

Employee Compensation Policy

In order to recruit and retain employees committed to the Charter's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package which includes salaries and 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 shall be printed and made available for review at the office. (Education Code 45022, 45023, 45160, 45162, 45268)

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 education level and years of experience, unless the Charter and employee 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)

The Charter 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)

In extraordinary circumstances or emergency situations, the Board may determine to continue to compensate employees during periods of extended closure or disruption of normal Charter operations when permitted by law and memoranda of understanding.

The Executive Director 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

Charter employees shall be paid an overtime rate of not less than one and one-half times their regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week, or twice their regular rate of pay for any hours worked in excess of 12 hours in one day or eight hours on the seventh consecutive day of work.

However, teachers, school administrators, and other employees in positions established by the Board as executive, administrative, or professional shall be exempt from overtime rules. (Education Code 45128, 45130; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

Legal Reference: Education Code, Sections 45022-45061.5; 45023; 45028; 45127-45133.5; 45160-45169; 45268;
Government Code, Sections 3540-3549; 3543.2; 3543.7;
Labor Code, Sections 226; 232
California Code of Regulations, Title 8, Section 11040
United States Code, Title 26, Section 409A
United States Code, Title 29, Sections 201-219; 203; 207; 213
Code of Federal Regulations, Title 26, Section 1.409A-1
Code of Federal Regulations, Title 29, Sections 516.4; 516.5-516.6; 541.0-

541.710; 553.1-553.51

Court Decisions:

Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Policy Adopted: