

LOS ANGELES UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION

LAW AND RULES

596
(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.

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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.

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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 1-½ 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- ½ 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 10-hour-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.

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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.

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(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.

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April 18, 2024

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	Chief Broadcasting Engineer
Administrative Services Manager	Chief Building/Construction Inspector
Adult Education Administrative Specialist	Chief Business Officer (1008)
Appeals and Hearing Supervisor	Chief Compliance Officer (1237)
Application Server Administrator	Chief Eco-Sustainability Officer (1770)
Application Server Specialist	Chief Estimator
Area Facilities Services Director	Chief Executive to the General Counsel (5664)
Area Food Services Supervisor	Chief Facilities Executive
Area Operations Supervisor	Chief Human Resources Officer
Assistant Budget Director	Chief Information Officer
Assistant Chief Human Resources Officer	Chief Information Security Officer (1227)
Assistant Contract Administration Manager	Chief Inventory Analyst
Assistant Director, Design Standards and Technical Specifications	Chief of Communications, Engagement, and Collaboration (1223)
Assistant Director, Personnel	Chief of Legislative Affairs and Governmental Relations (1966)
Assistant Director of Labor Relations	Chief Medical Director (2300)
Assistant Fleet Maintenance Manager (5754)	Chief of Police
Assistant General Counsel I	Chief of School Culture, Climate, and Safety
Assistant General Counsel II	Chief of Staff
Assistant Inspector General (1408)	Chief of Staff to Board Member (Staff Assistant to Board Member VIII)
Assistant Project Manager	Chief Procurement Officer
Assistant Stores Operations Manager	Chief Risk Officer
Assistant Transportation Services Manager (2304)	Claims Coordinator
Assistant Truck Operations Manager	Classified Assignments Coordinator
Associate General Counsel I	Complex Project Manager
Associate General Counsel II	Computer Applications Administrator SAP
Associate IT Solutions Architect	Computer Applications Administrator
Associate Strategic Planning Systems Engineer	Computer Applications Specialist
Audit Manager	Computer Applications Specialist (Accounting)
Autonomous Schools Operations Coordinator	Computer Applications Specialist (Internet/Intranet)
Benefits Manager	Computer Applications Specialist (Pupil Services/AB922)
Bond Oversight Administrator	Construction Claims Manager
Branch Human Resources Manager	Construction Manager
Budget Policy Analyst	Contract Administration Manager
Carpentry Technical Supervisor	Controller
Charter Schools Director	Coordinator, IT Organizational Change Management (1217)
Charter Schools Fiscal Administrator	Coordinator of Legislative Advocacy
Charter Schools Fiscal Oversight Manager (2398)	Coordinator of Policy Research and Development
Charter Schools Operations Coordinator	Culinary Events Manager
Charter Schools Operations Manager (2314)	Data Base Administrator
Chief Accountant	Data Base Specialist
Chief Boundary Coordinator	Data Center Architect
	Deputy Budget Director

CHANGES: Remove: September 21, 2023, page 6 of 10. Add: April 18, 2024 page 6 of 10.

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Executive/Administrative Classes (Continued)

E. (Continued)

Deputy Chief Business Officer, Finance (1009)	Director of Data Center Operations
Deputy Chief Business Officer, Operations (2006)	Director of Development and Civic Engagement (2312)
Deputy Chief Building/Construction Inspector	Director of Employee Relations (4979)
Deputy Chief Facilities Executive	Director of Environmental Health and Safety
Deputy Chief Human Resources Officer	Director of Facilities Legislation, Grants, and Funding
Deputy Chief Information Security Officer (1231)	Director of Facilities Maintenance & Operations
Deputy Chief of Police	Director of Facilities Planning and Development
Deputy Chief of Staff (1222)	Director of Facilities Program Support Services
Deputy Chief of Staff to Board Member (Staff Assistant to Board Member VII)	Director of Facilities Project Execution
Deputy Chief Procurement Officer	Director of Facilities Technology Services
Deputy Chief Procurement Officer (Facilities)	Director of Finance Policy
Deputy Chief Risk Officer	Director of Food Services
Deputy Controller	Director of IT, Asset and Software Compliance
Deputy Director of Architectural Engineering Services	Director of IT, Customer Support
Deputy Director of Data Center Operations (4805)	Director of IT, Finance and Administration
Deputy Director of Employee Relations (4994)	Director of IT, Infrastructure Project Management
Deputy Director of Facilities Legislation, Grants, and Funding	Director of IT, Network Operations
Deputy Director of Facilities Maintenance and Operations	Director of IT, Software Project Management
Deputy Director of Facilities Planning and Development	Director of IT, Strategic Planning & Implementation
Deputy Director of Facilities Program Support Services	Director of IT, Telecommunications
Deputy Director of Facilities Project Execution	Director of Insurance
Deputy Director of Food Services	Director of Integrated Disability Management
Deputy Director of IT, Customer Support	Director of LA's BEST
Deputy Director of IT, Infrastructure Project Management	Director of Labor Relations
Deputy Director of Masterplanning and Demographics (1480)	Director of Leasing and Asset Management
Deputy Director of Materiel Management	Director of Masterplanning and Demographics
Deputy Director of Payroll Administration	Director of Materiel Management
Deputy Director of Real Estate and Business Development (2166)	Director of Non-Academic Facilities Planning
Deputy Director of Transportation	Director of Payroll Administration
Deputy Director, Insurance Risk and Finance	Director of Program and Project Controls
Deputy Director, Student Information Systems	Director of Programming and Operations
Deputy Environmental Health & Safety Director	Director of Property Management (1512)
Deputy General Counsel	Director of Real Estate and Business Development (1858)
Deputy Inspector General, Audits	Director of School Information Management
Deputy Inspector General, Investigations	Director of Strategic Data and Evaluation (5089)
Deputy Personnel Director	Director of Student Records and Data Management
Deputy Superintendent, Business Services and Operations	Director of Television Engineer and Technical Operations
Design and Technical Specification Coordinator	Director of Translations
Director of Accounting	Director of Transportation
Director of Accounts Payable	Director of Treasury/Capital Fund Compliance
Director of Architectural Engineering Services	Director, Enterprise Project Management Office
Director of Benefits Administration	Director, Family and Community Engagement (1232)
Director of Budget Services and Financial Planning	Director, Independent Analysis Unit (Staff Assistant to Board Member IX) (5987)
Director of Capital Planning and Budgeting (1233)	Director, Multimedia and Learning Systems (4780)
Director of Community Outreach	Director, Partnerships and Grants
Director of Contracts Administration	Director, Student Information Systems
Director of Contracts Administration and Procurement Services	Disability Manager
Director of Contracts Administration (Facilities)	District Property Administrator
	Division Human Resources Administrator
	Division Human Resources Administrator II

CHANGES: Remove: May 19, 2023 page 7 of 10 Add: June 1, 2023, page 7 of 10.

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E. (Continued)

Executive/Administrative Classes (Continued)

Electrical Technical Supervisor	IT Project Manager
Electronics Technical Supervisor	IT Release Manager I
Emergency Management & Business Continuity Manager (4028)	IT Release Manager II
Energy and Sustainability Program Manager (1772)	IT Solutions Architect
Enterprise Cloud Administrator (4871)	IT Technical Systems Specialist (4729)
Environmental Health Manager, Environmental Programs	IT Warehouse Manager
Environmental Health Manager, Safety & Industrial Hygiene	Inspector General
ERP Director of Change Management	Insurance Coordinator
ERP Manager	Insurance Manager (2351)
Ethics Officer	Labor and Contract Compliance Administrator
Executive Coordinator, Office of the Superintendent	Labor Relations Administrator
Executive Director, Beyond the Bell Programs (2164)	Landscape Architect
Executive Director, Office of Data and Accountability	Landscape Technical Supervisor
Executive Officer of the Board of Education	Legislative Advocate
Facilities Access Compliance Manager	Legislative Liaison
Facilities Asset Development Director	Litigation Research Coordinator
Facilities Development Manager	Local Control Accountability Plan Administrator
Facilities Estimating Administrator (1406)	Local Control Accountability Plan Coordinator (2204)
Facilities Environmental Technical Manager (2203)	Mail Operations Manager
Facilities Financial Operations Manager (1907)	Maintenance Planner
Facilities Partnership and Development Manager	Manager of IT, Technical Support (1063)
Facilities Project Manager I	Manager of Customer Support Services
Facilities Project Manager II	Manager of Telecommunications
Facilities Support Services Financial Specialist	Marketing Director
Facilities Technology Services Manager (1442)	Medi-Cal Reimbursement and Cost Recovery Manager
Fire/Life Safety Systems Manager (3652)	Metal Technical Supervisor
Fiscal Reports Specialist	Mobile Device Management Administrator
Fiscal Resources and Training Manager	Mobile Device Management Specialist
Fiscal Services Manager	Network Operations Manager
Fleet Maintenance Manager	Network Systems Engineer (3526)
Food Production Manager	OCIP Coordinator
Food Services Program Manager	Open Data Officer (3802)
Forensic and Support Services Manager, Inspector General's Office (1300)	Operating Systems Administrator
Furniture and Interior Design Director (3240)	Operating Systems Specialist
General Counsel	Operations Program Manager
General Manager, KLCS	Operations Support Coordinator (1258)
Grants and Funding Program Manager (5904)	Operations Training Specialist
Head Accountant	Oracle Developer
Health Operations Administrator (2302)	Outdoor-Education Center Manager
Heating and Air Conditioning Technical Supervisor	Painting Technical Supervisor
Human Resources Officer	Payroll Administration Manager
Information Security Risk Manager (4786)	Personnel Director
Information Systems Business Coordinator (1224)	Personnel Manager
IT Administrator, Shared Technical Services	Plumbing Technical Supervisor
IT Enterprise Release Manager	Principal Administrative Analyst
IT Infrastructure Project/Program Manager	Principal Administrative Assistant
IT Infrastructure Security Manager (1235)	Principal Administrative Assistant, Office of the Superintendent
IT Operations Manager (1234)	Principal Facilities Project Manager (1412)
	Principal Financial Analyst
	Principal Human Resources Specialist

