



**WINDHAM SCHOOL
DISTRICT**

NUMBER: OP-07.12 (rev. 2)
DATE: December 4, 2025
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SUPERSEDES: OP-07.12 (rev. 1)
September 23, 2015

OPERATING PROCEDURES

SUBJECT: COMPENSATORY TIME AND OVERTIME

AUTHORITY: *Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. § 201-219; Windham Board Policy (WBP)-07.12, "Compensatory Time and Overtime"*

APPLICABILITY: Windham School District

POLICY:

Employees of Windham School District (Windham) may earn and use compensatory time subject to the provisions of WBP-07.12.

The FLSA establishes minimum wage, overtime pay, and recordkeeping requirements for employees covered by the FLSA. As a public employer, Windham compensates non-exempt employees with compensatory time at the rate of one and one half time for each hour physically worked which exceeds 40 hours in a workweek. Exempt employees receive compensatory time for work on a normally scheduled day off.

DEFINITIONS:

"Compensatory Time" or "comp time" is leave time accrued at the rate of one hour for each hour worked, with a maximum of eight hours per day.

"Exempt Employee" is an employee who is not subject to the wage and overtime provisions of the FLSA.

"Non-exempt Employee" is an employee who is subject to the wage and overtime provisions of the FLSA.

"Non-workday" is a day an employee is normally not scheduled to work, including weekends, holidays, and vacation days.

“Overtime” is leave time accrued by non-exempt employees at the rate of one and one-half times the amount of time worked in excess of 40 hours physically worked in a work cycle.

“Work Cycle” is seven consecutive calendar days with no more than 40 scheduled work hours starting on Thursday at 12:01 a.m. and ending the following Wednesday at midnight.

PROCEDURES:

I. Exempt Employees

- A. Exempt employees accrue compensatory time for up to eight hours worked on a non-workday. However, exempt employees do not accrue compensatory time while working on a non-workday to make up (or flex) time which was scheduled on a normal workday.

Example: An exempt employee who is authorized to leave two hours early on Thursday and does not enter two hours of leave time for that day will not earn compensatory time by working two hours on Saturday (a non-workday) or a holiday (a non-workday).

- B. Exempt employees may not accrue compensatory time without prior written approval from their immediate supervisor. The authorization may cover one or more work cycles, but must include a beginning and end date.
- C. Exempt employees must document hours worked on a non-workday on their timesheets so the Human Resources department will credit the time earned.
- D. Exempt employees are not paid for unused compensatory time upon termination of employment.

II. Non-Exempt Employees

Generally, non-exempt employees may not work more than 40 hours per week. Non-exempt employees whose work outside of their normal schedule will cause them to work more than 40 hours in a workweek must be given time off (flex time) during the work cycle to ensure that no more than 40 hours are worked. Exceptions must be authorized by a department director or division director.

A. Compensatory Time

A non-exempt employee who does not physically work more than 40 hours in a work cycle, but whose combined total of hours worked and hours of paid leave or paid holidays exceeds 40 hours, receives equivalent compensatory time off for the excess hours.

Example: In a work cycle which includes a district holiday, an employee is approved to work eight hours on the district holiday. The employee will earn eight

hours of compensatory time for working on the holiday because the employee did not physically work more than 40 hours during the work cycle.

B. Overtime

1. Non-exempt employees who physically work more than 40 hours in a workweek accrue overtime as “overtime compensatory time” at the rate of one and one-half times the time worked in excess of 40 hours.
2. Overtime compensatory time is part of a non-exempt employee’s available accrued leave which may be used in accordance with the hours of duty policy.

C. Payout

1. A non-exempt employee will be paid for accumulated overtime compensatory time in excess of 240 hours. The Business Services department will review accumulated compensatory time no less than quarterly to determine the need to pay for excess hours.
2. A non-exempt employee will be paid for unused overtime compensatory time and compensatory time upon separation of employment.



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