



BULLETIN

SUBJECT: CLASSIFIED PERSONNEL: OVERTIME, ADDITIONAL HOURS/POSITIONS **HR-05**

TO: All Management Personnel

DATE: November 2011

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REVIEWED BY: Roxanne Findlay **APPROVED:**
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This bulletin is being issued to provide you with guidelines which you must follow regarding the addition of hours and positions and approval for overtime work for classified personnel. It applies to substitute, temporary, probationary, and regular classified personnel. It does not apply to Morning or Noon Duty Assistants. Please retain this bulletin for future reference.

Approval for Overtime Work

Current Board Policy states that:

No overtime work shall be permitted unless authorized by the appropriate member of the superintendent's executive staff or designee. Requests for overtime must be approved in advance, except in those emergency situations which involve health, safety or security.

1. **Please verify with the appropriate Fund Specialist the availability of fund prior to approving overtime. If you ask, allow, or permit classified employees to work overtime, they must be compensated for their work at the rate of time and one-half.**
 - a. Overtime work is any work which an employee does beyond eight hours in any day and 40 hours in any week.
 - b. As, allow, or permit means any time an employee works beyond the eight hours/40-hour-limits, and you know about it or have reason to suspect it.
 - c. Compensation means either pay or compensatory time off.
 - d. Time and one-half means the amount of time worked plus one-half more. For example, if the employee worked one hour, then time and one-half is an hour and one-half, or 90 minutes.
2. **The choice of pay or compensatory time off is mutually discussed by the employee and the supervisor.**

3. **Unless you have a signed agreement with the employee prior to the time that the employee works the overtime, compensatory time off may not be used for payment.**
 - a. Unless prior to the time that the employee commences the overtime work you have a signed agreement with the employee that they will accept compensatory time off in lieu of overtime pay, the employee must be paid.
 - b. The records of compensatory time off agreement must be written and auditable, and show the name, dates, amounts of time worked, and the amounts of compensatory time off taken.
4. **District forms are available. They must be used and filed.**
 - a. Prior Approval for Overtime or CTO (PSL-F030) and Overtime Compensation Verification (PSL-F031) are available on the employee Intranet, Inside Sac-City. Click on the ISO-Process Management System tab, Click on Document under Quick Launch, scroll down and click on Personnel Services, and then click on Forms to print PSL-F030 and PSL-F031. These forms must be used to reach agreement about overtime time, to record hours, and to assure that the employee is compensated.
 - b. Overtime hours to be paid must be submitted each month by the 25th of the month using PAY-F011 Overtime Labor Statement. Follow a. above, but click on Payroll instead of Personnel.
5. **There are specific rules about how much compensatory time off may be accumulated, that it transfers, and when it must be used.**
 - a. Compensatory time off must be granted when earned, and must be taken within 12 months following the month earned. If it is not taken by the end of the twelfth month, overtime must be paid the employee.
 - b. Accrued compensatory time off will be transferred with any employee who is transferred; accrued compensatory time off must be paid to any employee terminated for any reason.
6. **If you ask an employee to take work home, or to do work at home, the employee must be compensated for the actual time worked.**
 - a. Employees must be compensated for working, whenever and where ever the work occurs. If the time falls within the regular limits of eight hours per day and 40 hours per week, it is regular time. If it is beyond these limits, it is overtime. For example, if your secretary takes home envelopes to address, he or she must be paid for all time that it takes to do this task. It does not matter where the work is done.
 - b. If you ask a classified employee to be available at home to take telephone calls, then the compensable time will vary depending upon the following:
 - (1) If the employee is asked to sit by the phone for a specific time, and cannot do anything else, then the employee is considered to be "engaged to wait" and must be compensated for all the time so engaged.
 - (2) If the employee is asked to be available to take telephone calls, but may use the waiting time for his/her own purposes, then the employee is considered "waiting to be engaged" and must only be compensated for the time actually on the telephone or working specifically on a problem.

7. **Administrators are directed to implement the following:**

- a. Set procedures to notify and monitor employee requests for overtime.
- b. Develop a process for your department/site to have written request and written approval for overtime in advance of the actual work taking place.

Extension of Substitute / Temporary Classified Assignments: 195-Day Rule

If a substitute or temporary classified employee has more than 194 days of paid service (including holidays and vacation days) in a fiscal year (July 1 through June 30), that employee gains a permanent position in the district. This can result in a conflict with both the district's affirmative action procedures and legal responsibilities related to rehiring of laid-off employees. Therefore, in order to preserve the rights of our employees, there will be no extensions of service beyond 185 days without the following:

1. The written approval of a Director of Human Resource Services.
2. The written approval of the administrator responsible for the funding source for the position which indicates that funding to extend the position exists, that it is understood that the position will become a permanent one, and that it is further understood that the position cannot be discontinued without at least two months advance notification to Human Resource Services, action by the Board of Education, and negotiation with SEIU.

