

AP 7234 Overtime

Reference:

Education Code Sections 88027, 88028, 88029, and 88030

Overtime is defined to include any time required to be worked in excess of eight hours in any one day and in excess of 40 hours in any calendar week. If the Board establishes a workday of less than eight hours but seven hours or more and a workweek of less than 40 hours but 35 hours or more for all of its classified positions or for certain classes of classified positions, all time worked in excess of the established workday and workweek shall be deemed to be overtime.

The foregoing provisions do not apply to:

1. Classified positions for which a workday of fewer than seven hours and a workweek of fewer than 35 hours has been established.
2. Positions for which a workday of eight hours and a workweek of 40 hours has been established, but in which positions employees are temporarily assigned to work fewer than eight hours per day or 40 hours per week when such reduction in hours is necessary to avoid layoffs for lack of work or lack of funds and the consent of the majority of affected employees to such reduction in hours has been first obtained.
3. Hourly classified or confidential employee with an Alternative Work Schedule.

For the purpose of computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, compensatory time off, or other paid leave of absence shall not be considered as time worked by the employee.

Compensatory time off is authorized in lieu of cash compensation for hourly classified and confidential employees. Compensatory time off, when elected, will be accrued for use during the fiscal year. Any available balance as of June 30 will be paid out to the employee. Compensatory time elected in lieu of payment for overtime hours will be calculated at the appropriate overtime rate. For additional information related to classified employees rights to

compensatory time off, please refer to the ratified Collective Bargaining Agreement.

An employee having an average workday of less than four hours during a workweek shall, for any work required to be performed on the seventh day following the commencement of his/her/their workweek, be compensated for at a rate equal to 1 ½ times the regular rate of pay of the employee designated and authorized to perform the work.

Exempt persons serving in administrative or non-hourly confidential shall be excluded from these procedures regarding overtime and compensatory time.

No term or provision in this procedure shall supersede or otherwise modify the related terms and conditions of the duly ratified Collective Bargaining Agreement(s) in effect.