

**HOURS OF EMPLOYMENT**

The Governing Board designates in accordance with law salaried positions which are exempt from overtime. Persons holding these positions work whatever hours are necessary in order to fulfill their assignments. Their positions are set apart from other positions by virtue of the duties, flexibility of hours, salary, benefit structure and authority which they entail.

Employees serving in positions excluded from overtime shall not be unreasonably discriminated against as a result of the exclusion. (Education Code 45130)

Exempt employees' pay shall not be subject to salary deductions for absences of less than a day.

Legal Reference:

UNITED STATES CODE

Fair Labor Standards Act 29 U.S.C. 201-216

Department of Labor Relations 29 C.F.R. Parts 511-800

EDUCATION CODE

45130 Exclusion from overtime provisions

Abshire v. County of Kern, 9<sup>th</sup> Cir. 1990, 908 F.2d 483

Policy Adopted  
TUSD: