LAW AND RULES (Reissue) August 4, 1986

596 OVERTIME

Education Code 45127

The workweek of a classified employee, as defined in Section 45103 or Section 45256, shall be 40 hours. The workday shall be eight hours. These provisions do not restrict the extension of a regular workday or workweek on an overtime basis when such is necessary to carry on the business of the district. Nothing in this section shall be deemed to bar the district from establishing a workday of less than eight hours or a workweek of less than 40 hours for all or any of its classified positions.

Notwithstanding the provisions of this section and Section 45128, a governing board may, with the approval of the personnel commission, where applicable, exempt specific classes of positions from compensation for overtime in excess of eight hours in one day, provided that hours worked in excess of 40 in a calendar week shall be compensated on an overtime basis. Such exemption shall be applied only to those classes which the governing board and personnel commission, where applicable, specifically find to be a subject to fluctuations in daily working hours not susceptible to administrative control, such as security patrol and recreation classes, but shall not include food service and transportation classes.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

Education Code 45128

The governing board of each district shall provide the extent to which, and establish the method by which ordered overtime is compensated. The board shall provide for such compensation or compensatory time off at a rate at least equal to time and one-half the regular rate of pay of the employee designated and authorized to perform the overtime.

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 a 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, nor to 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.

CHANGE:

Correction of error.

Remove: August 4, 1986, page 1 of 10. Add: (Reissue) August 4, 1986, page 1 of 10.

596 LAW AND RULES August 4, 1986

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, compensating time off, or other paid leave of absence shall be considered as time worked by the employee.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

Education Code 45129

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 employing district.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

Education Code 45130

Notwithstanding the provisions of Sections 45127 and 45128, a personnel commission, when applicable, or a governing board of a school district may specify certain positions or classes of positions as supervisory, administrative, or executive and exclude the employees serving in such positions and the positions from the overtime provisions.

To be excluded from such overtime provisions, the positions or classes of positions must clearly and reasonably be management positions. In approving positions or classes of positions for exclusion from the overtime provisions, the personnel commission, when applicable, or the governing board of a school district shall certify, in writing, that the duties, flexibility of hours, salary, benefit structure, and authority of the positions or classes of positions are of such a nature that they should be set apart from those positions which are subject to the overtime provisions, and that employees serving in such excluded positions or classes of positions will not be unreasonably discriminated against as a result of the exclusion.

Notwithstanding the provisions of this section, if a person serving in an excluded position is required to work on a holiday, as provided for in this code, or by action of a governing board, he shall be paid, in addition to his regular pay for the holiday, compensation, or given compensating time off, at a rate not less than his normal rate of pay.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

CHANGE:

Editorial changes. No changes in text.

Remove: June 3, 1973, page 2 of 10. Add: August 4, 1986, page 2 of 10.

Overtime

596 LAW AND RULES (Reissue)* August 4, 1986

Education Code 45131

Notwithstanding the provisions of Section 45127, the workweek shall consist of not more than five consecutive working days for any employee having an average workday of four hours or more during the workweek. Such an employee shall be compensated for any work required to be performed on the sixth or seventh day following the commencement of the workweek at the 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 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.

Positions and employees excluded from overtime compensation pursuant to Section 45130 shall likewise be excluded from the provisions of this section.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

Education Code 45132

Notwithstanding the provisions of Section 45131, a governing board of a district may establish a 10hour-per-day, 40-hour, four-consecutive-day workweek for all, or certain classes of its employees, or for employees within a class when, by reason of the work location and duties actually performed by such employees, their services are not required for a workweek of five consecutive days, provided the establishment of such a workweek has the concurrence of the concerned employee, class of employees, or classes of employees as ascertained through the employee organization representing a majority of the concerned employees or class or classes, of employees, as determined by the payroll deduction authorizations for dues in classified employee organizations on file with the district on the last day of the month next preceding the date the board action was taken.

Where a board has previously established the workweek of not less than 35 hours, it may require the established workweek to be performed in four consecutive days by any class or classes of employees or by employees within a class, when by reason of the work location and duties actually performed by such employees their services are not required for a workweek of five consecutive days, with the concurrence of employee personnel as provided herein.

When a four-day workweek is established, the overtime rate shall be paid for all hours worked in excess of the required workday, which shall not exceed 10 hours. Work performed on the fifth, sixth and seventh days shall 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.

CHANGES:

Correction of clerical error.

Remove:(Reissue) August 4, 1986, page 3 of 10. Add:(Reissue)* August 4,1986,page 3 of 10.

Overtime

LAW AND RULES (Reissue) November 19, 1990

An employee working an average workday of five hours or less during a workweek shall, for any work required to be performed on the sixth or seventh day following the commencement of his workweek, be compensated for at a rate equal to 1-½ times the regular rate of pay of the employee designated and authorized to perform the work.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

Education Code 45133

- (a) Notwithstanding sections 45127 and 45131, a governing board of a school district or a county superintendent of schools may establish a 9-hour-per-day, 80-hour-per-2-week work schedule, provided the establishment of the work schedule has the concurrence of the employee organization, or in the absence of an employee organization, the concurrence of the affected employee.
- (b) When a 9-hour-per-day, 80-hour-per-2-week work schedule is established, it shall consist of nine work days, eight of which shall be nine-hour days, and one of which shall be an eight-hour day. The overtime rate shall be paid for all hours worked in excess of the required work day, which shall not exceed nine hours, at a rate equal to one and one-half times the regular rate of pay for the employee designated and authorized to perform the work.
- (c) When a 9-hour-per-day, 80-hour-per-2-week work schedule is established, the workweek shall be defined in either of two ways, as follows:
- (1) The workweek shall begin on noon Friday and will end at noon the following Friday, with the employee working nine hours each day except on alternate Thursdays when the employee will work eight hours, and on alternate Fridays when the employee will not work; or,
- (2) The workweek shall begin at noon on any other day of the week and shall be defined so that no employee will be required to work more than 40 hours during any given workweek.
- (d) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 6 (commencing with Section 45240) of this chapter.

CHANGE:

Adding to Education Code Section 45133.

Remove: November 19,1990, page 4 of 10. Add:(Reissue) November 19,1990, page 4 of 10.

LAW AND RULES (Reissue) November 30, 1992

A. Overtime shall be paid at the rate of time and one-half. Overtime shall be computed only on the basis of working hours exclusive of meal time in excess of an established eight, nine, or ten hour work day or 40 hours in any calendar week. Less than 15 minutes overtime in any one day shall not be counted.

- B. An employee who is in paid status for an average of four hours or more a day for five consecutive days shall be paid at time and one-half for any work required to be performed on the sixth or seventh day of the workweek. An employee who is in paid status for an average of less than four hours a day for five consecutive days shall be paid overtime for work performed on the seventh day of the workweek.
- C. An equitable distribution of overtime shall be made among qualified members of a given office or unit as the circumstances permit. Need, seniority, availability, and fitness are proper factors for consideration in making this distribution.
- D. Classes whose principal duties and responsibilities are classified as executive/administrative in terms of the following definitions shall be excluded from the overtime payment provisions of this Rule:

The primary duties and responsibilities consist of management or supervision of a customarily recognized division or subdivision and the following characteristics:

- 1. Customarily and regularly direct the work of employees in the division or subdivision.
- 2. Have authority to hire and discharge employees or make recommendations as to the hiring and discharging and as to the advancement and promotion or any other change of status of employees, which recommendations are given particular weight.
- 3. Customarily and regularly exercise discretionary powers.
- 4. Do not devote more than 20 percent of total hours worked to activities that are not directly and closely related to the performance of the work described in Paragraph D.1. through 3. above.

The Personnel Commission may designate other classes as executive/administrative when special circumstances warrant exceptions to these definitions.

CHANGE:

Amending Paragraph A. Deleting Paragraph C. Relettering Paragraph D. & E. to C. & D. Remove: (Reissue) August 4, 1986, page 5 of 10. Add: (Reissue) November 30, 1992, page 5 of 10.

October 23, 2025 LAW AND RULES

E. Incumbents of positions in the classes listed below are assigned as executive/administrative and are thereby exempt from the overtime payment provisions of this Rule:

Executive/Administrative Classes

ADA Compliance Administrator Administrative Services Manager Adult Education Administrative Specialist Appeals and Hearing Supervisor Application Server Administrator **Application Server Specialist** Area Facilities Services Director Area Food Services Supervisor

Assistant Chief Human Resources Officer Assistant Contract Administration Manager

Assistant Director, Design Standards and Technical

Specifications Assistant Director, Personnel

Area Operations Supervisor

Assistant Budget Director

Assistant Director of Labor Relations

Assistant Fleet Maintenance Manager (5754)

Assistant General Counsel I Assistant General Counsel II Assistant Inspector General (1408) Assistant Project Manager

Assistant Stores Operations Manager

Assistant Transportation Services Manager (2304)

Assistant Truck Operations Manager

Associate Chief Information Officer, Enterprise Applications Associate Chief Information Officer, IT Customer Service Associate Chief Information Officer, IT Infrastructure

