

Subject: Pay and Attendance at Training Programs Policy

Effective Date: March 07, 2008

Approved By: Board of Directors

Policy: It is the policy to comply with the regulations of the Fair Labor Standards Act (FLSA) in matters related to compensation and training activities.

This policy applies to non-exempt employees only.

Procedure:

1. Training Programs required by the School and conducted during regular working hours constitute work time and must be compensated.
2. After-hours training (that is, attendance at lectures, meetings, training programs and similar activities) need not be counted as working time if all of the following four criteria are met:
 - a. Attendance is outside of the employee's regular working hours;
 - b. Attendance is voluntary;
 - c. The training is not directly related to the employee's job: and
 - d. The employee does not perform any productive work during such attendance.
3. Involuntary Attendance: Attendance is not voluntary if it is required by the employer. It is also not voluntary if the employee is given to understand or led to believe that his/her present working conditions or the continuance of employment would be adversely affected by non-attendance.
4. Training directly related to employee's job: Training is directly related to the employee's job if it is designated to make the employee perform the job more effectively, as distinguished from training for another job, or for a new or additional skill. For example, a stenographer who is given a course in stenography is engaged in an activity to make him/her a better stenographer. Time spent in such a course is hours worked. However, if the stenographer takes a course in bookkeeping, it may not be directly related to his/her job. Thus, the time spent in taking such a bookkeeping course, outside of regular working hours, need not be counted as working time. Where a training course is instituted for the bona-fide purpose of preparing for advancement through upgrading the employee to a higher skill, and is not intended to make the employee more efficient in his/her present job, the training is not considered directly related to the employee's job even though the course incidentally improves his/her skill in doing his/her regular work.

5. Independent Training. If an employee on his/her own initiative attends an independent school, college, or independent trade school after hours, the time is not hours worked for his/her employer even if the courses are related to his/her job.
6. Exceptions: Any exceptions to this policy are at the discretion of the Board, based on recommendation by the Executive Director.

Original Policy 02/27/01
Revised Policy 03/07/08