
**LAKE-SUMTER STATE COLLEGE
ADMINISTRATIVE PROCEDURE**

TITLE: WORK WEEK: ALL COLLEGE EMPLOYEES

NUMBER: PRO 5-13

REFERENCE: Rules 2.23, 5.07, 5.11

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I. DEFINITIONS

- a. The regular workweek is 168 hours in seven consecutive 24-hour periods beginning at 12:01 a.m. Sunday and ending the following Saturday at midnight. This workweek is established for payroll and pay period purposes for non-exempt employees under the Fair Labor Standards Act (FLSA) and in no way affects the normal operating hours or days of the College.
- b. Lake-Sumter State College's business operations are typically Monday through Friday from 8 a.m. until 4:30 p.m. Due to the long hours during which the College operates, including evening and Saturday classes, and due to weekend events that require additional assistance, some departments and/or offices may be required to remain open or to open to provide necessary services during periods when others are closed. Hours and days when employees are assigned to work in support of all College activities are established by the needs of the College and individual departments.
- c. "Working time" shall be defined as that time in which an employee has any scheduled obligations, whether instructional or non-instructional, to perform responsibilities of his/her position(s) at the College, including but not limited to, all such obligations as classroom instruction, required office hours, committee work, conferences, and official meetings; provided, however, that it shall not include lunch breaks. College personnel shall not be subjected to solicitations by any group or persons on campus when any person involved in the solicitation is on "working time" defined herein.

II. PERSONNEL: EXEMPT OR NON-EXEMPT

- a. All employees are classified per the Fair Labor Standards Act (FLSA) as either exempt (ineligible to be paid for hours worked over 40 hours per week at 1.5 times hourly rate) or non-exempt.
- b. Exempt employees are salaried employees and are exempt from overtime and other labor requirements as regulated by FLSA. Instructional faculty are exempt employees whose duties involve classroom instruction. Persons in authorized full-time instructional faculty positions shall work a minimum of 35 hours each week in completing assigned and approved duties and obligations.

- c. Non-classroom instructional personnel are exempt employees whose duties involve library and learning resource support services, guidance, or counseling. Persons in authorized full-time non-classroom instructional faculty positions shall work a minimum of 37.5 hours each week in completing assigned and approved duties and responsibilities. These employees are paid a salary for all hours worked and are exempt from the overtime requirements of the FLSA.
- d. Executive, Administrative-General, Administrative-Managerial, Administrative-Student Support, Professional, and select Technical Class personnel are classified exempt per the criteria or standards set by FLSA and are paid a salary for all hours worked. These employees work 37.5 hours minimally each week in completing assigned and approved duties and obligations as defined in the position descriptions.
- e. Support, Crafts, select Technical Class, Student Employees, and part-time staff are classified non-exempt per the criteria set by FLSA and are hourly paid employees who are compensated for hours worked over 37.5 in a scheduled week as regulated by FLSA.

III. COMPENSATION FOR EXTRA TIME WORKED FOR NON-EXEMPT EMPLOYEES

- a. Non-Exempt employees will be compensated for extra hours worked as required by FLSA. Time worked beyond the base 37.5-hour workweek is discouraged and will not be permitted without advance permission by the Supervisor. On those occasions when such work becomes necessary as designated by the supervisor (such as during peak registration periods), the non-exempt employee shall elect if he is to be paid or take compensatory time for the extra time worked beyond 37.5 hours. Following FLSA requirements the extra time shall be paid or provided as compensatory time as follows. (Insert Link to online Comp Form)
- b. Extra work time shall be compensated at a rate of one hour between 37.5 to 40 hours worked in a week, and one and one-half hours for each hour worked beyond 40 hours within the workweek.
- c. Compensatory Time must be agreed upon in advance by the employee and the Supervisor, both when it is earned and when it is used. It should be used within a reasonable time, typically within the academic semester in which it was earned.
- d. Compensatory Time shall be used before other categories of leaves (personal, vacation, sick).
- e. An employee may not accumulate more than 240 hours of Compensatory Time.
- f. Each workweek stands alone for purposes of Compensatory Time calculation. One cannot average two workweeks together (e.g., 40 hours one workweek and 30 hours the next).
- g. The employee must complete, and the Supervisor must approve, a Compensatory Time Record to track hours worked over 37.5 per week. This Compensatory Time Record is not submitted to Payroll but retained by the Supervisor. [Non-Exempt Compensatory Time Record](#)

