ARTICLE 14

WAGES AND HOURS

14.1 Salary

The salary schedule for 2015/2016 shall be increased by 1.55% retroactive to January 1, 2016.

In subsequent years, should any other bargaining unit receive an increase in salary or any other form of compensation based on the faculty ranking system currently utilized by the District, the District agrees to reopen salary negotiations with CSEA.

14.2 Work Week

The established work week for unit employees shall be from 12:01 a.m. Sunday to 12:00 Midnight the following Saturday.

Unit employees of the Rancho Santiago Community College District may select one of the following unit schedules by agreement with their supervisor. All hours are exclusive of unpaid meal breaks. The designation of the established work week shall not preclude the unit member and supervisor from mutually agreeing to a temporary alteration of the work schedule.

a. 9/80 work schedule, consisting of nine consecutive hours per day, 80 hours per two weeks consisting of eight 9 consecutive hour days and one 8 consecutive hour day.

b. 36/4 work schedule, consisting of four 9 consecutive hour work days and one 4 consecutive hour work day as follows: Monday through Thursday 9 consecutive hours a day, 4 consecutive hours on Friday.

c. 4/40 work schedule, consisting of 4 days per week, 10 consecutive hours a day.

d. 5/40 work schedule, 5 days per week, 8 consecutive hours a day.

14.2.1 For unit employees working the 9/80, 36/4 or 4/40 work schedules, overtime shall be earned after 9 hours per day under the 9/80 or 36/4 schedules, and 10 hours under the 4/40 work schedule.

14.2.2 The work week shall be defined so that no employee will be required to work more than 40 hours during any given work week, without the payment of overtime.
14.2.3 Holiday leave is granted based upon eight (8) hours equaling a day. Hours absent due to sick leave, vacation, personal necessity, and bereavement leave are subtracted from accrued/granted hours based upon actual hours absent due to illness, personal necessity, vacation, or bereavement leave.

14.3 Work Schedules

14.3.1 Work schedules may be adjusted during any day or week in order to meet District requirements; however, an employee will be notified of any change in hours or schedule as far in advance as is possible.

CSEA reserves the right to meet and confer over any work schedule change of an employee prior to implementation.

14.3.2 Employees working less than twelve (12) months per year shall be provided their work schedule at the time of initial hire. Hourly/on-going employees shall be provided a schedule of work hours at the time of hire.

14.3.3 It is understood that when a new shift is created for a classification and the intent is to fill the position with existing staff the most senior employees shall be given their preferences. Seniority shall be based upon District seniority within the classification.

14.3.4 If an opening on a particular shift should occur, and the intent is to use existing staff, the employee with the greatest seniority shall be given first choice to move to the vacant shift. The district shall assign the least senior person in the classification, should there be no volunteers.

14.4 Swing/Graveyard

14.4.1 All salaried employees scheduled on a regular basis with one-half (½) or more of the daily hours between 5:00 p.m. and 12:00 a.m. shall receive additional monthly pay of five percent (5%) and shall be employed, with Board approval, at the differential rate (Swing).

All salaried employees on a regular scheduled basis with one-half (½) or more of the daily hours between 12:00 a.m. and 6:00 a.m. shall receive additional monthly pay of seven and one-half percent (7½%) and shall be employed, with Board approval at the differential rate (Graveyard).

14.4.2 All salaried employees whose workweek includes days which do not qualify for night differential pay shall receive differential pay for those shifts which include one-half (½) or more of the daily hours between 5:00 p.m. and 6:00 a.m.

14.5 Hours Worked
For purposes of computing the hours worked, time during which the unit employee is excused from work because of holidays, sick leave, vacation, or other paid leave of absence shall be considered as time worked by the unit employee.

14.6 Overtime

14.6.1 Unit employees shall be compensated at the rate of one and one-half (1½) times the regular rate of pay for overtime.

14.6.2 Overtime includes:

**Holidays** - Work on a holiday whether as part of the member's normal workweek or as required and authorized by his/her supervisor. Employees shall receive holiday pay equal to the hours worked at straight time plus the hours worked at the overtime (1½) rate.

**Days** - Work in excess of eight (8) hours if regularly scheduled for a five (5) days week or ten (10) hours if regularly scheduled for a four (4) day week in any one (1) day or in excess of forty (40) hours during any work week, except for those classifications subject to fluctuations in daily working hours exempted by action of the Board of Trustees.

**Hourly On-going** - Hourly on-going employees working four (4) hours or more for five (5) consecutive days, on the sixth (6th) and seventh (7th) day; hourly on-going employees working less than four (4) hours for five (5) consecutive days, on the seventh (7th) day. All hours worked beyond eight (8) consecutive hours shall be paid at the rate of one and one-half (1½) times the regular rate of pay for overtime or employees shall receive compensatory time at the rate of one and one-half (1½) times the overtime hours worked.

