

the **R**esource

People are the greatest asset of Lincoln Public Schools. The mission of Human Resources is to facilitate the selection, support and development of all employees so that each student receives the maximum opportunity for growth.

Human Resources Lincoln Public Schools Lincoln, NE Issue 2004-002 August 9, 2004

How well do you know your “Fair Labor Standards Act”?

As we approach the beginning of the school year, I thought it would be useful to refresh your memories concerning the Fair Labor Standards Act (FLSA) through a short quiz. FLSA is the federal legislation which regulates minimum wage and overtime requirements. The answers are on page 8.



1. True or False. All workers must be paid time and one half or receive comp time for hours worked over 40 in one week.
2. True or False. Nonexempt employees (employees not exempt from the FLSA regulations) who work over 40 hours in one week may be required to accrue comp time instead of being paid overtime.
3. Tom is a custodian who earns \$10 per hour. One week, Tom works 45 hours. Assuming that no comp time is accrued, Tom's gross pay for that week should be:
a. \$450 b. \$400 c. \$475 d. \$675
4. True or False. The regular work week for computing hours worked is from 12:00 a.m. on Monday through 11:59 p.m. on Sunday.
5. True or False. Jane is a nonexempt office professional. Knowing that a project must be completed by the next day, Jane says she will take the project home that evening to complete. Jane must be compensated for the hours worked on the project at home.
6. True or False. Joy is a nonexempt custodian who tells you that she is coming in on Sunday to finish a hall floor. Joy tells you that she will not show the time on her time card so there is no reason to worry about overtime. Since Joy does not expect compensation, it is proper for her to work the hours on Sunday without compensation.
7. True or False. Bill is your nonexempt secretary. During her lunch break, Bill sits at his desk and routinely takes phone calls. Since Bill is not completely relieved of his duties, he must be paid for her lunch time.
8. True or False. In order to complete a special project, Alice, an exempt technician, works 60 hours in one week. Alice will earn 20 hours at time and one-half or bank 30 hours of comp time.
9. True or False. You wish for Sue, a nonexempt office professional, to complete a special project over a period of three weeks working weekends and evenings. It is permissible to pay Sue a stipend for the completion of the project.
10. True or False. Prior to filing a FLSA complaint with the Department of Labor, an employee must complain to his supervisor or a school district official about possible infractions of FLSA.

Call Human Resources

The Human Resources Division wants to help supervisors maneuver through the sometimes tricky employment issues. In order to do that, we must hear from you when you have questions or concerns. Below is a short list of circumstances in which we must hear from you.



1. An employee is accused of harassment or discrimination.
2. An employee uses physical force against or threatens another employee or student.
3. An employee walks off the job.
4. An employee asks for any accommodation due to any injury or illness.
5. You believe an employee's actions may lead to employment termination.
6. An employee is injured on the job.
7. An employee is arrested.
8. An employee indicates that he/she is going to file a grievance.
9. An employee indicates that he/she is going to start legal proceedings against the district.
10. You believe that an employee is under the influence of alcohol or drugs.

If you do not know who to call within Human Resources to report one of the above circumstances, just call anyone in the department and you will be directed to the appropriate person.

Do You Need to Update Your Beneficiaries?

If you have a change in marital status (marriage, divorce, legal separation, etc.) or any other change in family status, you might want to change your recorded beneficiary. Examples of policies or plans through LPS that require this information are:

- **Death Benefit**: Every LPS employee with a regular job assignment is entitled to a Death Benefit that is provided by the district at no charge to the employee. (Substitutes are not eligible.) Qualifications, eligibility for coverage and amount are described in the classified/certified handbooks and/or negotiated agreements.
- **Nebraska School Employees Retirement System**: LPS employees with a regular job assignment participate in the Nebraska School Retirement System and need to designate a beneficiary. (Substitutes are not eligible to participate in the School Retirement plan.)
- **Term/Permanent Life Insurance**: You may also have term or permanent life insurance through Jefferson Pilot and/or Security Financial. The amount of term life coverage and the premium are listed on your monthly paycheck.

If you have any questions, or wish to change your beneficiary status, please contact Kyla (kjensby@lps.org, or 1593) or Jane (jlehman@lps.org or 1578).

