

PAYROLL PRACTICES AND COMPLAINTS RELATED TO WAGE PAYMENTS, PAYROLL CLASSIFICATIONS, AND OTHER PAYROLL-RELATED ISSUES

The District is committed to maintaining lawful and accurate payroll management practices. Accordingly, the District will promptly investigate and remedy any potential payroll errors which come to the District's attention, including possible underpayments, overpayments, withholding errors, or errors related to payroll deductions, as well as possible errors in accounting for hours worked or for leave or compensatory time that is earned or used. Employees are required to accurately report all time worked and all leave usage on a timely basis using established procedures. To help identify and address possible errors, all employees are strongly encouraged to review their wages, withholding, and deductions in connection with each pay period.

In connection with its obligations under state law and under the Federal Fair Labor Standards Act (FLSA), the District is committed to accurately compensating all employees and to properly classifying employees as either "exempt" or "non-exempt." For exempt employees paid on a salary basis, the District acknowledges its obligation to pay such employees their full salary for any work week in which they perform work, regardless of the number of days or hours actually worked, subject only to the deductions from salary that are permitted under applicable laws and regulations. No District officer or employee may knowingly cause, request, or require that an impermissible deduction be made from such an employee's salary. For non-exempt employees, the District acknowledges and requires all employees and officials to comply with the District's legal obligations with respect to the payment of a lawful minimum wage, the proper payment for all hours worked, and, where applicable and required by law, the payment of overtime compensation or accrual of compensatory time off at the appropriate rate.

Complaint Procedure (Error Reporting)

If any employee has a concern that any District payroll practice or procedure may be improper, or believes that a possible error has occurred related to his/her FLSA classification, earnings, withholding, deductions, or other matters related to payroll management, wage payments, or benefits administration, the employee should submit a complaint (i.e., report the possible error) as soon as practical to the District Administrator and Bookkeeper. To avoid ambiguity, the employee shall either submit the complaint in writing (electronic submission via email is acceptable) or take reasonable steps to confirm that any verbal report has been clearly documented for further review and processing.

Upon receipt of such a complaint, the District Administrator, or such person's designee, will promptly investigate the matter and give a response to the relevant employee(s). If an error or impropriety is confirmed, it shall be corrected and remedied (e.g., by providing reimbursement) to the extent appropriate in the specific situation.

If an employee disagrees with the initial resolution of a complaint, the employee may appeal the initial resolution to the School Board by filing a written notice of appeal with the District Administrator. The Board will review appeal and issue a final decision with respect to the complaint.

No employee who, acting in good faith, files, pursues, or participates in the investigation of a complaint under this policy shall be subject to retaliation or other unlawful adverse employment action because of such complaint or participation.

LEGAL REFERENCES:

Wisconsin Statutes

Section 109.03 [state wage payment statutes]

School District of Rib Lake

Wisconsin Administrative Code

DWD Chapter 272 [state minimum wage laws]
DWD 274.08 [applicability of certain federal labor laws and regulations to public employers and public employees]

Federal Law

29 C.F.R. Part 541 [federal FLSA regulations generally addressing exempt status and the salary basis requirements]
29 C.F.R. § 541.602(b) [federal FLSA regulations establishing specific exceptions to the prohibition against deductions from the wages of employees being paid on a “salary basis” under the regulations]
29 C.F.R. § 541.603(d) [federal FLSA regulations establishing the requirements for a qualifying “safe harbor” policy with regard to improper salary deductions]

ADOPTED: February 9, 2017