



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 7426

PAGE: 1 OF 7

REVISED: 10-14-92

CATEGORY: **Personnel, Classified Staff**

SUBJECT: **Overtime Authorization and Compensation for Classified Employees**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing assignment of employees to **overtime** work (including overtime on Saturdays, Sundays, and holidays) and compensation of employees for overtime work.
2. For information on workday and workweek for classified employees, refer to Procedure No. **7485**.
3. For designation of exempt job classes, refer to salary schedules for classified employees.

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: I-1 150, I-5200, I-6200; Board minutes 6-28-77; Education Code Sections 45127-32; Fair Labor Standards Act; classified employees salary schedule rules and regulations; collective negotiations contracts.
2. This procedure pertains to matters within the scope of collective bargaining. Contract language within specific collective bargaining agreements on this topic shall prevail over any language to the contrary in this procedure.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Classification and Compensation Department.
2. **Management Responsibility**
 - a. The school district reserves the right to assign overtime to any classified employee and to compensate employees for overtime work in accordance with rules and regulations in this procedure and in the current classified employees' salary schedules.
 - b. Employees eligible for overtime compensation (see C.6. and C.7. below) shall **not** be required to work overtime without receiving pay or compensatory time off. Compliance is the responsibility of the employee's supervisor.
 - c. Approval to work overtime shall be obtained **prior** to performing **overtime** work.

- d. Overtime records shall be maintained by the principal or department head and must be available for audit. Records should include date, time, and number of overtime hours worked and date and time of compensatory time off, if granted.
- e. Under normal circumstances, employees will be given 24-hour notice of the need to work overtime. **In** emergencies, **advance notice may be waived**. The supervisor shall inform the employee of the method of compensation when overtime work is assigned. ("Emergency" means any situation affecting the instructional program and/or administration of the district which could not reasonably be anticipated.)
- f. **Overtime shall be held to a minimum**. Each principal and department head shall be responsible for reviewing employees' work and **vacation** schedules and, to the extent feasible, for adjusting schedules to eliminate regularly recurring overtime work.

3. Authorization for Emergency Overtime Work. An employee required to return to duty after leaving his/her work site shall be compensated for the prescribed minimum number of hours as provided in the appropriate salary schedule; a reasonable amount of travel time may be included.

- a. **Employees other than custodial and food services.** **In an emergency**, a principal or department head may call employees back to duty after they leave the work site.
- b. **Custodial employees.** A principal or department head may call custodial employees back to duty after they leave the work site **in cases of emergencies caused by vandalism or fire or of other such circumstance** when clean-up crews must be utilized.
- c. **Food services employees.** **Upon being notified of an emergency** by a principal or custodian, a cafeteria manager is authorized to call in employees to perform necessary clean-up and food replacement; however, the manager must report such action to the Food Services Department as soon as possible.

4. Authorization for Nonemergency Overtime Work

- a. **Employees other than custodial and food services.** Except in emergencies (see **C.3.**), prior authorization to assign employees to **overtime** work shall be obtained from the employee's supervisor **and** the management employee whose budget is to be charged.
- b. **Custodial employees**
 - (1) **Regular** overtime. Prior approval of the plant operations assistant director is required, with the following exceptions:

- (a) Illness of a regular custodian with no substitute available. The absence must be called in; substitutes must be used when obtainable.
 - (b) Full- or part-time vacancy when no substitute or regular replacement has been assigned.
 - (2) **Civic center** (contractual use of school facilities by nonschool/nondistrict organizations or agencies). The principal shall make all assignments for civic center custodial work to employees in the lowest custodial job class willing to accept the work. In no case shall an assignment be made in a job class higher than building services supervisor II without approval of the plant operations assistant director.
 - c. **Food services employees.** Except in emergencies, all cafeteria overtime work shall be arranged directly with the Food Services Department. Principals shall be notified of authorization for such work.
5. **Overtime Compensation.** Each regular monthly classified employee is assigned to a **regularly** scheduled workday and workweek as described in Procedure No. 7485. Holidays and paid leaves (sick leave, vacation, bereavement, etc.) are counted as part of **the** regularly assigned workday or workweek.
- a. Classified employees other than those referred to in C.7. and C.8.c. shall be compensated at one and one-half times the equivalent hourly rate of pay for an employee's job class and salary step; overtime worked in units of less than six minutes shall be noncumulative and shall be disregarded for purposes of compensation.
 - b. Monthly classified employees eligible for overtime compensation in assignments of *eight hours per day/five days per week* shall be compensated for all time worked in excess of eight hours on a regular workday or in excess of forty hours in one week. (NOTE: A *workday* begins at 12:01 a.m. and ends at midnight. The traditional workweek begins at midnight on Sunday and ends at midnight the following Sunday; the nontraditional workweek shall not exceed five (5) consecutive days, starting any day other than Monday.)
 - c. Monthly classified employees eligible for overtime compensation in assignments of *at least four hours per day/five days per week hut less than eight hours per day/five days per week* shall be compensated for all time worked on the sixth and seventh day of a workweek. (This does not apply to *hourly* employees unless they have worked forty hours in one workweek.)
 - d. Monthly classified employees eligible for overtime compensation in assignments of *less than four hours per day/jive days per week* shall be compensated for all time

worked on the seventh day of a workweek. (This does not apply to *hourly* employees unless they have worked forty hours in one workweek.)

