



**MUSTANG PUBLIC SCHOOLS**

**SUPPORT PERSONNEL**

**HANDBOOK**

2016-17

[www.mustangps.org](http://www.mustangps.org)

# **MUSTANG PUBLIC SCHOOLS**

## **SUPPORT PERSONNEL HANDBOOK**

The purpose of the Mustang Public Schools' Support Personnel Handbook is to communicate clearly to all support personnel the rules, regulations and policies pertaining to the support employee's job, and to provide general information concerning procedures and benefits. Support employees are Mustang Public School (MPS) personnel who do not have teaching certificates and include all personnel shown in Section VII, Compensation, of this handbook.

The primary goal of the MPS District is high student achievement and growth. Support personnel contribute directly to the safe and efficient operation of the schools and have a direct influence on student success. Support employees are valued stakeholders in the MPS District. See page 2 for MPS District Vision, Mission, Core Values, and District Goals.

Please remember that the contents of this support personnel handbook do not constitute an expressed or implied contract of employment, nor is it intended to be all inclusive of policies and procedures. This support personnel handbook shall be applied without regard to any individuals age, race, color, sex, disability, religion, national origin, creed, pregnancy, marital status, physical handicap, veteran status, genetics or other classification protected by law.

Any changes that might occur in Mustang Public School District Policy and Procedures, Local, State or Federal Law, supersedes any item(s) that may be printed in this handbook.

# SECTION I

## PERSONNEL PROCEDURES

### A. Definitions of Terms (as used in this handbook)

Daily rate of pay-Equals the salary divided by days worked in the contract

Full-time Employees - All personnel who are employed to work a minimum of six (6) hours per workday according to each employee status work calendar

Event Employees - All personnel employed to work events, camps, etc. on an as needed basis. These employees are not subject to leave or fringe benefits, and must follow the guidelines for employment

HR Department-Human Resources or Personnel Department

Leave - Sick, sick bank, personal, vacation, bereavement, Family Medical Leave (FMLA), leave of absence, leave without pay, leave share, jury and military

Part-time Employees - All personnel who are employed to work less than six (6) hours per workday or less than 30 hours per week

Probationary Employees – A probationary employee commences a “trial period” during which the direct supervisor carefully considers whether the employee is able to meet the standards and expectations of the job and if the employee should be retained by MPS as a “regular” employee. During probationary employment the supervisor assesses the employee’s ability to learn and perform job duties, quality of work, productivity, work habits, cooperation, attendance and punctuality and other standards and expectations specific to an employee’s particular position. If the employee fails to meet the requirements of the job, the employee may be released at any time during the probationary period.

The position held by the probationary employee may be posted prior to the end of the fiscal school year. If posted the employee must re-apply for the position if he/she wants to be considered for the position. If a recommendation for future employment is made by the supervisor and if the employee completes the full probationary period, the probationary employee may be considered for employment for the subsequent school year on a regular contract. If a probationary employee becomes a “regular” employee in the same position for which he/she was hired, the time worked as a probationary employee is credited toward experience.

School Year - Entire period of time between July 1, and June 30, that is determined by work calendar for a particular position

Support Employee – A support employee of MPS provides services not performed by professional educators or certified teachers that are necessary for the efficient and satisfactory functioning of a school district. Refer to Fair Labor Standards Act of this handbook (Section VI).

Support employees initially serve a **one-year probationary period beginning with the date of employment**. A probationary employee will have no continuing employment rights to future employment by the school district as stated in the Disclosure Statement that is signed during the employment process.

Temporary Employees - All personnel employed in any department to fill in for an employee who is on leave or due to an extra workload. These employees will have a beginning and ending date, will be paid at the zero (0) step of the employee’s position which he/she is replacing, they are not subject to leave or fringe benefits, and must follow the guidelines for employment. Less than 20 hours per week and variable hour employees include substitute teachers, summer employees, lay coaches, and additional marching band personnel.

## **B. Selection**

All applicants for support positions with Mustang Public Schools (MPS) shall have a completed support application on file at MPS Administration Office. A Consumer Authorization and Release, and a National Criminal History Record Check (NCHRC) are required for employment. The NCHRC is at employee's expense.

An applicant must possess a high school diploma or G.E.D. to be considered for employment with MPS. Any exceptions must have prior approval from the Superintendent's office.

Job postings will be accessible on the district's web site ([www.mustangps.org](http://www.mustangps.org)), posted in an assigned area at each school and posted in the area chosen by the director of each department.

If you are a current employee and would like to apply for a posted position, please apply online through the MPS website under the Employment tab.

In recommending an applicant for employment, the supervisor will place emphasis on these factors:

- the applicant's previous training/experience, special abilities and skills related to the requirements of the position
- physical ability as related to the position
- competency
- references

The Deputy Superintendent or designee shall recommend all support employees for employment to the Mustang Board of Education. Each support employee is under the general direction of the Superintendent/Deputy Superintendent, and shall perform such duties as may be assigned by the person charged with his/her direct supervision.

The Mustang School District is an equal opportunity employer and complies with all of the provisions of the following:

- Title IX of the Education Amendments of 1972, as amended, and part 86 of the Title 45, Subtitle A, Rules and Regulation of the U.S. Department of Health, Education and Welfare
  - i. "No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving federal financial assistance."
- b. Section 504 of the Rehabilitation Act of 1973
  - i. "No person or otherwise qualified handicapped individual shall, solely by reason of this handicap, be excluded from the participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance."
- c. Title VI of the Civil Rights Act of 1964
  - i. "No person in the United States shall, on the grounds of race, color, genetics or national origin, be excluded from, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance."

## **C. Conditions of Employment**

### Ethical Conduct:

All efforts shall be made to employ individuals of integrity. Employees are expected to maintain the high standards contained in the following guidelines:

- the welfare of students shall be the primary consideration in making decisions relating to employee-personnel problems
- professional relationships shall be maintained at all times with other employees, patrons and students
- employee contacts and employment privileges shall not be used for personal gain
- all school properties, equipment and materials must be properly used and protected

### Personal Appearance:

- shall dress appropriately to position and job safety requirements, including wearing uniforms when required, or as determined appropriate by department supervisor
- manner of dress should be modest to prevent exposure of torso (i.e. midriff) and/or cleavage etc.
- hair and dress must be neat
- hats will not be worn in the buildings by staff during school/working hours unless the position warrants, or for safety/health reasons
- clothing that displays beer, wine, alcoholic beverages, tobacco, sexual connotations is prohibited

Work Standards:

- maintain a good work ethic
- meet acceptable standards of work performance
- perform tasks necessary to a particular position safely and effectively
- must maintain a valid Oklahoma driver's license, if position requires

Physical Requirements:

- bus drivers are required by State Law to have a physical at the time of employment, and annually throughout employment
- Training may be required for Special Education Assistants depending on assignment.

#### **D. Experience**

New employees shall be placed at a salary step based on their experience level to be determined by Department Director and Deputy Superintendent or designee.

Beginning with the 2013-14 school year Teacher Retirement is changing the calculation for a full year of service: to receive credit for a year experience the number of contracted days must be met, i.e. 245 day contract, then 245 days must be worked in lieu of any leave used (You may use, sick, bereavement, vacation, or personal leave that you may have to account for the days worked. **If you have salary docked days, these will not count toward your service credit.**)

For experience to be counted toward advancement within the District, the employee shall not make less money annually than received in the current position. If an employee is re-assigned to a position with a higher pay scale and/or additional calendar days, there will not be a lateral experience increase.

#### **E. Re-Employment**

A support employee who has been terminated shall be ineligible to apply for re-employment without the written recommendation of the Superintendent's office.

A support employee who has resigned and is re-employed in the same position within one (1) year of leaving MPS shall receive the same number of years of experience as when the employee left employment.