14.6.3 Overtime pay shall be in addition to any pay received for defined holidays.

14.6.4 All overtime must receive prior approval from the immediate supervisor or appropriate administrator. Any compensation denied for overtime worked may be appealed by the unit member to the next level supervisor.

14.6.5 Overtime may be required if volunteers are not available, for temporary need.

14.6.6 Scheduled overtime shall be offered on a rotation basis to all employees within their respective departments who are qualified to perform the respective assignments. Scheduled overtime shall be identified as overtime in which the district had knowledge of the required work prior to the need. If an unforeseen event occurs resulting in less than the equivalent to one shift’s notice to the District (i.e. sick call less than 1 shift in advance of scheduled hours) occurs, the District shall not be bound by the rotation requirements. A list of all full-time employees within each department shall be created and used for offering overtime
on a rotation basis. This list shall remain constant with new employees being added to the bottom of the list in the order hired. No employee shall be removed from the list until the Board of Trustees has approved a permanent status change of title or site. Employees who are on leave when overtime is offered shall be deemed as not available and the next person on the list shall be offered the overtime. Employees engaged in an on-going task requiring overtime may be assigned the overtime in lieu of the rotational list. It is understood that on-site employees shall be offered the overtime prior to going to off-site employees.

The overtime schedule of hours worked shall be posted and made available to all employees. Upon request, the supervisor shall provide the unit member with a written statement of reasons for non-selection of any overtime assignment.

14.6.7 Unit employees contacted at home or other off-site location, either by or at the direction of a supervisor or other authorized administrator, shall be eligible for overtime compensation in fifteen (15) minute increments at a minimum of thirty (30) minutes, if required to perform services for the District over the telephone, via computer, or other forms of electronic communication. This section is not intended to confer eligibility for overtime to employees who are contacted via telephone for minor or routine questions.

14.7 **Compensatory Time**

Unit employees at the time of overtime assignment shall be granted upon request compensatory time off in lieu of cash payment, for overtime subject to the annual maximum prescribed in the federal Fair Labor Standards Act. Compensatory time off shall be earned at the rate of one and one-half (1½) hours for each hour of overtime worked. All overtime must receive prior approval from the immediate supervisor.

Approved and earned compensatory time may be used to extend vacation and/or sick leave. Such compensatory time off shall be requested by the employee and taken within twelve (12) calendar months following the month in which the overtime was worked. Management shall make every effort to accommodate the date(s) requested by the employee provided the request does not impair services rendered by the District. An employee may not accrue more than two hundred forty (240) hours of compensatory time; all overtime worked once the employee has accrued two hundred forty (240) hours shall be paid overtime. In the event the District prevents the employee from taking the compensatory time off in the time frame stated above, the District shall pay the employee for such time it prevented the employee from taking.

14.8 **Lunch Periods**

Unit employees employed five (5) or more hours per day shall receive an unpaid lunch period of a minimum of one-half (½) hour and a maximum of one (1) hour at the approximate midpoint of their workday in accordance with their regular assignment and classification.
14.8.1 The employee may take his/her lunch period at a more convenient time with the consent of the designated supervisor or administrator.

14.9 Rest Periods

Employees are entitled to one (1) fifteen (15) minute rest period within each four hours of continuous work as scheduled by their designated supervisor or administrator. Rest breaks are normally noncumulative and may not normally be taken during the first or last hour of the work day, or immediately prior to or after the lunch period without advance approval of the designated supervisor or administrator.

14.10 Frequency of Compensation

Unless hindered by events beyond the District's control and in accordance with the published Orange County Department of Education Time Schedule for School Payrolls:

14.10.1 All salaried employees shall be paid on the 10th and 25th of the month, unless that day falls on a holiday or weekend. If this should occur, the employee shall be paid on the last working day before the 10th or 25th.

14.10.2 Payroll issue dates shall be in accordance with the published Orange County Department of Education Time Schedule for School Payrolls.

14.10.3 Repayment of Overpayment - In the event of an overpayment to a unit employee, the District agrees to make every effort to work out an acceptable repayment plan with the affected employee. If the overpayment is for an amount more than $100, and the employee and District are unable to agree on a repayment plan, the District agrees not to withhold more than 10% of the amount owed from each paycheck until such overpayment is repaid.

14.10.4 Any payroll error resulting in insufficient payment for a classified employee shall be corrected, and a supplemental check issued, within five (5) days after discovery of the error or the classified employee provides notice to the payroll department, whichever occurs first.

