GENERAL STATEMENT
Broward College adheres to all federal and state rules and regulations governing work hours and overtime payments. This policy is written in accordance with the provisions of the Fair Labor Standards Act (FLSA) and the Florida Statutes 1012.885, Florida State Board of Education Administrative Rules 6A-14.040 (2) in order to promote equitable pay practices with regard to work hours and overtime payments.

The President of the College is authorized to draft implementing procedures including procedures for determining the equivalent of a work week or work day in unique or unusual duty assignments for which variations from the normal schedule shall be justified according to the exigencies of particular situations.

THE POLICY and THE STUDENT
This policy is applicable to any students who are employees of the College.

THE POLICY and THE FACULTY AND STAFF
The standard workday and workweek for Instructional Faculty covered by the UFF contract are addressed in Article 7.20A of the Collective Bargaining Agreement between The Board of Trustees of Broward College and The United Faculty of Florida.

The standard workday and workweek for Counselors and Librarians covered by the UFF contract are addressed in Article 7 of the Collective Bargaining Agreement between The Board of Trustees of Broward College and The United Faculty of Florida.

The standard workday and workweek for employees covered by the FPE contract are addressed in Article 5 of the Collective Bargaining Agreement between The Board of Trustees of Broward College and The Federation of Public Employees.

The standard workweek for Administrators shall be 5 days and a minimum of 37.5 hours. Employees, with supervisory approval, may vary their work schedule due to the nature of their position with the College; however, each employee is expected to satisfy the requirements of their position with respect to working the hours necessary to effectively accomplish their position responsibilities.

The standard workday and workweek for regular full-time Professional Technical Staff not covered by the collective bargaining unit shall be 5 days and 37.5 or 40 hours as defined by the employee’s work schedule and the operational needs of the agency.

Non-exempt Professional Technical Staff employees are awarded overtime as compensatory leave, “comp time” in lieu of cash compensation for all overtime hours worked at one and one half times of comp time for each hour worked over 40 hours in a workweek.
IMPLEMENTATION and OVERSIGHT
The immediate supervisor has the responsibility for the implementation of this policy in consultation with the appropriate supervisor(s).

VIOLATIONS OF POLICY
Violations of the policy are investigated by the Executive Director for Human Resources and Equity and/or his/her designee and may result in disciplinary action up to and including termination.

DEFINITIONS
Break – is considered hours worked (paid time off) usually provided in the middle of the shift for 15 minutes during the first half of the workday and another 15 minutes during the second half. Breaks must not interfere with established work schedules, deadlines or priorities. They cannot be accumulated or used to compensate for late arrival or early departure from work.

Compensatory Time – Overtime may be awarded as future time off, as permitted under FLSA by local and state governments that is credited to non-exempt employees, in lieu of cash payments, at one and one-half times the hours of compensatory (leave) time for each hour of overtime worked. This time must be requested off in the future in the same manner as vacation time.

College (Officially Pre-scheduled) Closure – any weekdays, designated holidays the College has authorized for scheduled closure (including Winter and Spring Break). Compensation for employees required to work during a College scheduled closing or designated holiday shall be as follows: Non-exempt employees shall receive one and one-half times their rate of pay for actual hours worked.

Daily Rate of Pay (Administrator and Professional Technical Staff) – The daily rate of pay is determined by dividing the annual salary by the number of duty days (238). The District Board of Trustees adopts the number of duty days annually as specified in the employment calendar.

Emergency Compensation – Compensation awarded to employees who work during a College declared emergency closure. Full-time exempt and non-exempt employees who are required to end their regularly scheduled workday or shift early or to remain at home due to a College-declared emergency closing shall be compensated for a normal workday at the employee’s regular rate of pay. Compensation for employees required to work during a College emergency closing will be compensated per the Emergency Compensation for Employees Policy, 6Hx2-3.35.

Exempt – A position not eligible for overtime based on the provisions of the federal Fair Labor Standards Act (FLSA). Includes Executives, Administrators and some levels of Professional/Technical employees.

History: Reissued as Policy 3.39 (Normal Work Week and Work Day) on September 21, 1982; revised and re-titled December 15, 1987; revised May 21, 1997; revised July 15, 1998, revised August 26, 2008; revised February 26, 2013; revised May 27, 2014

Approved by the Board of Trustees Date 5/27/14

President’s Signature Date 5/27/14
Non-Exempt – A position eligible to earn an overtime rate of pay based on the provisions of the federal Fair Labor Standards Act (FLSA).

**Fair Labor Standards Act** – This act, commonly referred to as FLSA, was enacted by Congress in 1938 to set the criteria for overtime payment and other labor issues.

**Meal Period (Lunch)** – A thirty (30) minute period of time scheduled for an employee to be off duty for a lunch or meal that is unpaid. The scheduling of the time may vary depending on the needs of the department, and must be reflected on the timesheet for non-exempt (hourly) employees. Employee may, with supervisory approval, combine the half hour unpaid meal period with their two fifteen minute paid breaks for a total of one-hour lunch.

**On Call (Standby Duty) Pay** – Supplemental pay assigned and authorized by a supervisor provided to non-exempt employees in return for remaining available and ready to respond outside of normally scheduled work hours. Employees assigned and authorized for on call (standby) duty receive two (2) hours of additional pay at their regular straight-time hourly rate.

**On Call Hours Worked** – In the event a non-exempt employee is required to return to work after their regular scheduled work hours, the employee will receive pay, at the appropriate straight or overtime rate, for all hours worked, at a minimum two hours.

**Overtime** – Any hours worked in excess of 40 in a workweek for a non-exempt employee.

**Standard Workday** – The period of time, during one twenty-four hour period, that an employee is assigned to work on a regular recurring basis.

**Standard Workweek** – Any 5 days during a 7 day period beginning on Sunday and ending on Saturday.

**Shift** – A specified period of time worked during a rotating 24/7 operation.

**Shift Differential** – An additional monetary amount per hour paid to employees required to work a substantial defined portion of the workday in the second or third shift. Amounts and times are defined in the annual salary schedule or collective bargaining agreement.

**Timecard/Timesheet** – The legally required records for non-exempt employees that must include an accurate description of actual hours worked. Salaried (FLSA exempt) employees are not required to complete a timesheet.

**History:** Reissued as Policy 3.39 (Normal Work Week and Work Day) on September 21, 1982; revised and re-titled December 15, 1987; revised May 21, 1997; revised July 15, 1998, revised August 26, 2008; revised February 26, 2013; revised May 27, 2014

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Travel Time – Time spent by an employee in travel as a part of their principal activity, such as travel from campus to campus is work time and must be counted as hours worked. Home to work travel is not considered hours worked.

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