#### **F. Tobacco Free Environment**

In accordance with School Laws of Oklahoma, Section 1333, Smoking Prohibited in Certain Places, and Policy and Procedure Handbook, Policy #2060, Mustang Public Schools' desire is to provide a healthy smoke-free environment for students, employees and patrons. School Laws of Oklahoma state that "...an educational facility which offers an early childhood education program or in which children in grades kindergarten through twelve are educated shall prohibit smoking, the use of snuff, chewing tobacco or any other form of tobacco and/or vapor product in the buildings and on the grounds of the facility by all persons including, but not limited to, full-time, part-time, and contract employees during the school session, or when class or any program established for students is in session ..."

Mustang Public Schools' Policy and Procedure #2060 further states that all facilities within the District will be smoke-free twenty-four (24) hours per day on a year round basis prohibiting smoking, the use of snuff, chewing tobacco, electronic cigarettes, vapors, or any other form of tobacco product by all persons. This policy extends to all district activities, vehicles and property.

**There will be no designated smoking areas anywhere in the District.**

### **G. Certification Requirements**

Support employees who obtain certification required or available for certain positions must submit the necessary paperwork to the personnel office before any pay changes can occur. The deadline to submit the certification is on or before November 1<sup>st</sup> for the Fall Semester and March 1<sup>st</sup> for the Spring Semester. Any information received after the above deadlines will not be addressed until the following semester.

### **H. Bloodborne Pathogens Exposure Control Plan**

The purpose of the MPS' Bloodborne Pathogens Exposure Control Plan is to reduce occupational exposure to Hepatitis B Virus (HBV), Human Immunodeficiency Virus (HIV) and other bloodborne pathogens that employees may encounter in his/her workplace. Each school year all employees are to watch a bloodborne tutorial and take the assessment online. Any employee that is limited in English will be offered an alternate assessment.

#### Immunizations:

Support job classifications are divided into two (2) categories. Category I are those employees with duties that are reasonably anticipated to involve exposure to blood or body fluids. Category II are those employees not exposed to blood and body fluids in the routine performance of their duties. "Good Samaritan" acts such as assisting with a nosebleed would not be considered occupational exposure.

#### Category I:

Site Secretaries  
Custodians  
Special Education Teacher Assistants / Paraprofessionals  
Bus Drivers and Bus Assistants  
Maintenance Personnel  
Nurse Assistants  
Teacher Assistants

#### Category II:

Classroom Volunteers  
Secretarial Staff other than Site Secretaries  
Staff in buildings not attended by students  
Child Nutrition Personnel

Support employees in Category I shall be offered immunization against Hepatitis B after the employee has received the required training and within ten (10) working days of initial assignment. The risks and benefits of immunization will be explained and informed consent obtained prior to immunization. Immunizations are provided at no cost to the employee.

Employees may refuse immunizations or may submit proof of previous immunization. Employees who refuse immunization will be counseled on the occupational risks of communicable disease and are required to sign a "Refusal of Immunization" form. Employees who initially refuse immunization may later receive the immunization packet upon request from the HR Department.

### **I. Personnel Records**

Personnel records are maintained in the personnel office at the Administration Building for each support employee. Personnel records will include:

- application
- employment contract(s)
- physicals (when applicable)
- evaluation(s)
- felony check/NCHRC

- loyalty oath
- U. S. Department of Justice Employment Eligibility Verification (I-9)
- certification/license/transcripts/diplomas (when applicable)
- “Voluntary Separation from Employment” form upon leaving the district.
- Letter of Concern or Letter of Admonishment

The support employee may view his/her personnel file at a time that is convenient for both the support employee and the personnel office. In order to schedule an appointment, call the HR Department at the Mustang Administration Building, (405) 376-2461.

Any material that is over three (3) school years old and that is not required by law to be maintained for longer periods of time may be removed from the employee’s file at the request of the employee with the Superintendent’s approval.

**J. Personal Information Changes**

It is important that employment records be kept up to date. The employee must complete the Change of Name/Address Form for the HR Department at the Mustang Administration Building if there are any changes or corrections to his/her name (must present a new social security card for payroll purposes), home address, home telephone number, marital status, emergency contact or beneficiary. The form is located on the MPS website under the Personnel tab, click personnel and scroll down to find the Change of Name/Address Form at the bottom of the page. If necessary, a new W-4 should be completed and turned in to payroll. The form is located on the district web site: [www.mustangps.org](http://www.mustangps.org).

**K. Absence**

It is required that each support employee notify his/her direct supervisor **no later than one (1) hour** prior to scheduled work time on any workday that the support employee intends to be absent. **Beginning on July 1, 2014, leave may only be taken in one-half, or full day increments. Emergency and extenuating circumstances may always be addressed with your direct supervisor.**

Bus drivers must notify the Transportation Director no later than 6:00 a.m.

**L. Time Clock**

Support employees are expected to utilize the time clock. The employee’s signature will be required for the weekly timesheet, acknowledging that the time worked and the time used for leave, when applicable, is reported correctly.

The time clock codes used for leave taken are as follows:

- |                          |                            |
|--------------------------|----------------------------|
| 600 – sick leave         | 607 – holiday pay          |
| 601 – bereavement leave  | 608 – jury duty            |
| 602 – vacation leave     | 610 – sick leave bank      |
| 603 – personal leave     | 611 – leave without pay    |
| 604 – activity           | 612 – military leave       |
| 606 – professional leave | 613 – administrative leave |

**M. Re-Assignment**

All support employees are subject to change in assignment and pay re-classification according to the newly assigned position if the administration is of the opinion that it would improve the overall program of the school district.

**N. Resignation**

Advance notice of intent to terminate employment with MPS is required to prevent the employee from being in debt to the district causing the employee to repay days paid but not worked, and/or to take final payroll deductions.

A support employee terminating his/her employment with MPS shall immediately notify his/her direct supervisor. All supplies, keys, I.D. badges, uniforms, equipment and tools if applicable, must be returned and the "Voluntary Separation from Employment" form must be completed and signed before the support employee is issued the final pay warrant. The employee must meet with his/her supervisor or the personnel office to complete the checklist for resignation.

Final payment will be made by direct deposit on the next closest pay date and upon payroll receiving all necessary paperwork and clearance from HR.

## **O. Evaluation**

The purpose of an evaluation is to improve job performance and to determine the quality of work. Written evaluations may be performed at any time, with a minimum of one (1) time per year, prior to May 1<sup>st</sup>.

A reprimand or an admonishment will be issued when a violation of policies and procedures occurs. The direct supervisor will provide a written plan of improvement if necessary.

An employee may respond in writing to any written evaluation, reprimand, admonishment or other formal written disciplinary action within ten (10) working days of the receipt of such disciplinary action. If provided by the employee, such response shall be maintained in the employee's personnel file along with the original written form of disciplinary action.

Except by order of a court of competent jurisdiction, evaluation documents and the responses of the employee shall be available only to the evaluated employee, the evaluator, the Administrative staff of any school within the district to which the employee applies for employment, the Central Office Administrators and/or the Mustang Board of Education and/or other such persons specified by the employee in writing.

## **P. Suspension, Demotion or Termination**

In order to comply with School Laws of Oklahoma, the Mustang Board of Education hereby adopts the following procedure for the suspension, demotion or termination of support employees.

