

# Davis Joint USD

## Board Policy

### Employee Compensation

BP 4151 [4251, 4351](#)

#### Personnel

In order to recruit and retain employees committed to the district's goals for student learning, the [Governing Board of Education](#) recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

(cf. 3400 - Management of Districts Assets/Accounts)

(cf. 4000 - Concepts and Roles)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. ~~These~~ schedules shall comply with law and [negotiated collective bargaining](#) agreements and shall be printed and made available for review at the district office. (Education Code [45022](#), [45023](#), [45028](#)[45160](#), [45162](#))

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4312.1 – Contacts)

(4140/4240/4340 - Bargaining Units)

~~The Superintendent or designee shall ensure that the district's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.~~

~~(cf. 4140/4240 - Bargaining Units)~~

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

### Overtime Compensation

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

### Legal Reference:

#### EDUCATION CODE

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

#### GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

#### LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

510 Overtime compensation; length of work day and week; alternative schedules

#### UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

#### UNITED STATES CODE, TITLE 29

201-219 Fair Labor Standards Act, especially:

203 Definitions  
207 Overtime  
213 Exemptions from minimum wage and overtime requirements  
CODE OF FEDERAL REGULATIONS, TITLE 26  
1.409A-1 Definitions and covered plans  
CODE OF FEDERAL REGULATIONS, TITLE 29  
516.4 Notice of minimum wage and overtime provisions  
516.5-516.6 Records  
541.0-541.710 Exemptions for executive, administrative, and professional employees  
553.1-553.51 Fair Labor Standards Act; applicability to public agencies  
COURT DECISIONS  
Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

Internal Revenue Service: <http://www.irs.gov>

School Services of California, Inc.: <http://www.sscal.com>

Policy DAVIS JOINT UNIFIED SCHOOL DISTRICT  
adopted: August 25, 2009 Davis, California