Dental Changes

Currently, 80% A&B dental is included with the health policy for the policyholder, or it is available without the health for a higher premium. (For 80% A&B coverage, BCBSNE pays 80% of the charges and the employee pays 20%.) Starting this fall, the coverage that is automatically included will be 80% A&B and 50% C coverage. (C coverage includes root canals, crowns, bridges, etc.) Please note: This dental plan is a PPO and there is an annual family deductible of \$25 for level C services. If your dentist is not on the PPO list, the coverage will be 70% A&B, 50% C with a \$50 family deductible for level C services. Please call BCBSNE at 1-800-642-6004, or your dentist, to see if your dentist is on the PPO list. A detailed brochure and a PPO provider directory are available from Human Resources, 436-1578 or 436-1593. The PPO directory is also available on the BCBSNE website at www.bcbsne.com, then click on "Provider Directories."



IMPORTANT!

If you have the BCBSNE health insurance through LPS and have the A&B that is included, you will automatically be changed to the ABC Option (80% A&B, 50% C). There are no forms needed to complete to make these changes. This change is effective September 1.

If you don't have BCBSNE health insurance and are currently enrolled in the single 80% AB&C dental coverage, your policy will automatically change to the ABC Option (80% A&B, 50% C which is a PPO) September 1.

If you are currently enrolled in family 80% AB&C dental coverage, you will automatically be switched to the ABC Option for family (80% A&B, 50% C which is a PPO) effective September 1.

NEW DENTAL OPTION!!!

Employees will have the option to enroll in the ABCD Dental Option, which provides orthodontics (D coverage). The coverage is 80% AB&C, 50% D with a maximum D coverage of \$2000. This policy is a PPO. If you wish to have this coverage, you must complete a BCBSNE change form by September 10 and return to Human Resources. The coverage would begin October 1. Change forms received from September 11 through September 30 will be effective November 1. Change forms, a detailed brochure and PPO directories are available from Human Resources, 436-1578 or 436-1593.

Blue Cross/Blue Shield Dental Premiums:

Single 80% A&B, 50% C Option (ABC Option) for the employee is included in the single and family health rates.

	ABC Option (PPO)	ABCD Option (PPO) NEW OPTION!	
		With BC/BS PPO	Without BC/BS PPO
Employee	\$16.47 *	\$20.67	\$37.14
Family	\$58.46	\$79.59	\$96.06

* included in the health insurance for policyholder

Insurance Premiums 2004-05

Blue Cross/Blue Shield PPO

(rates are effective September 1, 2004 and will be deducted from your August paycheck):

	<u>2003-04*</u>	<u>2004-05**</u>
\$250 deductible single; \$500 family		
Employee	\$288.09	\$317.85
Family	\$781.26	\$866.21

Administrators Only:

	<u>2003-04*</u>	<u>2004-05**</u>
\$500 deductible single; \$1,000 family		
Employee	\$274.96	\$303.25
Family	\$744.25	\$825.05



Beginning September 1, 2004, the dental that is automatically included for the policyholder will change from 80% A&B (Classic) to 80% A&B and 50% of C coverage which is a PPO (ABC Option) for the policyholder.

* includes 80% A&B for policyholder

**includes 80% A&B, 50% C which is a PPO (ABC Option) for policyholder.

HMO Nebraska

	<u>2003-04</u>	<u>2004-05</u>
Employee	\$ 390.38	\$ 434.06
Family	\$1,100.69	\$1,223.86

PLEASE NOTE: BCBSNE is eliminating the HMO Nebraska plan beginning September 1, 2005. There is no open enrollment in September, 2004 for HMO Nebraska.

Health-Dent, Inc. (The rates are the same for 2004-05.)

	<u>2003-04</u>	<u>2004-05</u>
Employee	\$15.50	\$15.50
Family	\$38.00	\$38.00

Vision Service Plan (The rates are the same for 2004-05.)

	<u>2003-04</u>	<u>2004-05</u>
Employee	\$12.44	\$12.44
Employee plus one	\$18.04	\$18.04
Family	\$32.35	\$32.35

Jefferson Pilot Term Life Insurance - \$1.90/per \$10,000 (Same rates as 2003-04.)

Jefferson Pilot Disability – 41 to 85 cents per \$100 of base monthly salary depending on sick leave accumulation. Benefit: 60% of salary per month.