Support employees who have been employed with MPS for one (1) year or more, may be suspended, demoted or terminated by the Superintendent of Schools, or his/her designee, for, but not limited to, the following:

1. willful neglect of duty
2. repeated negligence in performance of duty
3. mental or physical abuse of a child
4. incompetence
5. commission of an act of moral turpitude
6. abandonment of contract
7. any felony offense/conviction
8. insubordination of any kind and/or refusal or failure to follow instruction of supervisor
9. violation of any district/administrative rule or policy
10. any sex offense subject to the Sex Offenders Registration Act in this state or subject to another state's or the federal sex offender registration provisions
11. engaging in criminal sexual activity, sexual misconduct and/or inappropriate relationship with other employees or students may lead to dismissal, refused employment or non re-employment
12. immoral conduct or indecency including abusive and/or foul language
13. possession, consumption or reporting to work under the influence of alcohol, non-prescribed drugs or controlled substances

14. possession of weapons on the premises at any time
15. assault or assault/battery during the performance of person's duties at MPS
16. use of tobacco products, electronic cigarettes, or vapors on and in all MPS District property at any time
17. gambling, lottery or any other game of chance on district property
18. refusal or failure to do satisfactory work in terms of quality and quantity
19. unauthorized operation of machines, tools or equipment
20. breach of confidentiality
21. failure to cooperate with supervisors and co-workers
22. refusal of job transfer within the district if the transfer does not result in a demotion
23. failure to notify supervisor of absence in proper time
24. excessive tardiness
25. absenteeism that is unapproved or unexcused by supervisor
26. excessive absenteeism for any reason
27. exceeding the maximum number of five permitted days of absence without pay
28. improper use of leave
29. signing in or out for another employee
30. failure to be at workstation at starting time
31. leaving workstation without authorization prior to lunch periods or end of workday
32. leaving work area for any reason during working hours without permission of supervisor
33. abuse of "breaks" (rest periods) or meal period policies
34. wasting time or loitering during working hours
35. disregard of known safety rules or common safety practices
36. poor workmanship
37. failure to correct or improve fair or poor evaluation ratings
38. falsification of personnel or other records
39. falsifying time sheet
40. unsafe operation of motor driven vehicles
41. operating machines or equipment without safety devices provided
42. removing district property, records or confidential information from premises without proper authority. School equipment and/or school funds are never to be used for personal use. No food, leftover food or garbage is to be carried away from the premises by any person other than a licensed waste disposal company.
43. posting or removing notices, signs or writing in any form on bulletin boards of district property at any time without specific authority of the administration
44. willful abuse, misuse, defacing or destruction of district property, including tools, equipment or other property of other employees
45. theft or misappropriation of property of employees, students or the district
46. unauthorized distribution of literature, or of written or printed matter of any description, on district property
47. sabotage
48. creating disturbances on the premises at any time
49. distracting the attention of others
50. threatening, intimidating, coercing or interfering with employees or supervision at any time.
51. making or publishing of false, vicious or malicious statements concerning any employee, supervisor or the district
52. causing conflict with other employees
53. practical jokes injurious to employees and/or the employees' or district's property
54. creating or contributing to unsanitary conditions
55. use of personal and/or work cell phones or any electronic device under the employee's authority and/or password during the employee's work day that would endanger the safety of students and/or employees (i.e. driving a school bus, operating equipment) or distract the employee from performing job responsibilities
56. use of personal and/or work cell phones or any electronic device under the employee's authority and/or password for recording inappropriate picture or video, accessing the internet or email for participation in pornography, gambling, purchasing or any other unlawful usage
57. when in the best interest of the district

Nothing contained in this policy shall prevent the Mustang Board of Education from acting on its own volition in matters pertaining to suspension, demotion or termination of support employees.

Whenever the Superintendent of Schools, or his/her designee, is of the opinion that the immediate suspension of a support employee is necessary, and in the best interest of a school district, the Superintendent of Schools, or his/her designee, may suspend the support employee.

After any suspension or prior to any demotion or termination, all non-probationary support employees shall receive notice of his/her right to a hearing, which if requested, will be conducted by the Mustang Board of Education. All notices shall be sent by certified mail with the postmark used to determine the timeliness of such notice. The support employee must request a hearing within ten (10) working days of said notice, or be deemed to have waived his/ her right to a hearing.

If a support employee is suspended for a period exceeding ten (10) days, the Superintendent of Schools shall initiate proceedings for termination and shall follow the procedures set forth in this policy. However, in a case involving a criminal charge, the suspensions may be delayed until the case is adjudicated at trial. Nothing herein shall prevent proceeding against the support employee during or after the suspension for termination as provided in this policy.

If the support employee requests a hearing, the hearing shall be conducted at the next regularly scheduled meeting or the next succeeding meeting of the Mustang Board of Education if the request is received by the Minutes Clerk of the Board of Education at least 10 days prior to aforesaid meeting. A special meeting may be conducted if requested by the support employee or at the discretion of the Mustang Board of Education. The special meeting shall be conducted no sooner than ten (10) days nor later than thirty (30) days after receipt of the support employee's request.

#### **Q. Appeals Channels**

A support employee should first discuss any problem with the school official serving as his/her direct supervisor. If a satisfactory resolution is not made, the employee may take the matter to the official next in line of authority. As a last resort, an appeal may be made to the Mustang Board of Education. This request should be in writing.

Example: Custodian -- Custodial Supervisor -- Direct Supervisor -- Principal and/or Director -- Deputy Superintendent – Superintendent of Schools – Mustang Board of Education

#### **R. Employee Threats To A Student**

The Board of Education will not tolerate an employee who threatens a student. If a principal/director/supervisor receives a report that an employee has demonstrated behavior towards a student that is violent, threatening, harassing or intimidating, he/she shall immediately contact the Superintendent/Deputy Superintendent/or designee so that he/she may evaluate, investigate and take appropriate action.

#### **Investigation and Corrective Action:**

MPS will promptly investigate all reports or alleged incidents of violent, threatening, harassing or intimidating behavior.

All employees are expected to cooperate fully in all such investigations.

The employee suspected of violating this policy may be placed immediately on suspension pending the results of the investigation.

If the claims of violent, threatening, harassing or intimidating conduct are substantiated, the employee will be dealt with through the appropriate disciplinary process, and may be subject to discipline up to and including dismissal from Mustang Public Schools.

Where the situation warrants, MPS will request that the appropriate law enforcement agencies become involved in the investigation of the matter, and MPS may seek prosecution of conduct that violates the law.

### **S. Sexual Harassment Policy**

The Board of Education will not tolerate sexual harassment/hazing by any district employees. This policy also applies to non-employee volunteers whose work is subject to the control of school personnel, employee to student relationships, and employee-to-employee relationships. Sexual harassment may include verbal or physical sexual advances, sexual activities, touching, pinching, patting, brushing against, or comments regarding physical or personal characteristics of a sexual nature, and sexually oriented kidding, teasing, and/or jokes.

Any employee found to have engaged in sexual harassment/hazing shall be subject to sanctions including but not limited to warnings, suspension, or termination subject to applicable procedural due process requirements according to state law.

Senate Bill 716 addresses sexual activities between employees and students by adding to the definition of rape: sexual intercourse between a student under certain age and certain school employee as rape.

SB 716 specifically states as rape:

“Where the victim is at least sixteen (16) years of age and is less than eighteen (18) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of the same school system.”

This act shall become effective November 1, 2001.

Victims who feel that administrators, supervisors, support personnel, teachers or other persons are subjecting them to sexual harassment are encouraged to report these conditions to the appropriate administrator or teacher. If the immediate administrator or teacher is the alleged offending person, the report will be made to the next higher level of administration or supervision, or to any responsible adult person.

Confidentiality will be maintained and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred will be investigated. The Superintendent has the responsibility of investigating and resolving complaints of sexual harassment.

The procedure and forms for making such claims can be found in Board Policy.

### **T. Other Policies**

Interpretation of all school policies and regulations lies with the Mustang Board of Education. Policies in this handbook are intended to conform to the rules and regulations in the MPS [Policies and Procedures Handbook](#) located on the school website, [www.mustangps.org](http://www.mustangps.org).

## SECTION II LEAVE PROVISIONS

**NOTE: Beginning July 1, 2014, all leave may only be taken in one-half, or full day increments. Emergency and extenuating circumstances may always be addressed with your direct supervisor.**

**A. Leave - No leave will be granted for any activity that provides monetary compensation.**

Leave is based on the hour requirement of a particular job. Example: one (1) day of leave for a four-hour employee is equivalent to four (4) hours. If an employee moves from one position to another and the hour requirement is different, the leave will reflect the new position.

Leave is accrued and entered on the primary position (most hours worked) when employees work two (2) positions. Leave on the second position may be taken with permission from your supervisor and will be required to be made up.