Associate General Counsel I Associate General Counsel II Associate IT Solutions Architect

Associate Strategic Planning Systems Engineer

Audit Manager

Autonomous Schools Operations Coordinator

Benefits Manager

Bond Oversight Administrator Branch Human Resources Manager

Budget Policy Analyst

Carpentry Technical Supervisor Charter Schools Fiscal Administrator

Charter Schools Fiscal Oversight Manager (2398) **Charter Schools Operations Coordinator** Charter Schools Operations Manager (2314)

Chief Accountant

Chief Boundary Coordinator

Chief Broadcasting Engineer Chief Building/Construction Inspector Chief Compliance Officer (1237) Chief Eco-Sustainability Officer (1770)

Chief Estimator

Chief Executive to the General Counsel (5664)

Chief Facilities Executive

Chief Financial Officer (1008) Chief Human Resources Officer

Chief Information Officer

Chief Information Security Officer (1227)

Chief Inventory Analyst

Chief of Communications, Engagement, and Collaboration (1223) Chief of Legislative Affairs and Governmental Relations (1966)

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Chief Medical Director (2300)

Chief of Police

Chief of School Culture, Climate, and Safety

Chief of Staff

Chief of Staff to Board Member (Staff Assistant to Board

Member VIII)

Chief Procurement Officer

Chief Risk Officer Claims Coordinator

Classified Assignments Coordinator

Complex Project Manager

Computer Applications Administrator SAP Computer Applications Administrator Computer Applications Specialist

Computer Applications Specialist (Accounting) Computer Applications Specialist (Internet/Intranet) Computer Applications Specialist (Pupil Services/AB922)

Construction Claims Manager **Construction Manager**

Contract Administration Manager

Controller

Coordinator, IT Organizational Change Management (1217)

Coordinator of Legislative Advocacy

Coordinator of Policy Research and Development

Culinary Events Manager Data Base Administrator Data Base Specialist **Data Center Architect Deputy Budget Director**

Deputy Chief Building/Construction Inspector

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Executive/Administrative Classes (Continued)

E. (Continued)

Deputy Chief Business Officer (2006) **Deputy Chief Facilities Executive** Deputy Chief Financial Officer (1009) Deputy Chief Human Resources Officer

Deputy Chief Information Security Officer (1231)

Deputy Chief of Police Deputy Chief of Staff (1222)

Deputy Chief of Staff to Board Member (Staff Assistant to

Board Member VII) Deputy Chief Procurement Officer

Deputy Chief Procurement Officer (Facilities)

Deputy Chief Risk Officer **Deputy Controller**

Deputy Director of Architectural Engineering Services Deputy Director of Data Center Operations (4805) Deputy Director of Employee Relations (4994)

Deputy Director of Facilities Legislation, Grants, and Funding Deputy Director of Facilities Maintenance and Operations Deputy Director of Facilities Planning and Development Deputy Director of Facilities Program Support Services

Deputy Director of Facilities Project Execution

Deputy Director of Food Services Deputy Director of IT, Customer Support

Deputy Director of IT, Infrastructure Project Management Deputy Director of Masterplanning and Demographics (1480)

Deputy Director of Materiel Management Deputy Director of Payroll Administration

Deputy Director of Real Estate and Business Development (2166)

Deputy Director of Transportation

Deputy Director, Insurance Risk and Finance Deputy Director, Student Information Systems Deputy Environmental Health & Safety Director

Deputy General Counsel Deputy Inspector General, Audits Deputy Inspector General, Investigations

Deputy Personnel Director

Deputy Superintendent, Business Services and Operations

Design and Technical Specification Coordinator

Director of Accounting Director of Accounts Payable

Director of Architectural Engineering Services

Director of Benefits Administration

Director of Budget Services and Financial Planning Director of Capital Planning and Budgeting (1233)

Director of Community Outreach **Director of Contracts Administration**

Director of Contracts Administration and Procurement

Services

Overtime

Director of Contracts Administration (Facilities)

Director of Data Center Operations

Director of Educational Technology and Innovation Director of Development and Civic Engagement (2312)

Director of Emergency Management (4026) Director of Employee Relations (4979) Director of Environmental Health and Safety

Director of Facilities Legislation, Grants, and Funding Director of Facilities Maintenance & Operations Director of Facilities Planning and Development Director of Facilities Program Support Services

Director of Facilities Project Execution Director of Facilities Technology Services

