

LOAD / SCHEDULING / 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. All management employees on the "AM" and "CM" salary schedules are designed exempt from overtime.

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

If an employee serving in an exempt position is required to work on a holiday by action of the governing Board, that person shall be paid in addition to the regular pay for that holiday, compensation, or given compensatory time off, at a rate not less than the normal rate of pay.

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

Legal Reference:

EDUCATION CODE

45130 Exclusion from overtime provisions

UNITED STATES CODE, TITLE 29

201-215 Fair Labor Standards Act

CODE OF FEDERAL REGULATIONS, TITLE 29

511-800 Department of Labor Relations

COURT DECISIONS

Abshire v. County of Kern, (9th Cir. 1990) 908 F.2d 483