

OVERTIME PAY/COMPENSATORY TIME OFF

The District shall provide compensatory time off for overtime work in accordance with law and any applicable negotiated employee agreement. Overtime is not paid to salaried employees who serve in exempt positions.

Overtime shall be considered any time worked over an 8-hour day or a 40-hour week and shall be compensated at time-and-one-half. If for all or certain classes of classified positions the established workday is less than eight hours but seven hours or more and the established work week is less than 40 hours but 35 hours or more, all time worked in excess of the established workday and work week shall be considered overtime. (Education Code 45128)

The District shall carefully keep records related to the accrual of overtime. Employees subject to overtime payment shall complete a daily record of time worked. Falsification of time records will result in disciplinary action against the employee and may subject him/her to civil and criminal penalties.

No overtime shall be allowed except as authorized by an employee's immediate supervisor.

(cf. 1240 - Volunteer Assistance)

(cf. 4313.1 - Load/Scheduling/Hours of Employment)

Legal Reference:

EDUCATION CODE

45127 Workweek

45128 Overtime

45130 Exclusion from overtime provisions

45131 Workweek; five consecutive days; overtime

45132 Four-consecutive-day workweek

PENAL CODE

424 Embezzlement and falsification of accounts by public officers

UNITED STATES CODE, TITLE 29

201-216 Fair Labor Standards Act

CODE OF FEDERAL REGULATIONS, TITLE 29

511-800 Department of Labor Relations

785.12 Overtime suffered or permitted

People v. Theresa Groat (1993) 19 Cal.App.4th 1228