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May 16, 2024

Executive/Administrative Classes (Continued)

E. (Continued)

Principal Realty Agent	Senior Developer (3804)
Procurement Policy Officer	Senior Director of Communications (1920)
Program Associate L	Senior Director of Engagement and Partnerships (1229)
Program and Policy Development Advisor	Senior Director, Information Systems
Program and Policy Development Advisor, Budget	Senior Director, Information Technology
Program and Policy Development Advisor, Construction Programs	Senior Director, Office of the Deputy Superintendent, Business Services & Operations (1256)
Program and Policy Development Advisor, Employee Performance Management	Senior Director, Office of the Superintendent (1246)
Program and Policy Development Advisor, Enterprise Project Management (5440)	Senior Director, System Data Analytics
Program and Policy Development Advisor, Innovation and Improvement Sciences	Senior Employment Services Manager
Program Evaluation and Research Coordinator	Senior ERP Director, Business Systems
Project Management Administrator	Senior ERP Project Director, School Management Systems (1167)
Property Manager (1525)	Senior Executive Director of Finance Policy (1157)
Psychometrician	Senior Facilities Development Manager
Purchasing Services Manager	Senior Facilities Project Manager
Real Estate Project Director	Senior IT Infrastructure Project/Program Manager
Records Manager	Senior IT Operations Manager (1252)
Region Support Coordinator (1240)	Senior Maintenance Planner
Regional Construction Director	Senior Resident Construction Engineer
Regional Facilities Director	Senior Sustainability Specialist
Regional Food Services Manager	Senior Systems Specialist
Regional Transportation Manager	Senior Technical Project Manager
Relocatable Housing Program Manager	Senior Technical Project Manager-Facilities
Reports and Data Analysis Manager (2220)	Site Assessment Program Administrator
Reprographic Services Manager	Small Business Manager
Resident Construction Engineer	Special Assistant, Facilities Services
Roofing Technical Supervisor	Special Assistant to the Chief Academic Officer (1153)
SAP ABAP Developer	Special Assistant to the Chief Business Officer (2306)
SAP Basis Administrator	Special Assistant to the Chief Facilities Executive
SAP Enterprise Portal Specialist	Special Assistant to the Chief Information Officer
SAP Functional Analyst (BN, BW, Security)	Special Assistant to the Inspector General
SAP Functional Analyst (eRC, ESS, MSS, PA/OM)	Staff Relations Manager (4981)
SAP Functional Analyst (FI/CO, Budget)	Strategic Data Analyst
SAP Functional Analyst (Procurement)	Strategic Enrollment Administrator (5117)
SAP Functional Analyst (TM/PY)	Strategic Operations Administrator
SAP Schema Architect (Payroll/Time)	Strategic Operations Administrator – IT (1244)
SAP Technical Test Coordinator	Strategic Partnerships Coordinator (5126)
School Business and Operations Manager	Strategic Planning Network Engineer
School Systems Manager (4888)	Superintendent's Administrative Assistant (2055)
Senior Administrative Assistant, Office of the Superintendent	Supervising Building/Construction Inspector
Senior Administrator, Enterprise Applications (1208)	Supervising Investigator
Senior Administrator, IT Customer Support (1214)	Supervising Purchasing Services Coordinator
Senior Administrator, IT Infrastructure (1210)	Systems and Programming Director
Senior Advisor to the Superintendent (1898)	Systems Standards Manager
Senior Advisor, Office of Communications (2313)	Technical Project Manager
Senior Construction Claims Manager	Technical Specialist
Senior Contract Administration Manager	Textbook Services Manager
Senior Data Strategist (2180)	Transportation Services Manager
	Treasury Manager
	Truck Operations Manager
	Unemployment Claims Coordinator (2178)
	Web Architect

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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.