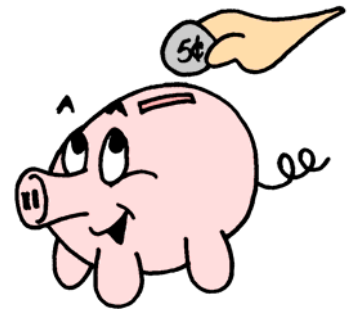
Executive Secretaries and Payroll Secretaries Annual Briefing



Executive secretaries and payroll secretaries will have two opportunities to receive an update on information they need to know before the 1st payday in September. Topics will include changes to the negotiated agreements, damage, loss and theft process, benefit changes, payroll and accounting updates, and many more items. Each briefing will be approximately three hours long and offered on September 8th at 11:45 a.m. and again on September 10th at 8:30 a.m. at the District Office. Please ensure that at least one representative from your location attends this important briefing. More information will be forwarded via e-mail to all Administrators and Executive Secretaries. If you have suggestions for this year's event, please contact Kevin Johnston at kjohnst@lps.org or 436-1597.

Risk Management Reminders

- Forms – All forms for workers' compensation, body fluid contact (bloodborne), student patron injuries, release to return to work and replacement of personal items are available on the website under Forms – Risk Management.
- Advisories – HR bulletins, instructions, etc., will soon be available under the Human Resources – Risk Management portion of the LPS website.
- Damage, Loss and Theft – Reports are to be completed on the AS400. TMA's completed for repairs noting DLT number and requisitions are to be completed and sent to Risk Management for an account number. Please refer to the advisories on this process.
- The district self-insures or retains high deductibles on workers' compensation, property, liability and school board legal. Each of us has a responsibility to protect the district's assets. Some things to check:
 - exit lights are working
 - floors are dry (keep spills cleaned up)
 - walkways are clear - both inside and out
 - cords do not run across floors and plugs are not overloaded
 - exit doors are free of materials and can be easily accessed
 - exit doors are not locked from the inside
 - no exposed wires
 - playground equipment is in working condition
 - playground rules are enforced and equipment is used correctly
 - boiler and equipment rooms are free from flammable objects and not used as a storage area.
 - employees follow safety guidelines
 - equipment is marked and securely stored when not in use
 - hazards are corrected or reported immediately to maintenance
- Releases to return to work – Employees missing work due to injury, health condition, surgery, etc., must have a release to return to work. If the release contains restrictions, Human Resources must review them prior to the employee returning to work. Buildings cannot make accommodations for employees without Human Resources approval.
- The district does not replace personal items of staff or students. You should remind staff of this and put something in your student handbook.
- Remind staff that they have a personal responsibility for any district item taken off premises if the item is lost or damaged.
- Students are responsible for damage to district owned property and the DLT process should be used to report this damage.



If you have any questions, please contact Sue Wright (wrights@lps.org or 436-1759).

Local Substitute Teachers

Each year the district hires approximately 200 “local subs” in addition to the 600 – 800 regularly certified substitute teachers. The majority of our local subs are teacher education students who are student teaching in our classrooms. Local subs are limited to substituting only 37 days per school year in LPS.

The qualifications to be a local sub are:

- Be a senior in a teacher education program or have a bachelor’s degree or above
- Complete and submit a substitute teacher application
- Submit an official college transcript
- Attend the all-day local sub orientation
- Complete an interview in Human Resources

When all of these steps are successfully completed and reference/background checks are acceptable, LPS provides a letter to the local sub applicant to take to the State Department of Education asking them to grant a local sub certificate.

The local sub application must then meet the State Department’s criteria for acquisition of a local sub certificate. This includes the completion of a Human Relations Training course or successful completion of the 6 question narrative designed by the State Department of Education.

When local sub applicants receive their local sub certificate, they must bring it to Human Resources to have it registered and a copy placed in their file. Their file is then approved and they may register on SubFinder. Once they are active in our SubFinder system, schools may begin to use them to substitute in their buildings.