If a support employee wishes to change his/her absence after it has been received and recorded by the personnel office, a request to his/her supervisor must be made within two (2) weeks unless deemed to be a mistake made by the recording of the leave. The absence will stand as recorded after the two (2) week period has passed.

On Inclement weather days support employees will have two choices. The employee can choose to come to work or take leave. If the employee chooses to take leave they have these options for the type of leave they can take on inclement weather days:

- Sick
- Personal
- Vacation (only for 12 month employees)
- Previously accumulated comp time
- Bereavement may be used if all other leave has been exhausted***

If the employee has no leave and chooses not to work on the inclement weather day, the employee will be docked pay for the day not worked.

**B. Vacation Leave – No leave will be granted for any activity that provides monetary compensation. All vacations must be scheduled, coordinated and approved by the supervisor.**

Vacation leave shall be accrued monthly, at the end of the month, for all 12 month support employees as the chart below indicates.

Years of In-District Service, Effective July 1st	Paid Vacation Days
0-7 Years	Ten (10)
8-12 Years	Twelve (12)
13 + Years	Fifteen (15)

Vacation leave must be **requested** in writing **and approved** by the direct supervisor at least twenty-four (24) hours in advance of the requested leave date. Use the form in Appendix C for the request. If an employee fails to comply with obtaining prior approval for vacation leave, the day he/she is absent using vacation leave will be recorded as a day of leave without pay.

The employee's director/supervisor may determine that vacation leave cannot be used the day before or the day following a school holiday. These dates are set according to the employee's work calendar.

Factors that will be considered before approving requests are:

- availability of replacement
- effect on other related personnel (i.e., workload)
- time of request

**Vacation leave cannot be used until it is accrued. Vacation leave is not available for use by the probationary employee until the employee's one-year anniversary date. If a probationary employee leaves the district prior to the one-year anniversary date, there will be no payment for vacation leave.**

**Vacation leave will not be accrued unless the employee works at least 50% of the month or if an employee is on worker's compensation.**

When a support employee on a continuing contract leaves the district, any unused vacation leave days will be paid at a rate of the employee's daily rate of pay. Request for payment must be indicated on the "Voluntary Separation from Employment" form. For payment purposes, an employee may accumulate a **maximum** of thirty (30) days. At June 30 of any fiscal year, no more than thirty (30) days may be carried to the next fiscal year. If the extra days over 30 are not used, the days are eliminated as of June 30 of each fiscal year. If an employee is taking more than 5 days consecutively of vacation, prior approval will be required from the Executive Director of Human Resources and the employee Supervisor. A support employee on a continuing contract, who has over thirty (30) days of vacation leave accumulated, shall have the choice of converting a maximum of two (2) days of vacation leave to sick leave prior to June 30<sup>th</sup> each fiscal year.

**C. Personal Leave - No leave will be granted for any activity that provides monetary compensation.**

All full-time and part-time support personnel, unless noted otherwise, will be given three (3) personal leave days at the beginning of the fiscal year, or prorated days for the proportional time of employment.

Personal leave must be **requested** in writing **and approved** by the direct supervisor at least twenty-four (24) hours in advance of the requested leave date. Use the form in Appendix C for the request. If an employee fails to comply with obtaining prior approval for personal leave, the day he/she is absent using personal leave will be recorded as a day of leave without pay.

The employee's director/supervisor may determine that personal leave cannot be used the day before or the day following a school holiday. These dates are set according to the employee's work calendar.

Factors that will be considered before approving requests are:

- availability of replacement
- effect on other related personnel (i.e., workload)
- time of request

At the end of each school year, the full-time support employee shall have the option to receive payment for unused personal leave days at the rate of twenty-five dollars (\$25.00) per day for a maximum of three (3) days, or to convert unused personal leave days to accumulated sick leave. If a support employee holds two (2) or more positions, he/she will be paid a **maximum** of three (3) days at the rate of twenty-five dollars (\$25.00) per day, or convert to sick leave. Employees working less than thirty (30) hours per week will be paid not to exceed their hourly rate of pay or convert to sick leave.

A support employee with ten (10) or more years of continuous district service in MPS will be allowed to carry over one (1) day of personal leave into the succeeding school year. A support employee with fifteen (15) or more years of continuous district service in MPS will be allowed to carry over two (2) days of personal leave into the succeeding school year with a maximum of **five (5) personal** days accumulated.

**D. Bereavement Leave - No leave will be granted for any activity that provides monetary compensation.**

Bereavement leave is to be used for absences in the event a family member, relative, friend or friend's family member dies. Each support employee will be given six (6) bereavement days at the beginning of the fiscal year, or prorated days for the proportional time of employment.

**E. Sick Leave - No leave will be granted for any activity that provides monetary compensation**

Beginning July 1, 2015, sick leave will accrue at the beginning of the month for all probationary and newly hired support employees. Sick leave cannot be used until it is accrued at the rate of one (1) day per month worked, based on the employee's work calendar. For all other support employees, sick leave will be given all up front on July 1 of each school year. After a probationary support employee completes their first full year the employees will receive their leave up front in the succeeding year beginning July 1<sup>st</sup>.

Sick leave is granted when the support employee is unable to perform regularly assigned duties because of illness or personal health conditions of the employee or illness of a member of the employee's immediate family. Immediate family is a spouse, mother, father, children, brother, sister, mother-in-law, father-in-law, aunt, uncle, grandparents of employee or spouse, grandchildren of employee or spouse, or a person living in the employee's home who is part of the family.

Employees with experience in an Oklahoma school district in the current year or immediate preceding year may transfer accumulated sick leave to MPS, not to exceed sixty (60) days. If the employee has more than sixty (60) days the remaining amount will be placed in the District's Retirement Bank for retirement purposes.

According to the Teachers Retirement System (TRS) one-hundred twenty (120) days of earned sick leave can be used for one (1) year of experience toward retirement provided all established guidelines are met.

The Superintendent, or his/her designee, may request at any time, a statement from a support employee's medical doctor that the employee is or is not able to assume his/her regularly assigned duties. This request may be made at any time after an employee has missed three (3) consecutive workdays or an accumulation of ten (10) or more days in a school year.

Should a support employee decide to separate employment with Mustang Public Schools, the "Voluntary Separation from Employment" form must be completed. The employee must indicate on this form, in writing, if they are requesting payment for unused sick leave. Accumulated unused sick leave days will be prorated according to the number of days actually worked.

At the time of separation from Mustang Public Schools, each full time support employee who has completed 5-9 years will receive twenty-five (\$25.00) per day up to a maximum of one hundred (100) days for sick leave accumulated within the MPS District. Part time support employees (those support employees who work at least three (3) hours per day) who have completed 5-9 years will receive twelve dollars and fifty cents (\$12.50) per day up to a maximum of one hundred (100) days for accumulated sick leave at the time of separation from Mustang Public Schools.

At the time of separation from Mustang Public Schools, each full time support employee who has completed 10 or more years will receive fifty dollars (\$50.00) per day up to a maximum of one hundred (100) days for sick leave accumulated within the MPS District. Part time support employees (those who work at least three (3) hours per day) who have completed 10 or more years will receive twenty-five dollars (\$25.00) per day up to a maximum of one hundred (100) days for accumulated sick leave at the time of separation from Mustang Public Schools.

If a probationary employee leaves the district prior to his/her one (1) year anniversary date, there will be no payment for sick leave.

**F. Sick Leave Bank - No leave will be granted for any activity that provides monetary compensation.**

A Sick Leave Bank has been established for Mustang support employees who choose to participate. All donated sick leave must be given voluntarily. No employee shall be coerced, threatened, intimidated or financially induced into donating sick leave for purposes of the sick leave bank program.

**Procedure:**

Requests for day(s) from the sick leave bank must be in writing and brought to the Human Resources Department at least ten (10) days prior to the time the leave is to be taken. Along with the request, the employee shall provide a medical statement from a licensed physician or health care practitioner verifying the severe or extraordinary nature, explaining the illness/condition and expected duration of the condition. A HIPAA Form must also be completed and attached to the medical note. If the employee is unable to complete the leave request, the request can be completed by a family member or representative of the employee. The sick leave bank days may only be used by the recipient for the purposes specified.

