

**HUMAN RESOURCES**

**AP 7234 CLASSIFIED EMPLOYEE OVERTIME**

**References:**

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 Governing 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:

- classified positions for which a workday of fewer than seven hours and a workweek of fewer than 35 hours has been established
- 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

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 be considered as time worked by the employee.

When compensatory time off is authorized in lieu of cash compensation, such compensatory time off shall be granted within 12 calendar months following the month in which the overtime was worked and without impairing the services rendered by the District.

An employee having an average workday of four hours or more during the workweek shall, for any work required to be performed on the sixth or seventh day following commencement of the workweek, be compensated at a rate equal to 1 1/2 times the regular rate of pay of the employee designated and authorized to perform the work.

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 or her workweek, be compensated for at a rate equal to 1 1/2 times the regular rate of pay of the employee designated and authorized to perform the work.

37 Persons serving in supervisory, administrative, or executive positions that are classified  
38 as administrators shall be excluded from these procedures regarding overtime.

39 Also refer to the applicable collective bargaining agreement or employee handbook

40 Office of Primary Responsibility: Human Resource Services