The Local Sub Orientations for the 2004-2005 school year are:

- September 3rd – 7:45 AM – 3:30 PM at LPSDO
- September 24th – 7:45 AM – 3:30 PM at LPSDO
- January 21st – 7:45 AM – 3:30 PM at LPSDO
- February 4th – 7:45 AM – 3:30 PM at LPSDO



If you have any questions, please contact Dr. Kay Byers (kbyers@lps.org or 436-1577)

Substitute Teacher Orientations

“Chicken Soup for the Substitute Soul”

August 13th - 7:45 AM – 12:10 PM – Southwest High School
August 17th - 8:00 am – 11:30 am – LPSDO Room E111
August 19th – 4:30 PM – 8:00 PM – LPSDO Room E111

We’re encouraging all of our substitutes to attend one of these important orientation sessions. New “Cohort Leaders” have been selected to serve as leaders and mentors for each substitute teacher in LPS. Each of the cohort groups will be meeting with their new leader at the August 13th orientation to go over the many legal and district changes that are identified in the 2004-2005 SubWays Handbook. Dr. Susan Gourley will be introduced and open the orientation with a welcome. Darbi Umholtz will lead a session at which every sub will begin the paperwork to receive their e-mail account through LPS. Skits related to the theme have been written and rehearsed that promise to entertain and inform!

It’s “egg-xactly” what substitutes will need to “get a leg up” on the new year!

If you have any questions, please contact Dr. Kay Byers (kbyers@lps.org or 436-1577)

Practicum and Student Teacher Placements in LPS

Each year LPS works with 15+ colleges/universities to place 2,000 – 3,000 students with our teachers in their classrooms. All practicum and student teacher placements go through Human Resources.

The process that we use each semester in LPS for making the placement of all college/university students is:

- Each semester HR surveys all teachers to determine their specific interest in having a practicum students or student teachers. Principals may indicate on this survey if they believe a placement with a specific teacher may not be suitable.
- The results of the survey are provided to all colleges/universities that want to place students in LPS.
- College/university representative meet with HR and submit their specific requests for individual teachers and for specific schools (for the larger practicum group placements).
- HR sends a preliminary list of placements to each school for principal/teacher approval and agreement. Changes that are needed are made and returned to HR.
- HR works with the colleges/universities to make an additions or changes needed.
- HR sends a final list of placements to each school.

Individual changes from colleges/universities are ongoing throughout each semester. Typically HR works with the principal/school through email to accomplish those singular assignments.

It is an LPS expectation that colleges/universities go through Human Resources before seeking to make placements independently in our buildings. Please contact HR if college/university representatives seek to arrange placements about which you have received no notice from HR.



If you have any questions, please contact Dr. Kay Byers (kbyers@lps.org or 436-1577)

Answers to FLSA Quiz

1. False. FLSA exempts certain employees based upon their employment duties. LPS employees exempt from the overtime requirements include teachers, administrators, Level 4 secretaries, and some technicians.
2. False. Employees must agree to accept comp time in lieu of overtime. This agreement should take place prior to the employee working over 40 hours in one week. Also remember that comp time in lieu of overtime is accrued at 1.5 hours for every hour worked over 40.
3. c. Straight time earnings: $40 \text{ hrs} * \$10/\text{hr} = \400
Overtime earnings: $5\text{hrs} * \$15/\text{hr} = \75
Total = \$475
4. True. The work week is the same for all LPS employees and is defined in board policy.
5. True. Nonexempt employees must be compensated for the work completed for the school district.
6. False. Nonexempt employees may not complete work for the district without compensation. If an employee is not properly recording hours worked, the proper disciplinary actions must take place and the employee must be paid for the hours worked.
7. True. In order for a lunch period to be unpaid, it must be at least 30 minutes in length and the employee must be completely relieved of duties. Thus, since Bill continues to do district work over the lunch time, he should be paid for the time. If those hours put Bill's total hours for the week over 40, he must be paid overtime or receive comp time.
8. False. Alice is exempt from the FLSA overtime requirements. Thus, she does not earn overtime or comp time. If Alice was a nonexempt employee, the answer would be "True".
9. False. A nonexempt employee completing a special project should not be compensated through a stipend. Sue should keep track of the hours worked on the project and be compensated for all hours worked, with overtime being paid for all hours worked over 40 in one week.
10. False. There is no requirement that an employee follow an in-district complaint procedure prior to filing a complaint with the Department of Labor or securing an attorney to file a personal suit. Many times the initial complaint, which can mushroom into a class action suit, is initiated by a disgruntled former employee.

The bottom line is that we want to comply with FLSA through assuring that all nonexempt employees are compensated properly.

If you have any questions, please contact Ken Babcock (kbabcock@lps.org or 436-1571)