- 65 2. Payment at one and one-half times the non-exempt employee's base pay if the hours worked  
66 totals over forty (40) hours during the workweek; or,
- 67 3. Compensatory time earned at one and one half (1 1/2) hours for every one hour of overtime  
68 worked over forty (40) hours during the workweek.

69 In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a  
70 rate of not less than one and one-half (1.5) hours for one hour of overtime worked, if such  
71 compensatory time is: (1) pursuant to an agreement between the employer and employee reached  
72 before overtime work is performed, and (2) authorized by the immediate supervisor. Employees  
73 may accrue a maximum of sixty (60) compensatory time hours before they will be provided  
74 overtime pay at the rate earned by the employee at the time the employee receives such payment.

#### 75 **OVERTIME AUTHORIZATION**

76 Overtime hours must be pre-approved by the employee's immediate supervisor and the Director  
77 of Schools or designee prior to the overtime occurring, unless exigent circumstances apply. The  
78 employee is expected to work overtime when the job requires the additional hours, and the  
79 supervisor gives a reasonable job assignment.

80 **Emergency Requests for Overtime**

81 A nonexempt employee may be required to work during an emergency without prior written  
82 approval of the overtime. The supervisor must give prior verbal approval of the employee's  
83 overtime, but the approval should be evidenced in writing as soon as practicable. For purposes of  
84 this directive, emergency situations include immediate needs for snow removal or building repairs  
85 that if not performed would inhibit the instruction of students in schools or the performance of  
86 work by employees. A nonexempt employee required to work emergency time may receive either  
87 overtime pay or emergency compensatory time at the employee's discretion. An employee may  
88 not accumulate emergency compensatory time beyond a maximum of two hundred forty (240)  
89 hours, or thirty (30) days, whichever is smaller. If emergency time is worked beyond the maximum  
90 amount of emergency compensatory time allowed, the emergency time over the maximum amount  
91 allowed will be paid out as overtime pay.

92 **DEFINING COMPENSABLE TIME**

93 **Non-Exempt Employee Travel**

94 Excluding normal commuting time, non-exempt employees should be compensated for all travel  
95 unless it is: overnight; outside of regular work hours; on a common carrier or as a passenger. If the  
96 employee is required to report to a meeting place where they are to pick up materials, equipment,  
97 or other employees, or to receive instructions before traveling to the work site, time is compensable  
98 once the employee reaches the meeting place.

99 **Traveling during the Workday**

100 Travel as part of the essential functions of the employee's job description must be counted as hours  
101 worked and is compensable.

102 **Out-of-Town Travel**

103 If a non-exempt employee is required by the school district to travel outside of a fifty-mile radius  
104 of the administrative offices for Murfreesboro City Schools (the "official duty station" pursuant to  
105 5 CFR 550.112(j) and 551.422(d)), the time required for travel is compensable. Travel time  
106 between the employee's home and the common carrier (airport or railway station) is home to work  
107 travel time and is generally not compensable. However, to the extent that an employee performs  
108 work while traveling (e.g. preparing for a meeting, reviewing documents, making telephone calls),  
109 this time constitutes hours worked even if the travel time would otherwise not be compensable.

110 **Overnight Travel**

111 If a non-exempt employee is traveling overnight at the request of the school district and the travel  
112 is during the employee's normal work schedule, the time will generally be compensable. When an  
113 employee travels between two or more time zones, the time zone associated with the point of  
114 departure should be used to determine whether the travel falls within normal work hours. Time the  
115 employee spends in overnight travel away from home outside of regular working hours as a  
116 passenger on a common carrier and the employee is free to rest, is not considered compensable  
117 time. If the employee is driving a vehicle, the employee must be compensated. To the extent that  
118 an employee performs work while traveling (e.g. preparing for a meeting, reviewing documents,  
119 making telephone calls), this time constitutes hours worked even if the travel time would otherwise  
120 not be compensable. Time spent at a hotel with freedom to use time for the employee's own  
121 purposes is not compensable. Time spent sleeping and regular meal period time is not considered  
122 compensable time.

123 **Traveling on an Unscheduled Workday**

124 Nonexempt employees traveling to and from meetings at which attendance is considered a work  
125 assignment on an unscheduled workday will receive compensatory time or payment equal to one  
126 hundred percent (100%) of the time traveled.

