

COMPENSATION

In order to recruit and retain employees committed to the district's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and collective bargaining agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162, 45268)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for education level and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal district operations when permitted by law and consistent with collective bargaining agreements and memoranda of understanding.

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

Overtime Compensation

District employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work. However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime

compensation, provided the employee has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within 12 calendar months after making the request if the use of the compensatory time does not unduly disrupt district operations. (Education Code 45129; 29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
8 CCR 11040	<u>Wages and hours; definitions of administrative, executive, and professional employees</u>
Ed. Code 45022-45061.5	<u>Salaries</u>
Ed. Code 45023	<u>Availability of salary schedule</u>
Ed. Code 45028	<u>Salary schedule and exceptions</u>
Ed. Code 45127-45133.5	<u>Classified employees; work week; overtime provisions</u>
Ed. Code 45160-45169	<u>Salaries for classified employees</u>
Ed. Code 45268	<u>Salary schedule for classified service in merit system districts</u>
Gov. Code 3540-3549	<u>Meeting and negotiating</u>
Gov. Code 3543.2	<u>Scope of representation</u>
Gov. Code 3543.7	<u>Duty to meet and negotiate in good faith</u>
Lab. Code 226	<u>Employee access to payroll records</u>
Lab. Code 232	<u>Disclosure of wages</u>
Federal	Description
26 CFR 1.409A-1	<u>Definitions and covered plans</u>
26 USC 409A	<u>Deferred compensation plans</u>
29 CFR 516.4	<u>Notice of minimum wage and overtime provisions</u>
29 CFR 516.5-516.6	<u>Records</u>
29 CFR 541.0-541.710	<u>Exemptions for executive, administrative, and professional employees</u>
29 CFR 553.1-553.51	<u>Fair Labor Standards Act; applicability to public agencies</u>
29 USC 201-219	<u>Fair Labor Standards Act</u>
29 USC 203	<u>Definitions</u>
29 USC 207	<u>Fair Labor Standards Act</u>

Federal

29 USC 213

Description[Exemptions from minimum wage and overtime requirements](#)**Management Resources**

Court Decision

Description[Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421](#)

Office of Management and Budget Publication

[Administrative Relief for Recipients & Applicants of Fed. Fin. Assist. Directly Impacted by COVID-19 Due to Loss, Memo M-20-17, March 19, 2020](#)

Website

[U.S. Department of Labor, Wage and Hour Division](#)

Website

[Internal Revenue Service](#)

Website

[School Services of California, Inc.](#)

Website

[CSBA](#)**Cross References****Code****Description**

0470

[COVID-19 Mitigation Plan](#)

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[Budget](#)

3100

[Budget](#)

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[Management Of District Assets/Accounts](#)

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[Management Of District Assets/Accounts](#)

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[District Records](#)

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[District Records](#)

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[Concepts And Roles](#)

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[Nondiscrimination In Employment](#)

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[Nondiscrimination In Employment](#)

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[Health And Welfare Benefits](#)

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[Appointment And Conditions Of Employment](#)

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[Bargaining Units](#)

Code	Description
4241	<u>Collective Bargaining Agreement</u>
4243	<u>Negotiations/Consultation</u>
4254	<u>Health And Welfare Benefits</u>
4254	<u>Health And Welfare Benefits</u>
4312.1	<u>Contracts</u>
4312.6	<u>Personnel Files</u>
4313.5	<u>Working Remotely</u>
4340	<u>Bargaining Units</u>
4354	<u>Health And Welfare Benefits</u>
4354	<u>Health And Welfare Benefits</u>

Policy
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BALDY VIEW REGIONAL OCCUPATIONAL PROGRAM
Rancho Cucamonga, California
Ontario, California