

SEIU Initial Proposal 6-7-2024
District Counter 7-24-2024
SEIU Counter 10-18-2024
District Counter 4-29-2025

1/29/2025 202
PM

UNIT C
ARTICLE IX

HOURS AND OVERTIME

1.0 **General Provisions:**

1.1 The workyear of employees shall be determined by the District in accordance with the Assignment Bases established in Board Rule 1990 attached hereto as Appendix B. The District reserves the right to add new bases or modify existing bases to meet the operational needs of the District.

Current Contract Language

1.2 The workweek of employees shall normally be Monday through Friday, provided, however, that the District may establish a different workweek for particular employees, classes, or shifts as required to meet the operational needs of the District. However, when the District establishes a different workweek for any classification of employees, it shall notify the Union of its intent 10 working days before change is effective and upon request shall bargain with the Union over the impact and effects of the change to the affected classification of employees. Such bargaining shall not delay the implementation of the change.

1.3 Full-time employment for employees shall be based on a forty (40) hour workweek of eight (8) hours per day, or a thirty-five (35) hour workweek of seven (7) hours per day, exclusive of meal periods. Employees' daily hours of work and shifts shall be established at the discretion of the District to meet the operational needs of the District.

Current Contract Language

1.4 Prior to any substantial change of a permanent nature that affects a group of employees' work week, daily hours of work, and/or work shift, the employees involved shall be given reasonable advance notification. The Union shall be advised and provided an opportunity to consult with the District regarding such a substantial change for a group of employees. However, these consultation rights shall not operate to stop or stay the change during such consultation.

- a. Prior to a permanent change of a work week from Monday to Friday, the District will:
- (1) Give the employee(s) in the affected classification four (4) weeks' notice.
 - (2) Request volunteers to assume the work week change.
 - (3) Give priority to the employee who assumed the new work week to return to a Monday to Friday work week should a vacancy occur.

1.5 – 1.7 – No Changes

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1.8 Assuming no substitute relief is provided, the District shall equitably distribute an absent employee's workload among other employees in the same classification reporting to the same supervisor when such absence is prolonged (or daily, in the case of Building and Grounds Workers) or is the result of a reduction in position(s) at the site. The foregoing provision is inapplicable to employees in pupil transportation.
Hold on response.

1.9 – No Changes

2.0 Overtime: To the extent practicable, the District shall use reasonable efforts to distribute overtime work equitably among the qualified employees of an office, operational unit, or work group with consideration given to District need and employee availability in making the distribution. Employees shall be responsible for updating their contact information with the appropriate office, operational unit, or work group so that they may be contacted when an overtime opportunity becomes available. Upon reasonable notice of not less than twelve (12) hours except in cases of emergency, an employee shall be required to work overtime as needed. If an employee is not available for an overtime assignment, it shall be without prejudice to consideration of that employee for subsequent overtime assignments. A record of overtime hours worked by each employee in an office, operational unit, or work group shall be kept for each work year and shall be made readily available to employees and/or the Union. ~~Overtime limits for bus drivers shall be as provided in the September 5, 1989 interoffice correspondence entitled "Exemption From Overtime Policy Transportation Branch".~~ Though an employee may be required to work overtime upon reasonable notice, an employee cannot be required to work more than 44 hours of overtime in a month, except in the case of a fire, flood, earthquake, epidemic, emergency created by war as declared by federal or state authorities, when needed to work as disaster service workers under the law or other bona fide emergency situations (e.g., cyber attack, airplane fuel spill). No subcontracted employee shall be offered any overtime hours before all eligible district employees at the site/location have been offered the work.

- a. Bus Drivers: In order to meet operational needs, Bus Drivers may exceed 44 hours of overtime in a month and will maintain an overtime cap of 528 hours per fiscal year. Overtime hours will continue to be distributed equitably among qualified employees as noted in 2.0 above.
- b. In the event of last-minute trips, field trips, or emergencies, the closest available driver will be assigned, with preference given to District drivers.

2.1 – 2.2 – No Changes

2.3 Employees assigned an average workday of less than four (4) hours shall be compensated at a rate equal to one and one-half (1-1/2) times the regular rate of pay for any work authorized and performed on the seventh (7th) day following the

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commencement of the regular workweek, or for hours worked in excess of eight (8) hours in one day or hours worked in excess of forty (40) hours in a calendar week.

Current Contract Language

2.4 When an employee is authorized and required to work on any day recognized as a holiday under this Agreement, he/she shall be compensated, in addition to regular pay received for the holiday, at the rate of one and one-half (1-1/2) times the regular rate of pay for actual hours worked.

Current Contract Language

3.0 Meal Period: Employees who are assigned for duty for at least six (6) hours per day shall be entitled to a minimum thirty (30) minutes duty-free, unpaid meal period. The meal period shall be scheduled by the appropriate administrator at any time other than during the first or last hour of the assignment, but whenever practicable it shall be scheduled at approximately the half-way point of the work schedule. Employees who are interrupted during their meal period and who are required to perform duties will be considered on duty for the duration of the interruption and such time will count as time worked and compensated at the appropriate rate of pay.

Current Contract Language

4.0 – 6.0 – No Changes

6.1 Transportation: Temporary Additional Hours: Temporary, additional hours available shall be distributed equitably first among those qualified District employees at an area who volunteer for such hours provided, however, that such increase in hours should not result in making part-time employees full-time. These temporary additional hours will not adjust a driver's bid priority number, status or work area. Hours shall be distributed to employees who have volunteered up to 8 hours a day and/or 40 hours a week and may work overtime as the operations require. The parties agree to discuss the method of reporting additional hours in the Labor Management Committee.

The parties commit to continued conversations in the Labor Management Committee about assigning more permanent hours to bus drivers, when consistent with the needs of the service. The results of the study shall be provided to the negotiations team for bargaining.
Hold on response.

7.0 – 7.1 – No Changes

8.0 Employee Job Training: If an employee is directed to attend any job-related workshop, in-service training session, or other similar activity as a condition of continued employment, such attendance shall be considered as time worked and be compensated at the appropriate rate of pay. This provision does not apply toward the obtainment or renewal of professional degrees, licenses, or certificates (including driver licenses and school bus driver certificates) or in meeting employment requirements established at the time of initial entry into the job class.

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Hold on response.

9.0 – No Changes

New Section Unassigned days

~~Employees shall be paid at their regular rate of hours and pay during all unassigned days.~~

~~There shall no longer be unpaid unassigned days.~~

See Proposed Sideletter