- e. Monthly classified employees eligible for overtime compensation in assignments of *ten hours per day/four days per week* shall be compensated for all time worked in excess of ten hours on a regular workday, or time worked on the fifth, sixth, or seventh day of a workweek.
 - f. Work performed by regular monthly employees on *legal or declared holidays* shall be considered as overtime without regard to the number of hours worked on other days of that week. Such holiday pay shall be in addition to an employee's regular compensation and shall be at the rate of one-and-one-half times the regular rate for nonexempt employees and one times the regular rate for exempt employees. (This section does not apply to *hourly* employees.)
 - g. Employees working on more than one assignment with the district shall be compensated for overtime work by the department/site that places the employee in overtime status.
6. **Nonexempt classified employees** are employees subject to the Fair Labor Standards Act and to Education Code 45128 provisions requiring premium pay for overtime work.
7. **Exempt classified employees** are supervisory, administrative, professional, and executive employees who are exempt from overtime pay provisions by the Fair Labor Standards Act and by Education Code. (Exempt job classes are designated in classified employees' salary schedules.) Under district policy, these employees are divided into two groups.
- a. **Executive, administrative, professional, Category I:** Employees in specific exempt job classes designated by the Board of Education. These employees do not receive compensation for overtime worked and are designated in salary schedules with two asterisks.
 - b. **Executive, administrative, professional, Category II:** All other exempt classified employees. These employees receive straight-time compensation for authorized overtime work and are designated in salary schedules with one asterisk.
8. **Regulations for overtime compensation** are set forth in classified employees' salary schedules rules and regulations. Certain specific situations are explained below:
- a. **Civic center work.** Classified employees working overtime at such duties shall be paid at the appropriate straight-time or overtime pay rate for their job classes, without regard to the relationship between civic center work and their regular duties.

- b. **Work for a student body organization.** There is a joint employer relationship between the district and the Associated Student Body. Any district classified employee who also works additional hours (over eight hours in one day or forty hours in one week) for a student body organization, shall be paid appropriate straight time or overtime for work performed for the student body in the same manner as if such work had been performed for the district.
 - c. **Workshop attendance.** An employee who, at the district's request, attends a workshop scheduled outside the employee's normal assignment hours will be paid at the straight or overtime workshop participant rate in accordance with rules and regulations currently in effect as set forth in classified employees' salary schedules.
9. **Compensatory time** off in lieu of overtime pay may be granted by the appropriate management employee under the following conditions:
- a. **Nonexempt employees** may be given compensatory time off in accordance with the following regulations:
 - (1) **Compensatory time off must be provided** at a rate of 1.5 hours for each hour of overtime worked.
 - (2) **Limitations on accrual of compensatory time** off. Accrual limitations indicated below are maximums which may not be exceeded without payment by warrant for all hours accrued in excess of the established maximum. When the compensatory time limit is exceeded, employees *must* be compensated financially for all accrued hours in excess of the established limit. (NOTE: The following limits are not based on a calendar or fiscal year.)
 - (a) School police officers eligible for time and one-half over-time compensation are limited to 480 accrued compensatory hours (320 overtime hours).
 - (b) Classified employees eligible for time and one-half overtime are limited to 240 accrued compensatory hours (160 overtime hours).
 - b. **Exempt employees** may be given compensatory time off in accordance with the following regulations:
 - (1) **Exempt Category I employees** (designated in salary schedules with **two** asterisks; see C.7.a. above) receive no compensation for overtime hours worked; however, a department or division head may **grant** some compensatory time off to those exempt Category I employees whose work loads may have required an unusual amount of overtime worked. Such compensatory time off need not be on an hour-for-hour basis.

(2) **Exempt Category II employees** (designated in **salary** schedules with one asterisk; see C.7.b. above) normally would be expected to work a certain amount of overtime on their own initiative. When such employees are requested and authorized to work overtime, they may be compensated by paid overtime or compensatory time off computed at the employee's regular equivalent hourly pay rate. These employees are limited to 240 accrued compensatory hours (240 overtime hours at straight-time overtime rates).

- c. Scheduling of **compensatory time** off. Compensatory time off shall be permitted within a reasonable time after an employee makes the request, but only if use of the requested time off will not unduly disrupt district operations.

D. **IMPLEMENTATION**

1. **Regular Overtime Request. Division head or designee:**

- a. **Verifies** urgency for overtime and approves request prior to performance of overtime work, allowing 24-hours notice to an employee whenever possible. When overtime work is assigned, informs employee whether overtime will be paid or compensatory time off will be granted.
- b. For **paid** overtime, submits time card in accordance with procedures outlined in ***Personnel - Payroll Handbook***; maintains record of Overtime hours worked (see C.2.d.).
- c. For **compensatory time** off, maintains written auditable records of dates and times of overtime work and compensatory time off granted to nonexempt employees; maintains less elaborate records for exempt employees (see C.2.d.).

2. **Emergency Call-Back Overtime. Responsible management or supervisory employee** notifies appropriate personnel to report to duty station involved in the emergency; submits time cards or makes time sheet entries as indicated in ***Personnel - Payroll Handbook***. If budgeted funds do not exist for the overtime, arranges for proper budget processing.

3. **Designation of Nonexempt and Exempt Job Classes. Classification and Compensation Department:**

- a. Reviews job classes periodically; in classified employees' salary schedules designates by appropriate notation those classes that are exempt Category I or exempt Category II.
- b. Reviews all new job classifications; identifies exempt classifications in the board agenda item requesting approval of Board of Education.

- c. **Notifies** incumbents and Payroll Unit when overtime **classification** status is approved by **Board** of Education for change from nonexempt to exempt, or vice versa, as a result of **classification** study or periodic review.

E. **FORMS AND AUXILIARY REFERENCES**

1. Hourly time cards and time sheets, **available** from Payroll Unit.
2. Personnel action **form**, prepared by Payroll Unit.
3. Personnel - Payroll Handbook.
4. Classified employees' salary schedules, including rules and regulations.

F. **REPORTS AND RECORDS**

1. Overtime records, maintained by principal or department head (see C.2.d.).

G. **APPROVED BY**



Assistant Superintendent
Human Resource Services



Superintendent