Assignment of Extra / Additional Hours

Education Code §45137 and Section 9.15.3 of the Agreement between the district and SEIU provide that any classified employee who works an average of 30 minutes or more per day in excess of a regular part-time assignment for a period of 20 consecutive working days or more shall have his/her regular assignment changed to reflect the longer hours in order to acquire vacation and sick leave benefits on a pro rate basis. Therefore, in order to preserve the rights of our employees, there will be no extensions of work hours for a classified employee without the following:

1. The written approval of the appropriate Human Resource Services Director.
2. The written approval of the administrator responsible for the funding source for the position which indicates that funding to extend the hours exists, that it is understood that the extended hours will become a permanent one, and that it is further understood that the position cannot be reduced without at least three months advance notification to Human Resource Services, action by the Board of Education, and negotiation with SEIU.

Any exceptions to these limitations must be requested of me through the Chief Officers or Chief Business Officer.

If you have any questions about these limitations, please contact the appropriate Human Resource Services Director.

JS:jmh

Class-OT-Add Hrs-Positions

Attachments: PSL-F030 Prior Approval for: Overtime or CTO
PSL-F031 Overtime Compensation Verification
PAY-F011 Overtime Labor Statement



Prior Approval for: Overtime or CTO

TO: _____

DATE: _____

FROM: _____

REQUEST PRIOR APPROVAL FOR:

Overtime CTO

Begin and End Date(s):
Time (From – To):
Maximum Hours:
Reason and/or Duties and Responsibilities to be Performed:
Deadline Date to Complete Duties and Responsibilities:

Employee Signature

Date

Approved (Supervisor)

Date

Disapproved (Supervisor)

Date



Overtime Compensation Verification

Employee Name: _____

Month: _____

Total Overtime Hours Worked: _____ (see record below)

Compensatory Agreement

Overtime pay at 1.5 times the regular hourly rate.
 Number of actual overtime hours to be paid.

AND/OR

Compensatory time off (CTO) at 1.5 times the overtime hours worked.
 Number of actual overtime hours worked to be taken as compensatory time off.

Employee's Signature _____

Supervisor's Signature _____

Date _____

Date _____

Record of Overtime Worked and Compensated

Date of Overtime Worked	Hours of Overtime Worked	Amount of Paid Overtime	Amount of CTO Overtime	Amount and Date CTO Taken	Amount and Date CTO Taken	Amount and Date CTO Taken	Employee Initials	Supervisor Initials
			x 1.5 =					
			x 1.5 =					
			x 1.5 =					
			x 1.5 =					
			x 1.5 =					
			x 1.5 =					
			x 1.5 =					
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TOTALS								

CTO must be granted and taken within twelve months of the date earned; any time not taken within a twelve month period must be paid. Maximum accrued CTO allowable is 240 hours. Untaken accrued CTO must be transferred with any employee who is reassigned (and a copy of this form to new location). Accrued CTO must be paid to any employee terminated for any reason.

Distribution: Supervisor, Employee, Office Copy for Employee File

Sacramento City Unified School District
PAY-F011 OVERTIME LABOR STATEMENT

NAME					SOCIAL SECURITY No.			
POSITION					LOCATION	DATE		
DATE		OVERTIME HOURS WORKED					DESCRIPTION OF WORK	
MO	DAY	GENERAL	OTHER FUNDING	BILLABLE *	CIVIC	PERMIT NUMBER		
							EMPLOYEE SIGNATURE _____ DATE _____ I hereby certify that the hours worked and described have been performed by the individual named as listed on this labor statement. AUTHORIZED SIGNATURE _____ DATE _____ AUTHORIZED SIGNATURE _____ DATE _____ AUTHORIZED SIGNATURE _____ DATE _____ AUTHORIZED SIGNATURE _____ DATE _____ AUTHORIZED SIGNATURE _____ DATE _____ 1. Labor statements reporting overtime are due in Payroll the first working day of the month. 2. Hours worked are to be reported by day and totaled. Partial hours are to be recorded as .25, .50, .75 rather than ¼, ½, ¾ respectively. 3. Record employee Social Security number in space provided. 4. Before the statements are sent to Payroll, remove the "Location Copy" 5. *Billable hours require the following information to be completed in the section "Description of Work" area: permit number, appropriate signature, organization responsible including contact name, address, and phone #.	
TOTAL HOURS OF OVER TIME =								
ADMINISTRATIVE USE ONLY								
BUDGET DEPARTMENT APPROVED BY:								
DATE/S	HOURS	BUDGET CODE						

- General:** General Funds
- Other:** Specific resources/goals indicated by site (i.e. Title 1, SIP, other than General Funds.)
- Billable:** Site use by other groups/organizations (i.e. Student Activities, PTA, Band Boosters, Student Gov't...)
- Civic:** Site use by external organizations. Requires permit # that always ends with a "P".

PAYROLL -WHITE COPY; LOCATION-CANARY COPY