

DEFINITIONS OF EMPLOYMENT STATUS

PURPOSE

To help provide uniformity and equity in applying personnel policies and benefits in The Center for Family and Child Enrichment.

SCOPE

These definitions apply to all Center for Family and Child Enrichment employees.

POLICY

The Center for Family and Child Enrichment maintains standard definitions of employment status and classes employees for purposes of personnel administration and related payroll transactions according to the following definitions:

Exempt. Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and State law who are exempt from overtime pay requirements.

Non-exempt. Employees whose positions do not meet the ELSA exemption tests and who are paid a multiple of their regular rate of pay for overtime pay requirements.

Full-time. Employees scheduled to work 40 hours or more per week.

Part-time. Employees scheduled to work less than 40 hours per week.

Probationary Period Employees. New employees with less than 6 months of service. This applies to exempt and non-exempt employees.

Regular Full-time Employees. Employees who have successfully completed the established probationary period.

Temporary. Employees who are hired for a pre-established period usually during peak workloads or for vacation relief they may work a full-time or part-time schedule. They are ineligible for Corporate benefits and holiday pay.

Piece-Rate Employees: Employees are employed generally in counseling and case management positions and are paid based service unit delivery. No benefits may be earned or accrued by piece rate employees.

Consultant/Private Contractors are not employees of the Agency but work through contractual arrangements with an individual or company to provide specific services to the Agency.

TIER I EMPLOYEES

OVERTIME: NON-EXEMPT CLERICAL AND DIRECT SERVICE EMPLOYEES

PURPOSE:

To provide guidelines to administer overtime pay in compliance with applicable federal and state wage and hour regulations.

SCOPE:

This policy applies to The Center for Family and Child Enrichment clerical and direct service employees.

POLICY:

The Center for Family and Child Enrichment will pay overtime to this category of employee as permitted under the Fair Labor Standards Act ("FLSA"). Employees will be paid straight time for all hours worked through 40 hours in one week and paid time and one-half hours for hours worked in excess of forty hours in one week.

PROCEDURES:

Overtime pay policy for employees includes the following principal elements:

Non-exempt employees in this category will be paid straight time for all hours worked through forty hours in one week.

Non-exempt employees in this category will be paid time and one-half for hours worked in excess of forty hours in one week.

Compensatory time off in lieu of overtime payment will not be granted.

In determining overtime pay, paid time off for holidays, vacation, sick leave or any leave of absence will not be considered hours worked.

Overtime and Holiday work by non-exempt employees must be authorized in advance. Disciplinary action, including but not limited to dismissal, will be taken against any employee who does not request prior authorization of overtime hours worked.

TIER II EMPLOYEES

OVERTIME: SALARIED NON-EXEMPT EMPLOYEES SUBJECT TO THE FLUCTUATING WORK WEEK METHOD OF PAY

PURPOSE:

To provide guidelines to administer overtime pay in compliance with applicable federal and state wage and hour regulations.

SCOPE:

This policy applies to The Center for Family and Child Enrichment Professional non-exempt salaried employees.

POLICY:

The Center for Family and Child Enrichment will pay its Professional salaried non-exempt employees, as permitted under the Fair Labor Standards Act ("FLSA"), a fixed salary for a fluctuating work week and compensate such employees for any overtime hours (hours worked in excess of 40 hours in a work week) on a "half-time basis."

29 C.F.R. 778.114.

PROCEDURES:

Under the fluctuating work week method of pay, a Professional salaried non-exempt employee receives a fixed salary without regard to the number of hours worked. The fixed salary is designed to compensate the employee for all hours worked at a straight-time rate. The straight-time rate is calculated by dividing the employee's weekly salary by the total number of hours actually worked. Under this method of payment, an employee's "straight time" and "half time" rates vary depending upon the number of hours worked.

An example under the fluctuating work week method is as follows. If my salary is \$653.00 per week, my regular hourly rate of pay for working 50 hours in a week will be \$13.08 per hour (base weekly salary ÷ by 50 hours). For a 50 hour work week, my half-time overtime premium is \$6.54 overtime worked (\$13.08 regular hourly rate ÷ by 2). I will be paid my salary plus \$65.40 for working 50 hours in a particular work week ((half-time hourly rate)x 10 hours). The employee should understand that the exact amount of overtime paid by CFCE will vary weekly depending on how many hours are worked by the employee.

Paid time off for holidays, vacation, sick leave or any leave of absence will not be considered hours worked.

TIER III EMPLOYEES

OVERTIME: FLUCTUATING WORK WEEK COMPENSATION FOR
PROFESSIONAL SALARIED NON-EXEMPT ON-CALL EMPLOYEES

PURPOSE:

To provide guidelines to administer overtime pay in compliance with applicable federal and state wage and hour regulations.

SCOPE:

This policy applies to The Center for Family and Child Enrichment Professional non-exempt salaried employees.

POLICY:

The Center for Family and Child Enrichment will pay its Professional salaried non-exempt on-call employees, as permitted under the Fair Labor Standards Act ("FLSA"), a fixed salary for a fluctuating work week and compensate such employees for any overtime hours (hours worked in excess of 40 hours in a work week) on a "half-time basis."

29 C.F.R. 778.114.

PROCEDURES:

The case manager who wishes to perform on-call duties will need to be available from 6:00p.m. until 7:00a.m. the following morning.

The case manager will be paid \$2.00 an hour for the period he/she is available to respond to an on-call event/emergency. Once the case manager is required to respond to the event/emergency, the \$2.00 will not be paid.

The portion of the on-call time period where the employee is called out to respond to an event will be paid at the employee's hourly rate. Additionally, the time spent responding to the on-call event will be counted as time worked and will be added to the employee's regular hours worked for purposes of determining how much overtime the case manager is owed. Thus, if the employee works a 40 hour week and then spends 5 hours working on-call because of a call out, the employee worked 45 hours that week and is due overtime hours on a "half-time" basis. 29 C.F.R. 778.114.

TIER IV EXEMPT EMPLOYEES

FLEXIBLE WORK WEEK

PURPOSE:

To provide a fair and equitable avenue for compensating exempt employees for work beyond forty hours per week while maintaining the integrity and continuity of services to children and families.

SCOPE:

This policy applies to The Center for Family and Child Enrichment exempt direct service employees.

POLICY:

The Center for Family and Child Enrichment will allow this category of employee as permitted under the Fair Labor Standards Act ("FLSA"), to "flex" the time worked within the work week. *Example:* If an employee works 12 hours on one particular work week day, he/she may only work 4 hours the following day since the employee has accumulated a 4 hour "credit" for working 12 hours on the previous day.

PROCEDURES:

The employee in this category is to immediately report to the supervisor the need to work over the 8 hour work day. The supervisor must give approval before the employee works additional hours beyond the 8 hour work day.

The supervisor is to keep a record of the employees additional time accrued during the work week, in order to determine how much time the employee has available to "flex" within the week.

The employee's immediate supervisor must approve the employees request to take the "credited hours" earned throughout the work week before they are taken.

The employee in this category is only able to flex the hours within the work week. At no time, can accrued hours earned in one week be carried over to be used the following week