Director of Finance Policy Director of Food Services

Director of IT, Asset and Software Compliance

Director of IT, Customer Support

Director of IT, Finance and Administration Director of IT, Infrastructure Project Management

Director of IT, Network Operations

Director of IT, Software Project Management Director of IT, Strategic Planning & Implementation

Director of IT, Telecommunications

Director of Insurance

Director of Integrated Disability Management

Director of LA's BEST Director of Labor Relations

Director of Leasing and Asset Management Director of Masterplanning and Demographics

Director of Materiel Management

Director of Non-Academic Facilities Planning

Director of Payroll Administration Director of Program and Project Controls Director of Programming and Operations Director of Property Management (1512)

Director of Real Estate and Business Development (1858)

Director of School Information Management Director of Strategic Data and Evaluation (5089)

Director of Student Civil Rights

Director of Student Records and Data Management Director of Television Engineer and Technical Operations

Director of Translations Director of Transportation

Director of Treasury/Capital Fund Compliance

Director, Charter Schools

Director, Enterprise Project Management Office Director, Family and Community Engagement (1232) Director, Independent Analysis Unit (Staff Assistant to Board

Member IX) (5987)

Director, Multimedia and Instructional Technology (4780)

Director, Partnerships and Grants Director, Student Information Systems

Disability Manager

District Property Administrator

CHANGE: Remove: June 26, 2025 page 7 of 10 Add: October 23, 2025, page 7 of 10.

LAW AND RULES May 8, 2025

E. (Continued)

Executive/Administrative Classes (Continued)

Division Human Resources Administrator Division Human Resources Administrator II

Electrical Technical Supervisor Electronics Technical Supervisor

Emergency Management & Business Continuity Manager

(4028)

Energy and Sustainability Program Manager (1772)

Enterprise Cloud Administrator (4871)

Environmental Health Manager, Environmental Programs Environmental Health Manager, Safety & Industrial Hygiene

ERP Director of Change Management

ERP Manager Ethics Officer

Executive Coordinator, Office of the Superintendent Executive Director, Beyond the Bell Programs (2164) Executive Director, Office of Data and Accountability

Executive Officer of the Board of Education Facilities Access Compliance Manager Facilities Asset Development Director Facilities Development Manager Facilities Estimating Administrator (1406)

Facilities Environmental Technical Manager (2203) Facilities Financial Operations Manager (1907) Facilities Partnership and Development Manager

Facilities Project Manager I Facilities Project Manager II

Facilities Support Services Financial Specialist Facilities Technology Services Manager (1442) Fire/Life Safety Systems Manager (3652)

Fiscal Reports Specialist

Fiscal Resources and Training Manager

Fiscal Services Manager Fleet Maintenance Manager Food Production Manager Food Services Program Manager

Forensic and Support Services Manager, Inspector

General's Office (1300)

Furniture and Interior Design Director (3240)

General Counsel General Manager, KLCS

Grants and Funding Program Manager (5904)

Head Accountant

Health Operations Administrator (2302)

Heating and Air Conditioning Technical Supervisor

Human Resources Officer

Information Security Risk Manager (4786)
Information Systems Business Coordinator (1224)
IT Administrator, Shared Technical Services

IT Enterprise Release Manager

IT Infrastructure Project/Program Manager IT Infrastructure Security Manager (1235)

IT Operations Manager (1234)

IT Project Manager IT Release Manager I IT Release Manager II IT Solutions Architect

IT Technical Systems Specialist (4729)

IT Warehouse Manager Inspector General Insurance Coordinator Insurance Manager (2351)

Labor and Contract Compliance Administrator

Labor Relations Administrator

Landscape Architect

Landscape Technical Supervisor

Legislative Advocate Legislative Liaison II (2010) Litigation Research Coordinator

Local Control Accountability Plan Administrator Local Control Accountability Plan Coordinator (2204)

Mail Operations Manager Maintenance Planner

Manager of IT, Technical Support (1063) Manager of Customer Support Services Manager of Telecommunications

Marketing Director

Medi-Cal Reimbursement and Cost Recovery Manager

Metal Technical Supervisor

Mobile Device Management Administrator Mobile Device Management Specialist Network Operations Manager

Network Systems Engineer (3526)

OCIP Coordinator
Open Data Officer (3802)
Operating Systems Administrator
Operating Systems Specialist
Operations Program Manager

Operations Support Coordinator (1258)

Operations Training Specialist

Oracle Developer

Outdoor-Education Center Manager

Outdoor Education Program and Operations Manager

Painting Technical Supervisor
Pavroll Administration Manager

Personnel Director Personnel Manager

Plumbing Technical Supervisor Principal Administrative Analyst Principal Administrative Assistant

Principal Administrative Assistant, Office of the Superintendent

Principal Facilities Project Manager (1412)

Principal Financial Analyst

Principal Human Resources Specialist

CHANGE: Remove: November 7, 2024, page 8 of 10. Add: May 8, 2025 page 8 of 10.

