

Presenter: District
Provision: Article VII, § 3
Title: Overtime
Date: December 4, 2023

Agreed to: Y / N
District Initials: _____
Association Initials: _____

Association's Counter Proposal

Association respectfully declines making changes to custodial overtime language. We are proposing a new section.

Overtime – Classified Central District Office Employees

- A. This provision shall not apply to exempt employees.
- B. In the assignment of overtime, the District agrees to provide the employee with as much advance notice as practicable in the circumstances. Normally, employees designated to work overtime on days *outside their regular work week schedule* will be advised of the possibility no later than twenty-four (24) hours prior to the end of the last shift before the overtime commences.
 - a. Regular Overtime: Any time worked in excess of eight (8) hours per day during the regular work week shall receive pay at the rate of time and one-half (1 ½) times the employee's regular hourly rate of pay. All hours worked beyond forty (40) hours per week including paid leave and paid holidays shall be compensated at the rate of one and one-half (1 ½) times the employee's regular hourly rate of pay.
 - b. Premium Overtime: Saturday and Sundays (*provided that Saturday and Sunday are not part of the regular shift*) and paid holidays shall be paid at double time.
 - c. Schedule Adjust – (Exempt Employees): Exempt employees are not eligible for overtime. As such, any schedule adjustments to balance workload will be coordinated with and approved by the employee's supervisor. Schedule adjustment shall not be denied in a retaliatory, capricious, and/or arbitrary reason.
- C. In the request for overtime, the District recognizes employees will periodically need additional hours to complete tasks and, further, employees will be permitted a minimum allowance of *twenty-four (24) hours* of overtime each semester. There are three semesters in the school year (fall, spring, summer). Employees must notify their supervisor no later than twenty-four (24) hours prior to the end of the last shift before the overtime commences. Additional hours may be granted with supervisor approval.
 - a. Regular Overtime: Any time worked in excess of eight (8) hours per day during the regular work week shall receive pay at the rate of time and one-half (1 ½) times the employee's regular hourly rate of pay. All hours worked beyond forty (40) hours per week shall be compensated at the rate of one and one-half (1 ½) times the employee's regular hourly rate of pay. All paid holidays during the employee's regular work schedule are considered time worked. Leave with pay during the employee's regular work schedule is not considered time worked for purposes of determining overtime eligibility.
 - a. Premium Overtime: Not permitted unless supervisor determines hours to be worked on a Saturday, Sunday, or holiday beyond the scheduled forty (40) hours is necessary. If allowed, employee shall be paid at double time.

- b. **Schedule Adjust – (Exempt Employees): Exempt employees are not eligible for overtime. As such, any schedule adjustments to balance workload will be coordinated with and approved by the employee’s supervisor. Schedule adjustment shall not be denied in a retaliatory, capricious, and/or arbitrary reason.**

District’s Proposal

As proposed on 11/29 (reflected above). The District is open to receiving language clarifying how employees can more easily or effectively request overtime authorization on short notice.

Association’s Counter Proposal

In the assignment of overtime, the District agrees to provide the employee with as much advance notice as practicable in the circumstances. Normally, employees designated to work overtime on days outside their regular workweek will be advised of the possibility no later than twenty-four (24) hours prior to the end of the last shift before the overtime commences.

- A. All hours worked in excess of forty (40) per week shall be compensated at the rate of one and one-half (1 1/2) times the employee’s base pay and/or in accordance with applicable Fair Labor Standards Act regulations. Any and all such overtime hours must be previously authorized by the district. **Paid leave and** Holidays are included in the 40-hour work calculation.
- B. Employees called back on a regular workday or called on the sixth (6th) or seventh (7th) consecutive workday, shall receive no less than two (2) hours pay at one and one-half (1 1/2) times the employee’s base pay.
- C. The **Custodial** employee will not be required to remain on the site for longer than 1 hour in the event the scheduled user has not arrived.
- D. Employee may elect to take comp time per Section 4 - Compensatory Time.
- E. In the event of a district wide **or department** emergency where employees are required to obtain prior authorization for overtime work, the district shall designate a single individual to authorize the overtime. The employee will document their overtime using a district timeslip and signed off by their building administrator or the individual the district designated to authorize the overtime.
- F. Employees shall only be required to submit a signed district timeslip to receive payment for overtime. Any additional documentation required by the district for the employee to receive overtime payment shall be submitted by the supervisor or designee.

G. Schedule Adjust – (Exempt Employees): Exempt employees are not eligible for overtime. As such, any schedule adjustments to balance workload will be coordinated with and approved by the employee’s supervisor. Schedule adjustment shall not be denied in a retaliatory, capricious, and/or arbitrary reason.

H. If an employee recognizes that they need up to an additional hour of overtime they first must reach out to their supervisor. If their supervisor does not respond the district will trust the employee’s judgement and the hour of overtime is approved, the employee must send an email notifying their supervisor. If the following day the supervisor believes the employee did not need that overtime, the supervisor will work with their employee to adjust their work schedule.

Presenter: Association
Provision: Article VI, § 13
Title: Emergency Closing Days
Date: December 4, 2023

Agreed to: Y / N
District Initials: _____
Association Initials: _____

Association's Counter Proposal

Emergency closing days are considered to be regular workdays. Employees who are unable to work during emergency closing days may:

Custodial Job Classifications

- A. Request sick/emergency leave (if appropriate)
- B. Request that the absence be charged as a vacation, personal or floating day.

Non-Custodial Job Classifications

- A. Request sick/emergency leave (if appropriate)
- B. Request that the absence be charged as a vacation, personal or floating day.
- C. Employee may make other arrangements with their supervisor to complete necessary work.

District's Counter Proposal

Current Contract Language

Association's Counter Proposal

Emergency closing days are considered to be regular workdays. Employees who are unable to work during emergency closing days may:

Custodial Job Classifications

- A. Request sick/emergency leave (if appropriate)
- B. Request that the absence be charged as a vacation, personal or floating day.

Non-Custodial Job Classifications

- A. Request sick/emergency leave (if appropriate)
- B. Request that the absence be charged as a vacation, personal or floating day.
- C. Employee may arrive at the worksite when it is possible to do so safely, and then will work with their supervisor to make up hours.