

### **Overtime Pay/Compensatory Time Off**

Employees may receive overtime compensation in the form of monetary wages or compensatory time off (CTO) at the discretion of the supervisor. CTO may be accrued up to a maximum of 240 hours (160 hours of overtime work). An employee who receives CTO must do so pursuant to a written agreement entered into between the district and the employee before the work is performed. (Education Code 45128-45129, Labor Code 204.3)

Employees may use CTO within a reasonable period of the employee's request to do so, provided that this does not unduly disrupt district operations. The district shall make cash payments for CTO which has not been taken within 12 months of its accrual.

No overtime shall be allowed except as authorized by an employee's immediate supervisor.

(cf. 1240 - Volunteer Assistance)

(cf. 4313.1 - Loan/Scheduling/Hours of Employment)

Legal Reference:

#### EDUCATION CODE

45127 Workweek

45128 Overtime

45129 Compensatory time off

45130 Exclusion from overtime provisions

45131 Workweek; five consecutive days; overtime

45132 Four-consecutive-day workweek

#### LABOR CODE

204.3 Compensating time off in lieu of overtime compensation

#### PENAL CODE

424 Embezzlement and falsification of accounts by public officers

#### UNITED STATES CODE, TITLE 29

201-216 Fair Labor Standards Act

CODE OF FEDERAL REGULATIONS, TITLE 29

511-800 Department of Labor Relations

785.12 Overtime suffered or permitted

People v. Theresa Groat (1993) 19 Cal.App.4th 1228

Regulation FRESNO UNIFIED SCHOOL DISTRICT

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