Sick Leave Bank was designed to prevent the employee from having to take leave without pay or face possible termination of employment due to extraordinary circumstances. This is like an insurance policy.

Sick Leave Bank requests are only good for the current school year, requiring an employee to re-apply, if needed, in the next school year.

Each support employee who chooses to participate in the sick leave bank shall contribute one (1) day of sick leave each year at the beginning of the school year or within thirty (30) days of initial employment if initial employment begins after the beginning of the school year. Days contributed shall be deducted from that employee's accumulated sick leave. The sick leave received will be designated as sick leave bank days and be maintained separately from the sick leave balance. For the one (1) day of sick leave contributed, the employee will receive ten (10) days in the sick leave bank. Records for the sick leave bank will be kept in the HR office.

Contributing employees may request days from the sick leave bank to use after they have exhausted all their individual leave accumulation. Said request for days from the sick leave bank shall be in writing and shall be presented to the HR office at least ten (10) days prior to the time the leave is to be taken. Unless the employee is stricken with debilitating emergency, retroactive days may not be granted as determined by the Sick Leave Bank Committee. **The employee must have exhausted all leave (sick, personal, and vacation) before consideration to grant sick leave bank.** The supervision committee will consider the merits of the request and determine how many days, if any, are warranted as long as the total amount granted does not exceed ten (10) per year for each year the employee has participated in the sick leave bank. The HR office shall then notify the requesting employee in writing of the committee's decision, and a copy of the notification will be kept in the HR office and in the employee's personnel folder. If an employee is denied days from the sick leave bank he or she may appeal the supervision committee's decision to an appeals committee composed of the members of the supervision committee and one additional administrator appointed by the Superintendent. The decision of the appeals committee is not grievable.

The employee shall be paid his/her regular rate of pay. No employee will be allowed to draw days from the sick leave bank while receiving workers compensation benefits. No leave will be granted to employees for any activity that provides monetary compensation.

Supervision of the sick leave bank shall be a committee composed of the Deputy Superintendent or designee, maintenance/custodial employee, a transportation employee, a child nutrition employee, a school site secretary and two (2) other appointed central office support persons. The committee members shall meet collectively as a group to discuss and take action on a sick leave bank request to protect the confidentiality of the employee involved under current federal Health Insurance Portability and Accountability Act (HIPAA) laws.

### Definitions

Employee means those persons who have chosen to participate in the sick leave bank and have donated sick leave days to the bank.

Relative of the employee includes spouse, child, stepchild, grandchild, grandparent, stepparent, aunt, uncle, parent of the employee, sibling or mother/father-in-law.

A household member means those persons who reside in the same home, who have reciprocal duties to and do provide financial support for one another. This term shall include foster children and legal wards, even if they do not live in the household. The term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or commune.

Severe or extraordinary is defined as serious, extreme or life threatening, including temporary disability resulting from pregnancy, miscarriage, childbirth and recovery.

### Reasons:

Employee is suffering from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition.

For purposes of sick leave due to pregnancy, miscarriage, childbirth and recovery there from, the number of days available shall be limited to the number of days needed to add to the employee's accumulated sick leave to total six (6) weeks from day of arrival.

### **G. Professional Leave – No leave will be granted for any activity that provides monetary compensation.**

A support employee, with the approval of his/her direct supervisor, may be granted professional leave to attend job-related training without loss of pay.

### **H. Legal Leave**

A support employee shall be granted leave for jury duty or for service as a witness subpoenaed in a criminal, civil or juvenile proceeding. The Board shall pay the employee during such service the full contract salary. To receive pay for this duty, the employee must furnish documentation of the service to the personnel office.

### **I. Military Leave**

The Board agrees to abide by laws governing military leave. (School Laws of Oklahoma, Section 734-735). Should a Mustang Public School employee have a spouse who is deployed or is called up to active duty on foreign soil, and if no paid leave is available, the District will allow the employee up to ten (10) days Leave Without Pay with no loss of benefits. The Leave Without Pay may be used prior to the deployment, or during the period when the military spouse is on leave during deployment.

### **J. Leave of Absence –No leave will be granted for any activity that provides monetary compensation**

No employee, except by law, is eligible to apply for an unpaid leave of absence until a minimum of one (1) year of qualifying service has been completed. A support employee may request a leave of absence in writing ten (10) days prior to requested leave. All leaves of absence shall be for one (1) semester or one contractual year or for the remainder of the semester or contractual year if the semester or year has begun. The leave of absence may be granted because of health, personal reasons or unusual circumstances. The supervisor, the Deputy Superintendent and the Mustang Board of Education must approve the leave. Factors that will be considered before approving requests are:

- a. availability of replacement
- b. effect on other related personnel (i.e. work load)
- c. time of request
- d. work history

- e. excessive absenteeism

Written notification of return from leave of absence shall be filed with the Superintendent thirty (30) days prior to the semester or year in which the employee wishes to return. Any employee who fails to file a written notification of return terminates his/her affiliation with the Board of Education at the expiration of his/her leave of absence. Health care benefits and voluntary payroll deductions will be the responsibility of the employee. While on a leave of absence the employee is not eligible for the flexible benefit allowance.

Employees returning from a leave of absence shall be assigned to the school/department from where his/her leave of absence was granted if an appropriate vacancy exists. Employees returning from a leave of absence will be reinstated at the same status of tenure.

While an employee is on a leave of absence without pay, leave allowances shall not accrue and salary increments of years of experience will not increase.

**K. Absence Without Pay – No leave will be granted for any activity that provides monetary compensation.**

All sick, personal and vacation leave must be exhausted before a request for absence without pay will be granted.

A support employee, on a regular contract, and upon approval of the Deputy Superintendent or his/her designee, may be granted up to a maximum of five (5) days absence without pay.

Except in cases of emergency, request for absence without pay shall be made at least thirty (30) days prior to the time the leave is to be taken. A request form is located in Appendix B. This form is to be completed and returned to the employee's direct supervisor, who will forward it to the Deputy Superintendent or his/her designee.

Absence without pay is calculated on the salary schedule, divided by the number of working days in the calendar year, where the employee falls on the salary schedule. An employee may use up to five (5) days of absence without pay without losing the benefit of having an equal semi-monthly paycheck.

For the support employee on a regular contract, any additional absence(s) may be cause for immediate release from employment with MPS. (Refer to Leave of Absence, Section II, A or FMLA, Section II, L of this document).

**L. Family and Medical Leave**

In accordance with the Family and Medical Leave Act of 1993 (FMLA), eligible employees who have been employed at least one (1) year and worked at least 1250 hours with MPS during the twelve (12) month period prior to the time leave would begin may apply for FMLA. All leave will run concurrently with FMLA.

Leave may be granted for any of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job

Prior to any employee requesting FMLA, he/she must contact the HR Office to clarify eligibility.

Employees must provide thirty (30) days advance notice when the leave is "foreseeable." Medical certification is required to support a request for leave because of a serious health condition.

All requests for FMLA must be processed through the HR Office.

**M. Leave Sharing Policy**

If an employee has exhausted or will exhaust all leave otherwise provided and is absent due to an extraordinary or severe injury, illness, impairment or physical or mental condition of the employee, pregnant or recovering from childbirth, a relative or household member, documented by a physician, the condition has caused or is likely to cause the employee to take leave without pay or to terminate employment, the employee may request the use of Leave days to be donated by another employee.

Relative means a spouse, child, stepchild, grandchild, grandparent, aunt, uncle, stepparent or parent. Household member means one who resides in the same home as the employee and who shares a duty to provide financial support with the employee.

**A.** An employee requesting donated days must first provide the Human Resources Department with a Request for Donated Leave Form, statement of need indicating why donated leave is needed, a HIPAA (Health Insurance Portability and Accountability Act) release of information form and a medical certificate from a licensed physician or health care provider verifying the severe or extraordinary nature and expected duration of the condition.