127 **On-Call Time**

128 Supervisors are required to define on-call time expectations for non-exempt employees, subject to  
129 approval by the Human Resources Director. Non-exempt employees who are not required to  
130 remain at a district facility and are free to engage in their own pursuits, subject only to the  
131 understanding that they give information as to how to be reached, are not considered working  
132 while on-call. When these employees are called to a job assignment, only the time actually spent  
133 responding to the call (including one hundred percent (100%) travel time to and from the work  
134 site) should be counted as hours worked. If the on-call conditions are so restrictive that employees  
135 are not realistically free to use the intervening periods effectively for their own benefit, they may  
136 be considered working.

137 **Training Time**

138 Generally, when a supervisor permits or requires a non-exempt employee to attend a training  
139 session, such time is considered as compensable unless all four of the following criteria are met:

- 140 1. Attendance is voluntary;
- 141 2. Attendance is outside of the employee's regular work hours;
- 142 3. The training material is not directly related to the employee's job; and
- 143 4. The employee does not perform any productive work for the employer during such training.

144 **Meal Periods**

145 Meal or break periods for non-exempt employees are compensable unless all of the following  
146 conditions are met:

- 147 1. The meal or break period must be at least 30 minutes or longer;
- 148 2. The employee must be completely relieved of all duties; and,
- 149 3. The employee must be free to leave their duty station.

150 **USE OF COMPENSATORY TIME**

151 The employee's supervisor will permit the use of compensatory time off within a reasonable period  
152 of time following the accrual of the compensatory time, unless the use at the requested time would  
153 unduly disrupt district operations. It is preferred that accumulated compensatory time be taken  
154 within the pay period immediately following the accrual, however, in all cases compensatory time  
155 must be taken within the fiscal year in which the time is accrued (July 1-June 30). All unused  
156 compensatory time not used by the end of the fiscal year will be paid to the employee.

157 Overtime earned in the last thirty (30) days of the fiscal year may, at the Director's discretion, be  
158 carried forward to the next fiscal year. Such carry forward shall not increase the employee's  
159 maximum accrual amount for the next fiscal year.

160 Compensatory time used within a workweek will not be counted towards time worked in  
161 computing overtime hours. It is not considered "time worked".

162 **SEPARATION FROM DISTRICT**

163 Upon separating from the school district, an employee must be paid for any unused compensatory  
164 time at the rate of not less than the higher of (1) the average regular rate received by the employee  
165 during his/her last three (3) years of employment, or (2) the final regular rate received by the  
166 employee.

167 **DOCUMENT RETENTION**

168 Under the FLSA, employers are required to maintain accurate records of hours worked and wages  
169 paid to employees. Specifically, timesheets and other records of hours worked must be retained  
170 for at least two years. Supervisors will be responsible for maintaining records of their employees

171 time sheets and ensuring that these records are accessible and preserved in a manner that allows  
172 for easy retrieval and review.

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*Legal References*

TCA 50-2-101  
TCA 50-2-103  
29 USC § 201, et seq.  
29 CFR § 785.19  
29 CFR § 553.24



# OVERTIME PRE-AUTHORIZATION FORM

This form is to be used to obtain pre-approval for all anticipated or scheduled overtime work. Full-time, non-exempt employees cannot work overtime without the prior approval of their supervisor and the Director of Schools/designee. Employees who fail to obtain approval prior to working overtime hours may be subject to disciplinary action. Accurate and complete time records of actual overtime hours worked during the workweek will be recorded by each employee and submitted to the Human Resources Director.

Employee's Name: \_\_\_\_\_ Identification Number: \_\_\_\_\_

Department/School: \_\_\_\_\_ Employee Title: \_\_\_\_\_

Reason for Overtime Request:

\_\_\_\_\_  
\_\_\_\_\_

Date(s) and Time(s) of Overtime Hours: \_\_\_\_\_ Total Overtime Hours Requested: \_\_\_\_\_

For irregular overtime work performed, I request:  Compensatory Time  Overtime Pay

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Signature below by the supervisor and Director of Schools/designee indicates that the request for overtime has been approved.

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of Schools/Designee Signature

\_\_\_\_\_  
Date