

**SAN LORENZO
UNIFIED SCHOOL DISTRICT
BOARD POLICY
Employee Compensation**

Personnel

BP 4151 4251, 4351

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.

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 years of training 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.

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.

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.

OVERTIME COMPENSATION

A District employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations.

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 he/she 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 a reasonable period after making the request if the use of the compensatory time does not unduly disrupt District operations.

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.

SALARY ON EMPLOYMENT FOR CLASSIFIED EMPLOYEES

- A. The basic pay plan consists of the salary ranges and the assignment of classes to such ranges as provided in the salary schedules. Each employee shall be paid within the range for his/her class, according to the following provisions, unless otherwise provided in the salary schedules.
- B. Initial Salary Placement for External Hires
The first step of the respective range for any given classification is the minimum rate and shall be the normal rate of pay for newly hired employees.
- C. Advanced Salary Step Placement Upon Initial Employment For External Hires Into the Classified Service
In cases where there is an evident difficulty in securing a qualified and willing candidate at the first salary step, or in the event a candidate possesses exceptional skills, qualifications, education and/or experience that make him/her uniquely qualified, a candidate for employment can request a salary step placement above the first step, and the Board of Education may approve such request in accordance with the following:
1. When a candidate possesses experience beyond that which is minimally required, credit for one-step on the salary schedule may be given for every two years or greater of full time paid experience in a similar or higher level related position. Credit shall be given only for experience acquired during the immediately preceding ten-year period. Verification of work experience is required, and staff will provide information regarding the verification process at the time the advanced salary placement request is made.
 2. When a candidate possesses education from an accredited college, university or other technical learning institute which is beyond the established educational requirement for entry into the class, credit for one step may be given for every two years or greater of satisfactory completion of additional related education on a full time basis. No placement for additional education shall exceed the third step. For the purposes of determining appropriate credit, full time basis is equivalent to twenty-four (24) semester units. Official transcripts or the official degree awarded with the institution's embossed seal is required for educational credit.
 3. This policy does not pertain to employees upon promotion. Please refer to Merit Rule 11.8, or the respective collective bargaining agreement if applicable, for salary placement following promotion.

4. Candidates requesting consideration for advanced salary step placement are required to do so within 60 calendar days from the official date of hire. Candidates are encouraged to make the request with necessary support materials as soon as possible, following the date of hire. Failure to make the request within the 60 calendar day timeline will result in the forfeit of the right provided herein regarding advanced salary placement. Requests for advanced salary step placement that are approved will be retroactive to the first date of hire.
5. No advanced step placements are allowed for entry-level classifications.

D. Recruitment at an Accelerated Salary Step

The Director of Classified Personnel may establish an accelerated hiring rate for any position in the classified service when unusual difficulty is anticipated in obtaining an employee for that class at the minimum rate internally or externally. No rate shall exceed the last salary step established for the classification. The accelerated hiring rate shall be described on the job announcement bulletin, and the notice shall be provided to the appropriate union for bargaining unit jobs.

1. An accelerated hiring step may be established in situations where previous recruitments have proven difficulty in attracting qualified candidates.
2. The Director of Classified Personnel shall first consult with District administration regarding the efforts to secure qualified applicants before recruiting at an accelerated hiring step.
3. When an accelerated hiring step is established, all employees hired from the eligibility list pursuant to the job announcement bulletin, shall be hired at the accelerated hiring step.

E. The Superintendent may appoint management personnel at the most appropriate salary step based upon superior qualifications of the individual.

Legal Reference:

EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules
UNITED STATES CODE, TITLE 26
409A Deferred compensation plans
UNITED STATES CODE, TITLE 29
201-219 Fair Labor Standards Act, especially:
203 Definitions
207 Overtime
213 Exemptions from minimum wage and overtime requirements
CODE OF FEDERAL REGULATIONS, TITLE 26
1.409A-1 Definitions and covered plans
CODE OF FEDERAL REGULATIONS, TITLE 29
516.4 Notice of minimum wage and overtime provisions
516.5-516.6 Records
541.0-541.710 Exemptions for executive, administrative, and professional employees
553.1-553.51 Fair Labor Standards Act; applicability to public agencies
COURT DECISIONS
Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

Internal Revenue Service: <http://www.irs.gov>

School Services of California, Inc.: <http://www.sscal.com>

U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

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