In the event that all available leave including sick, sick bank, personal, vacation, compensation time, excessive/extended leave and donated leave have been exhausted the employee will be placed on an automatic sick leave of absence without pay for the remainder of the school year. At that time they will no longer be eligible for leave sharing.

An employee may obtain up to 60 days of shared leave per school year. The Superintendent, Deputy Superintendent or their designee may grant an extension beyond the 60 day limit in extenuating circumstances.

Employees desiring to donate days shall complete a written authorization transferring the days to the ill or injured employee.

Employees may donate any amount of leave which does not cause the donating employee's accumulated leave balance to fall below the yearly amount afforded to them per the negotiated agreements or support handbook.

Shared leave may be used only by the recipient for the purposes specified in this policy and may not be used if the employee has been notified of a pending reduction in force or employment termination affecting the employee.

- B.** The employee receiving donated days is to receive his or her normal rate of pay.
- C.** Shared leave usage records shall be maintained separately from regular or sick bank leave records.
- D.** Any donated leave which is not used shall be returned to the donating employee(s) on a prorated basis.
- E.** Sick Bank Days may not be donated.
- F.** All donations are anonymous; the recipient cannot be told who gives them sick days.
- G.** Participation in this policy is strictly voluntary. No employee shall be coerced, threatened, intimidated, or financially induced into donating sick leave for the purpose of this policy.
- H.** The Board of Education delegates initial decision making authority pursuant to 70 OK Stat Section 6-104.6 (C)(1) to the Superintendent or their designee as the determining body as to whether the employee meets the criteria above and has previously abided by District leave policy. The Superintendent, acting as Board designee, will make the decision which may be appealed to the Board.

## SECTION III FRINGE BENEFITS

### A. Teacher Retirement

New employees that work 4 or more hours will be enrolled in the Teachers Retirement System of Oklahoma (TRS), which will be paid by MPS.

MPS employees hired prior to July 1, 2006, who chose to receive the seven (7) percent in salary, may continue to receive the seven (7) percent, until which time the employee decides to join TRS.

Beginning with the 2013-14 school year Teacher Retirement is changing the calculation for a full year of service: for an employee to receive one (1) year experience toward teacher retirement that employee must work the length of their contract, i.e. if you have a 245 day contract then you must work 245 days in lieu of any paid leave to receive a year's credit. Anything less than that will be on a prorated basis. (You may use, sick, bereavement, vacation, or personal leave that you may have to account for the days worked. But if you have salary docked days, these will not count toward your service credit).

TRS has a handbook available regarding the retirement benefits and laws affecting retirement. To obtain the handbook, contact TRS at (405) 521-2387. TRS is located at 2500 North Lincoln Boulevard, Oklahoma City, in the Oklahoma State Department of Education building. You may also access Oklahoma Teachers Retirement System website at: <http://www.ok.gov/TRS>.

### B. Life Insurance

MPS pays a life insurance policy for each support employee who works a minimum of twenty (20) hours per week. The employee selects the beneficiary.

Age	Amount Paid
Up through 69	\$15,000.00
70-74	\$ 9750.00
75-79	\$ 6000.00
80-84	\$ 4500.00
85-89	\$ 3000.00
90-94	\$ 2250.00
95-99	\$ 1500.00
100 and over	\$ 750.00

**C. Health Insurance**

New employees have up to thirty (30) days to enroll in the District's health, dental and vision plans. The effective date of coverage is the first day of the month following employment. Health insurance will terminate at the end of the month in which separation from employment occurs, with the employee being responsible for the full month's premium. Terminated employees may elect to continue coverage under the provision of COBRA, subject to provision of the State Health Insurance Plan and Board Policy.

<b>FULL-TIME SUPPORT EMPLOYEE</b>	<b>DISTRICT PAYS</b>	<b>STATE PAYS</b>
Major Medical	0.00	100% Premium Health-Choice High Option
Non-Major Medical	0.00	0.00
Cash in Lieu of Insurance	0.00	189.69
4 hour, but less than 6: Major Medical	50% Premium Health Choice High Option	0.00

Information regarding the Affordable Health Care Act (ACA) will be given to each employee as required by law.

**D. Section 125 – Flexible Spending Plan**

Employees may be eligible to participate in the Cafeteria Plan (Section 125) and, under IRS regulations, must either accept or reject this benefit. This plan enables eligible employees to pay certain insurance premiums on a pretax basis. The plan also offers dependent day care expense reimbursement and major medical expense reimbursement through pre-taxed payroll deductions. A third-party administrator handles employee claims made on these accounts. Enrollment in this program is effective January through December of each year. Employees may enroll in this program during open enrollment period or within thirty (30) days of initial employment. During open enrollment, all employees **must meet** with a representative to accept or reject participation.

**E. Activity Pass for School Events**

Each employee (and one guest) will be entitled to free admission to all home athletic events except tournament or state play off events by using the school ID badge.

**F. Holidays**

To be eligible for a paid holiday, an employee must have worked or be on an approved paid leave status the last scheduled workday before and immediately after the holiday. If a support employee has been placed on an hourly status for the contracted year, he/she will not be eligible for holiday pay.

Employee calendars are located in Appendix A showing the scheduled holidays.

## **SECTION IV WORKERS COMPENSATION**

### **Oklahoma Worker's Compensation**

In case of injury during the “course and scope of their employment”, all employees of the Mustang School System are covered by Oklahoma Worker's Compensation. All inquiries relating to Workmen's Compensation should be addressed through the Mustang Administration Office at (405) 376-2461.

The following steps are to be followed when a job related injury occurs:

Any incident/injury must be reported immediately or could result in disciplinary action. If the employee is not able to make the notification, then a co-worker should on his/her behalf.

Once the supervisor has been notified of a job related injury, the supervisor must call the administration office and notify the workers comp office. This conversation will help to identify the severity of the incident/injury and the procedure to follow.

**If the injury is deemed an “incident only”**, i.e. first aid is given and the employee does not wish to seek medical treatment, complete forms “**A**” Employee's Report of Incident and “**B**” Supervisor's Report of Incident (Appendix E). **There is a question towards the bottom of both forms, “Does the employee wish to seek medical treatment?” with the option of Yes/No. The employee must mark an option and sign both forms where indicated. Witness/Co-Workers Statements should also be completed if, in fact, there were witnesses to the incident. Completed forms are forwarded to the workers comp office.**

**If the employee needs medical attention**, and if at all possible, the employee and supervisor should come to the Administration Office to complete additional forms. At this time a Medical Care Authorization Form is completed and given to the employee for treatment. The employee may transport himself/herself, transported by a relative, by the supervisor or another employee, or by ambulance. We need to make sure the injured employee receives proper medical attention as soon as possible.

Upon receiving medical attention, the employee will be given a medical form that must be brought to the workers comp office prior to him/her returning to work.

If there are temporary work restrictions indicated on the form, the employee and supervisor should meet with the workers comp office to discuss the employee returning to work.

When an employee returns to work but is still under medical treatment, i.e. physical therapy or additional doctor's visit(s), the employee must use his/her available leave or set appointments outside the normal work hours. These appointments are not considered "workers comp" leave.

## **SECTION V GENERAL INFORMATION**

### **A. Child Nutrition**

Approved uniforms and shoes are mandatory for all Child Nutrition personnel. Child Nutrition Department will reimburse the employee at the rate of \$15.00 per month, not to exceed \$150.00 per year, providing the employee provides proper receipts and documentation. Hosiery and hairnets do not qualify for reimbursement. Payment will be made by June.

Receipts for reimbursement must contain:

- date of purchase - current school year date
- establishment name
- itemized description of goods purchased
- cost per item and total amount of money spent
- original receipt signed or initialed by salesperson

Support employees who obtain certification required for certain positions must submit the necessary paperwork to the personnel office before the pay change occurs. The deadline to submit the certification is on or before November 1<sup>st</sup> for the Fall Semester and March 1<sup>st</sup> for the Spring Semester. Any information received after the above deadlines will not be addressed until the following semester.