Overtime

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LAW AND RULES August 21, 2025

Executive/Administrative Classes (Continued)

E. (Continued)

Principal Realty Agent Procurement Policy Officer Program Associate L

Program and Policy Development Advisor Program and Policy Development Advisor, Budget Program and Policy Development Advisor, Construction

Programs

Program and Policy Development Advisor, Employee

Performance Management

Program and Policy Development Advisor, Enterprise

Project Management (5440)

Program and Policy Development Advisor, Innovation

and Improvement Sciences

Program Evaluation and Research Coordinator

Project Management Administrator

Property Manager (1525)

Psychometrician

Purchasing Services Manager Real Estate Project Director Records Manager

Recruitment Coordinator Region Support Coordinator (1240) Regional Construction Director

Regional Facilities Director Regional Food Services Manager Regional Transportation Manager Relocatable Housing Program Manager Reports and Data Analysis Manager (2220)

Reprographic Services Manager Resident Construction Engineer Roofing Technical Supervisor SAP ABAP Developer SAP Basis Administrator SAP Enterprise Portal Specialist

SAP Functional Analyst (BN, BW, Security)
SAP Functional Analyst (eRC, ESS, MSS, PA/OM)

SAP Functional Analyst (FI/CO, Budget) SAP Functional Analyst (Procurement) SAP Functional Analyst (TM/PY) SAP Schema Architect (Payroll/Time) SAP Technical Test Coordinator

School Business and Operations Manager

School Systems Manager (4888) Senior Administrative Assistant, Office of the Superintendent

Senior Advisor to the Superintendent (1898) Senior Advisor, Office of Communications (2313)

Senior Construction Claims Manager Senior Contract Administration Manager

Senior Data Strategist (2180) Senior Developer (3804)

Senior Director of Communications (1920) Senior Director of Engagement (1229) Senior Director, Information Systems Senior Director, Information Technology

Senior Director, Office of the Deputy Superintendent, Business

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Services & Operations (1256)

Senior Director, Office of the Superintendent (1246)

Senior Director, System Data Analytics Senior Employment Services Manager Senior ERP Director, Business Systems

Senior ERP Project Director, School Management

Systems (1167)

Senior Executive Director of Finance Policy (1157)

Senior Executive Director of Strategy Senior Facilities Development Manager Senior Facilities Project Manager

Senior IT Infrastructure Project/Program Manager

Senior IT Operations Manager (1252) Senior Labor Relations Administrator

Senior Maintenance Planner

Senior Resident Construction Engineer Senior Sustainability Specialist Senior Systems Specialist

Senior Technical Project Manager

Senior Technical Project Manager-Facilities Site Assessment Program Administrator

Small Business Manager

Special Assistant, Facilities Services

Special Assistant to the Chief Academic Officer (1153) Special Assistant to the Chief Facilities Executive Special Assistant to the Chief Financial Officer (2306) Special Assistant to the Chief Information Officer Special Assistant to the Inspector General

Staff Relations Manager (4981)

Strategic Data Analyst

Strategic Enrollment Administrator (5117)
Strategic Operations Administrator

Strategic Operations Administrator – IT (1244) Strategic Partnerships Coordinator (5126) Strategic Planning Network Engineer

Superintendent's Administrative Assistant (2055) Supervising Building/Construction Inspector

Supervising Investigator Supervising Investigator (SSIT)

Supervising Purchasing Services Coordinator

Systems and Programming Director Systems Standards Manager Technical Project Manager Technical Specialist Textbook Services Manager Transportation Services Manager

Treasury Manager
Truck Operations Manager

Unemployment Claims Coordinator (2178)

Web Architect

CHANGE: Remove: August 21, 2025 page 9 of 10. Add: October 23, 2025, page 9 of 10.

LAW AND RULES April 14, 2022

Executive/Administrative Classes (Continued)

- F. An employee in an executive/administrative class who is required to work on a holiday shall be granted compensating time off on a straight time hour-for-hour basis within 12 calendar months following the month in which the holiday was worked.
- G. Classified employees who work any hours that the Board of Education has designated as excused time shall be given equivalent time off by the end of the following pay period.

CHANGE: Add: April 14, 2022 page 10 of 10.

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