IV. SUMMER FLEXIBLE WORK SCHEDULE

- a. The College, as approved each year by the District Board of Trustees, may establish a specified timeframe for a four-day summer workweek schedule of 37.5 hours (typically Monday through Thursday).
- b. During the summer work schedule period, employees may request to have their assigned work hours changed to a four-day workweek. Such requests will be granted when the supervisor can arrange for appropriate coverage during all normal business hours.
- c. Employees requesting a four-day workweek must file a summer schedule indicating their work hours to their immediate supervisor. Approval of the schedule must be made by both the supervisor and the next level of authority.
- d. If the College is closed for a holiday which falls on a Monday or Friday, the College may designate another day as a non-working day within that holiday week. If an employee's flexible schedule shows that day as a non-working day, then the employee may schedule another day off in its place with approval by the supervisor. The substitute day should be shown on the employee's summer schedule.
- e. The flexible schedule must total 37.5 hours during the workweek.
- f. The Vice President (or senior administrator who reports to the President) supervising the department where the employee works has the responsibility to approve and control the flexible work schedules of all employees in their areas and a copy of the approved schedule must be placed on file in the senior administrator's office before the start of the summer schedule.
- g. Vacation and other leave time will be reported on the electronic leave report at 9.5 hours per day or actual hours taken.
- h. If a person works on his/her scheduled 'flex' day with approval, another day may be taken within the current pay period. The employee's immediate supervisor has the authority to approve substitutions.

V. ON-CALL PAY

- a. Hours and days when employees are assigned to work in support of College activities are established by the needs of the College and individual departments. Regular assigned workdays may include weekdays, weekends, or evenings.
- b. Select non-exempt Crafts Classification positions are required as a condition of employment to be on-call to return to work outside of their regular assigned work-day.

- c. Exempt staff members may also be required to be on-call to return to work outside of their regular assigned work-day. Exempt employees are salaried employees and are exempt from overtime and other labor requirements as regulated by FLSA. Exempt staff members who may be called to return to work after their regular assigned work-day should consult with their supervisor to determine if a workweek schedule adjustment is necessary.
- d. Non-exempt employees designated as being on-call will receive written notification of the essential job duties that require the employee to maintain an on-call status on either an intermittent or regularly scheduled basis. The employee's position description includes the designation as on-call.
- e. The employee will receive a schedule of the times and dates that he/she is required to be on-call, provided in advance of the on-call period.
- f. Unless otherwise advised, the employee is not required to remain on the College's premises while on-call. However, the employee must remain available by cell phone while off-site and respond to any message within 30 minutes.
- g. If an emergency requires the employee to return to campus, he/she must do so within 1 hour of responding to the message.
- h. The employee is not required to restrict his/her activities while on-call, but the employee must remain free of the influence of alcohol or illegal drugs. In addition, the employee should not take any prescription drug that adversely affects his/her ability to safely and effectively perform his or her job duties. If an employee has a medical condition and has concerns about complying with this requirement, the employee should consult with the Director of HR Operations.
- i. If the employee has a conflict and is unable to be on-call during his or her assigned time, the employee must pre-arrange with his or her immediate supervisor for a replacement to cover the employee's on-call shift.
- j. Employees will receive two hours of on-call pay at their regular rate of pay for each day of on-call status that occurs when the employee is not normally scheduled, including weekend days, College holidays, and Spring and Winter break times. These hours do not count as hours worked for purposes of calculating overtime and are paid at the employee's regular rate of pay.
- k. If an employee is called to come back to work while he/she is on-call, the employee is paid for hours worked, subject to a minimum of two hours of call-back pay. These two hours of call-back pay counts as time worked for purposes of calculating overtime.
- l. Commuting time to the college is counted as hours worked if the employee is on-call and called back to work.
- m. An On-Call Pay Time Record must be completed, approved by the Supervisor, and submitted to the Payroll Department monthly. [On-Call Report.](#)

VI. ACCURATE PAY TREATMENT

- a. Employees who believe their pay is not in compliance with the Fair Labor Standards Act (FLSA) should first contact the Director of Payroll Operations or the Director of HR Operations.
- b. If appropriate action or correction is not taken to an employee's satisfaction, the employee should submit a formal written complaint with appropriate documentation to Human Resources.
- c. Human Resources in conjunction with Payroll will respond within seven days of a formal written complaint. Any substantiated inadvertent errors or improper deductions to an employee's pay will be rectified and full reimbursement made by the next pay cycle.

New: 12/08/1997

Revised: 11/12/1999, 10/20/2000, 10/05/2004, 02/22/2005, 01/04/10, 02/1/2022