#### Cafeteria Supervision for Outside Activities

Follow the guidelines in the District Use of Facility Policy #2030.

### **B. Transportation Department**

#### Route Definition

A route is considered a 6-hour per day job with time allocations approximately as follows:

- bus maintenance/inspections - 30 minutes per day

The Director of Transportation will determine the routes and starting times. Drivers will report fifteen (15) minutes prior to route start time.

#### Activity Pay

Drivers assigned to an activity trip will be paid \$10.00 per hour with a three (3) hour minimum.

#### Regulation

Any employee transporting students and/or driving a school vehicle may be subject to a motor vehicle record check and random drug testing.

Training Reimbursement

Regular route bus drivers, coaches and/or sponsors successfully completing the initial state required bus certification will be given a one-time payroll reimbursement not to exceed the cost of the training. The employee must provide documentation for reimbursement and it will be paid after fulfilling six (6) months of employment with the district.

**C. Maintenance/Custodial Department**

Trade employees successfully renewing their annual Journeyman or Contractor trade license with the State of Oklahoma will be paid a stipend through payroll to cover the cost of the license.

Trade employees who successfully test and pass the State of Oklahoma Journeyman or Contractor license for their trade will receive a stipend through payroll for the costs of the testing and license.

**To receive compensation, a copy of the license must be on file in the employee's personnel file in the HR office.**

Any employee who is required to work during a legal holiday weekend will receive \$4.00 per hour in addition to his/her regular rate of pay.

## **SECTION VI FAIR LABOR STANDARDS ACT**

### **FAIR LABOR STANDARDS ACT PROCEDURES**

It is the intent of this school district to fully comply with the Fair Labor Standards Act (FLSA), its regulations, and relevant court decisions and to cooperate with state agencies in an effort to maintain compliance with the FLSA.

The following procedures and guidelines are to be followed in each department to ensure employees are properly compensated for approved hours worked in excess of the established work week as required by the provisions of the FLSA.

**Definitions:**

“Overtime” is defined as authorized, compensable work time in excess of forty (40) hours per work week.

A “work week” for full-time nonexempt employees is forty (40) hours during one consecutive seven-day period beginning at 12:01 A.M. on Sunday and ending at 12:00 midnight on the following Saturday.

“Non-covered employees” are those who meet the definition of “employee” within the meaning of 29 USCA 203(e)(Supp.1990).

“Covered employees” are those who meet the definition of “employee” within the meaning of 29 USCA 203(e)(Supp.1990). Covered employees will be either exempt or nonexempt employees.

An “exempt employee” is a covered employee who is exempt from FLSA by virtue of meeting one of the tests for exemption.

A “nonexempt employee” is a covered employee who does not meet one of the tests for exemption.

## **Exemptions:**

The FLSA exempts certain groups of covered employees from coverage. The following categories of exemptions are established:

1. Executives
2. Administrators; e.g., superintendents, principals
3. Professionals; e.g., teachers, special education skilled service providers, attorneys, auditors, nurses, counselors

## **OVERTIME AND COMPENSATION TIME**

It is the policy of the Mustang Board of Education that no employee shall work overtime without the prior approval of the appropriate supervisor and the superintendent. All compensation time must be used by the end of the pay period which it was earned. Specific days off must be approved in advance by the appropriate supervisor or the superintendent or superintendent designee.

When compensatory time is granted in excess of 40 hours in a workweek, it will be at the rate of one and one-half hours for each hour worked in excess of 40 hours for all nonexempt employees.

The Mustang Board of Education will comply fully with the Fair Labor Standards Act, its regulations and relevant court decisions. MPS shall inform employees of the Act through proper posting of information as disseminated by the U. S. Department of Labor. The District will cooperate with all state agencies and maintain compliance.

The Superintendent is directed to prepare a regulation supporting this policy and implementing the provisions of the Fair Labor Standards Act subject to approval of this board.

## **FAIR LABOR STANDARDS ACT (REGULATION)**

In accordance with the policy of the board of education, the following regulation shall insure compliance with the Fair Labor Standards Act within this school district.

1. This district will compensate all nonexempt employees at least the federal minimum wage. Time and a half for all hours worked which exceed 40 hours per week will be compensated with time off. Provided however, that for any overtime hours to be credited for overtime pay such overtime hours must be approved in advance by the superintendent. Failure to get approval for overtime may result in disciplinary action being taken, which may include termination of employment.
2. This district will inform employees of the law by posting information disseminated by the U. S. Department of Labor.
3. This district shall establish, through separate administrative regulations, the process of time keeping and procedurally complying with the Act.

## COMPLIANCE PROCEDURES

### **FAIR LABOR STANDARDS ACT**

In accordance with the policy of the board of education, the following procedures shall apply to compliance with the Fair Labor Standards Act within this school district. Should any employee or group of employees have questions concerning the following, additional information will be provided upon request.

#### **Minimum Wage Provisions**

Mustang Public Schools meets the minimum wage provisions established by law. All employees are subject to the Fair Labor Standards Act (FLSA) unless exempt by some provision of the act. As outlined under the exemption provisions set forth below, certified educational employees working in certified positions who perform ancillary duties (i.e., bus driver, etc.) will be exempt from the overtime requirements of the FLSA as long as not more than 20% of their time is spent in non-exempt activities

#### **Overtime Provisions**

The FLSA requires that an employer must pay all nonexempt employees time and one-half their regular rate for all hours worked in excess of 40 hours in a seven-day workweek. The hours worked will not be averaged over two or more workweeks (i.e., pay period) to determine overtime hours, even though an employee is paid monthly. For example, if a nonexempt employee works 45 hours one week and 35 hours the next week, the employee will be paid one and one-half times the regular rate for five hours of overtime in the first week.

Compensation hours include all the time that an employee is required to be on duty, either at school or at a workplace for the employer, and all times that the employee is permitted to work. This includes time during which an employee is required at school functions, meetings, or training activities. It may also include time spent traveling on work-related business. Also included is time an employee voluntarily works before or after the regular work shift if "suffered or permitted" by the employer. Even work done at home is included if the employer knows or has reason to think work is being done there.

Vacation and sick leave hours are not counted as hours worked even though they are paid hours. Lunch breaks where the employee is completely relieved of his or her duties for at least 30 uninterrupted minutes and breaks of at least 20 uninterrupted minutes also are not counted as hours worked.

Because of the overtime provision, nonexempt employees should not work overtime unless they are specifically authorized to do so by their supervisors.

Lunch breaks must be taken by all nonexempt employees as per the schedule created by the administration.

If the employee eats lunch at his or her desk or work station, the employee must not work. This includes not answering the phone, not writing memos, not assisting others, not reading material that is required by the job, etc. Nonexempt employees will not be allowed to start work before their regularly scheduled time and must stop working at their regularly scheduled stopping time unless permission to work overtime has been obtained from their supervisor(s) as per district policy.

#### **Record Keeping**

The Mustang Public School District will keep records for each nonexempt employee which should include the following information:

- The employee's full name
- Social Security Number
- Address, including zip code
- Birth date/age
- Sex
- Occupation
- Time and day of week when employee's workweek begins
- Hours worked each day
- Total hours worked each workweek

- Wage basis (e.g., "\$7.25 per hour," "\$290 per week," "piecework")
- Regular hourly pay rate
- Total daily or weekly straight-time earnings
- Total overtime earnings for the workweek
- Additions to or deductions from wages
- Total wages paid each pay period
- Date of payment and the pay period covered by the payment

Time sheets will be provided to all nonexempt employees and they will be required to complete and sign them on a weekly basis. Exact time of arrival and departure shall be noted on the time sheet. Employees should not arrive at work any earlier than 10 minutes prior to the scheduled work time. The board may determine that a time clock be installed and used by all nonexempt employees as an alternative method of timekeeping.

### **Exempt Employees**

An exemption from both minimum wage and overtime pay requirements is provided in section 12(a)(1) of the FLSA for any employee employed in a bona fide executive, administrative, professional, or outside sales capacity, as these terms are defined and limited in regulations of the Secretary of Labor. An employee will qualify for exemption if he or she meets all of the pertinent tests relating to duties, responsibilities, and salary stipulated in the applicable section of Regulations, 29 CFR, Part 541.

#### 1. Executive:

In order to be exempt as a bona fide executive employee, all of the following must be met:

- A. The employee's primary duty must be management of the enterprise, or of a customarily recognized department or subdivision; and
- B. The employee must customarily and regularly direct the work of at least two or more other employees therein; and
- C. The employee must have the authority to hire or fire, or recommend hiring and firing; or whose recommendations on these and other actions affecting employees is given particular weight; and
- D. The employee must customarily and regularly exercise discretionary powers; and
- E. The employee must devote no more than 20% of his or her hours to activities not directly and closely related to the managerial duties; and
- F. The employee must be paid on a salary basis at a rate of at least \$155 a week exclusive of board, lodging, and or other facilities.
- G. An executive employee paid at least \$250 a week, exclusive of board, lodging, and other facilities, is exempt if the employee regularly directs the work of at least two or more other employees and the employee's primary duty is management of the enterprise, or a recognized department or subdivision thereof.

#### 2. Administrative:

In order to be exempt as a bona fide administrative employee, all of the following must be met:

- A. The employee's primary duty must be either:
  1. Responsible office or non-manual work directly related to the management policies or general business operations of the employer or the employer's customers; or
  2. Responsible work that is directly related to academic instruction or training carried on in the administration of a school system or educational establishment; and
- B. The employee must customarily and regularly exercise discretion and independent judgment, as distinguished from using skills and following procedures and must have the authority to make important decisions; and
- C. The employee must:
  1. Regularly assist a proprietor or bona fide executive or administrative employee; or
  2. Perform work under only general supervision along specialized or technical lines requiring special training, experience, or knowledge; or
  3. Execute under only general supervision special assignments; and

- D. The employee must not spend more than 20% of the time worked in the Workweek on work that is not directly and closely related to the administrative duties discussed above; and
  - E. The employee must be paid on a salary or fee basis at a rate of not less than \$155 a week, exclusive of board, lodging, or other facilities, or in the case of academic administrative personnel in public or private schools, the salary requirement for exemption must be at least \$155 a week or one which is at least equal to the entrance salary for teachers in the employing school system or educational establishment or institution.
  - F. An administrative employee who is paid on a salary or fee basis of at least \$250 a week, exclusive of board, lodging, or other facilities, will be exempt if:
    - 1. The employee's primary duty consists of either:
      - a. Responsible office or non-manual work directly related to the management policies or general business operations of the employer's customers; or
      - b. Responsible work that is directly related to academic instruction or training carried on in the administration of a school system or educational establishment; and
    - 2. Such primary duty includes work requiring the exercise of discretion and independent judgment.
3. Professional:
- In order to be exempt as a bona fide professional employee, all of the following must be met:
- A. The employee's primary duty must be either:
    - 1. Work requiring knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study; or
    - 2. Work that is original and creative in character in a recognized field of artistic endeavor, the result of which depends primarily on the employee's invention, imagination, or talent; or
    - 3. Work as a teacher certified or recognized as such in the school system or educational institution by which he or she is employed; and
  - B. The employee must consistently exercise discretion and judgment; and
  - C. The employee must do work that is predominantly intellectual and varied, as distinguished from routine mental, manual, mechanical, or physical duties, and
  - D. The employee must not spend more than 20% of the time worked in the workweek on activities not essentially a part of and necessarily incident to the professional duties; and
  - E. The employee must be paid on a salary or fee basis at a rate of not less than \$170 a week, exclusive of board, lodging, and other facilities.

The salary requirement above does not apply to an employee who is the holder of a valid license or certificate permitting the practice of law or medicine and who is actually engaged in such practice, an employee who is the holder of the requisite academic degree for the general practice of medicine and is engaged in an internship or resident program, or an employee employed and engaged as a teacher in a school or educational institution.

## **SECTION VII COMPENSATION**

### **A. Payroll**

Welcome to Mustang Public Schools Payroll. Every effort is made to ensure accurate paychecks are provided each pay day. We strive to provide education and support related to all things payroll and to deliver superior customer service to you, our employees.

It is the responsibility of the employee to review his/her paycheck for accuracy. This is especially important at the beginning of each school year and at the beginning of each calendar year, as these are the two times when most changes occur. Adjustments will be made as soon as possible if a correction is needed.

If you notice a possible error, contact the Payroll Office immediately at (405) 376-7838.

All payrolls will be dispersed from the Mustang Administration Building through the Administrator/Director/or Designee.

See Payroll Dates in Appendix D or online at [mustangps.org](http://mustangps.org)

### **PAY DATES**

All dates posted each year are confirmed with the school calendar and legal holidays.

The posted submission deadlines would be ONLY for extra time sheet work (i.e. covering class, bus trips, etc.). Additional pay (time sheets) will be paid by paper check on the stated dates.

Any (pre-approved) overtime would be paid accordingly on the next closest pay date. (example – any overtime up through and including the 15<sup>th</sup> of the month would be paid on the 30<sup>th</sup> of the month).

### **DIRECT DEPOSIT**

Mustang Public Schools is 100% direct deposit for all regular pay. DO NOT close your bank account without having a replacement account to present to Payroll.

### **IDENTIFICATION**

All forms, etc. turned in to Payroll for processing MUST have your employee ID number. This will help to lessen errors with similar/same names.

## **B. Allowable Benefits/Deductions From Salary**

- Employees Group Insurance Division (EGID)
- Annuities (must have at least ten (10) participants in each company)
- Salary Protection Plan / Disability insurance
- Pre-paid Legal Services
- District Approved Insurances
- Other District Approved Deductions

Upon authorization from the support employee, arrangements for payroll deductions can be made for the above allowable deductions when proper notification is given.

Support employees wishing to cancel any part of their payroll deduction options may do so by giving notice in writing to Payroll by the deadlines set on the current school year's pay schedule (Appendix D). No changes may be made after May 15, 2016 until the following school year.

For any questions about these programs, please contact Payroll at the Mustang Administration Office at (405) 376-7838.

# **APPENDIX A**

## **MUSTANG PUBLIC SCHOOLS PAYROLL DATES**

# **APPENDIX B**

## **EMPLOYEE WORK CALENDARS**

# **APPENDIX C**

## **REQUEST FOR LEAVE**

**MUSTANG PUBLIC SCHOOLS  
LEAVE REQUEST FORM**

I, \_\_\_\_\_ am requesting to use

- Sick Day(s)
- Personal Day(s)
- Vacation Day(s)
- Bereavement Day(s)
- Legal Day(s)
- Military Day(s)

For the following dates:

DATE OF ABSENCE	DAY OF THE WEEK	TIME TO BE MISSED

Reason for this request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee's Signature: \_\_\_\_\_  
Date

Approved

Disapproved

Supervisor's Signature: \_\_\_\_\_  
Date

## **APPENDIX D**

# **APPLICATION FOR ABSENCE WITHOUT PAY**

**Application for Absence Without Pay  
For Support Employee**

Date \_\_\_\_\_

Name \_\_\_\_\_ Dept./Site \_\_\_\_\_

Position \_\_\_\_\_

Number of day(s) of absence without pay requested \_\_\_\_\_

Dates of days for absence without pay \_\_\_\_\_

Explanation of request or use of Leave Without Pay:

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Provision you can make for your job responsibilities in your absence:

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I, \_\_\_\_\_, understand and acknowledge that  
\$ \_\_\_\_\_ will be deducted from my \_\_\_\_\_ payroll check  
for leave without pay.

Signature

Date

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

Supervisor's Signature

Date \_\_\_\_\_

Administration Office

Date \_\_\_\_\_

# **APPENDIX E**

**WORKERS COMPENSATION  
(CONTACT PAYROLL DEPARTMENT)**

**405-256-6484**