14.11 Temporary Assignment to a Higher Class

When a unit employee is temporarily assigned to a higher classification for more than three (3) days within a fifteen (15) day period, the employee will have his/her salary adjusted for the entire period he/she is required to work in that higher classification. He/she shall receive at least a 5% increase.

14.12 Call Back
If called back to work after the normal workday, or on a day when the employee is not scheduled to work, the employee will receive at least three (3) hours compensation at the appropriate rate of pay.

14.13 Fringe Benefits of Hourly On-Going Employees

Hourly on-going employees who work a minimum of thirty (30) minutes per day in excess of his/her hourly assignment for a period of twenty (20) consecutive work days or more shall have his/her basic assignment changed to reflect longer hours in order to acquire fringe benefits on a properly prorated basis.

14.14 Positions Requiring Bilingual Ability

Any position which is designated as requiring the ability to speak English and one or more other languages shall receive additional monthly pay of two and one-half percent (2½%) and shall be employed with Board approval at the differential rate. The District shall consult with CSEA if it is determined that a position no longer requires bilingual ability.

These provisions do not prevent employees from using bilingual abilities on an incidental basis. It is understood that because an employee is bilingual does not mean that they will receive a stipend, but rather, management will determine the appropriate stipend based on the needs of the District.

14.15 Appointment and Step Advancement

Effective 7/1/90, new unit employees will be appointed to the first (1st) step of the level to which appointment is made. Movement to step two (2) and succeeding steps will occur July 1 of each year (one step per year). All current salaried employees who are due a step increase between July 1, 1990, and June 30, 1991, will receive said step increase effective July 1, 1990. An employee who completes sixty percent (60%) of the assigned work year in a classification shall be eligible for a step movement the following July 1st. This sixty percent (60%) requirement applies to new hires and promotional appointments. This provision applies to positions of twenty (20) hours or more per week only.

The District in its sole discretion shall have the authority to place new salaried employees at a step higher than step one (1), where necessary for recruitment purposes. Movement will be made each succeeding July 1 (one step per year). An employee who completes sixty percent (60%) of the assigned work year in a classification shall be eligible for a step movement the following July 1st. This sixty percent 60% requirement applies to new hires and promotional appointments. This provision applies to positions of twenty (20) hours or more per week only.

An employee who has not completed sixty percent (60%) of his/her assigned work year in a classification by July 1st shall be eligible for a step increase the following July 1st retroactive back to the employee's 13th month of employment.
14.16 Longevity Pay

Longevity pay of two and one-half percent (2½%) shall be awarded to all classified unit employees on the first (1st) day of the month following the completion of ten (10) years of service from the initial hire date.

An additional two and one-half percent (2½%) shall be awarded employees on the first (1st) of the month following the completion of fifteen (15) years of service from initial hire date.

An additional two and one-half percent (2½%) shall be awarded employees on the first (1st) day of the month following the completion of twenty (20) years of service from initial hire date.

An additional two and one-half percent (2½%) shall be awarded employees on the first (1st) day of the month following completion of twenty-five (25) years of service from initial hire date effective June 30, 2016.

An additional two and one-half (2½%) shall be awarded employees on the first day of the month following the completion of thirty (30) years of service from initial hire date.

<table>
<thead>
<tr>
<th>Completed Years of Service</th>
<th>Longevity Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ten (10) Years</td>
<td>2 ½%</td>
</tr>
<tr>
<td>Fifteen (15) Years</td>
<td>5%</td>
</tr>
<tr>
<td>Twenty (20) Years</td>
<td>7 ½%</td>
</tr>
<tr>
<td>Twenty-five (25) Years</td>
<td>10%</td>
</tr>
<tr>
<td>Thirty (30) Years</td>
<td>12 ½%</td>
</tr>
</tbody>
</table>

Employees currently receiving a stipend at eighteen (18) years will be grandfathered until they reach their next longevity step increase at year twenty-five (25) years. Employees currently at the thirty (30) years will receive an additional 2 ½ increase due to the additional step being added to the Longevity Pay scale.

14.17 Change in Position Due to Promotion or Reclassification

Notwithstanding the provisions for step advancement as stated in section 14.11, any employee who is promoted or reclassified to a position in a grade having a higher salary range shall be placed on a step that affords at least five percent (5%) additional compensation as of the date upon which the appointment becomes effective. Such employees shall be granted a step increase at the end of one (1) year of service in the higher grade and shall be granted additional step increases every twelve (12) months thereafter up to a maximum of step six (6). All employees who are promoted to a higher
grade will be considered on probation in the higher grade for the first six (6) months of service, but shall retain permanent status in the former grade.

14.18 Special Classes

Unit employees required to attend any training or required classes after their initial hiring date shall be compensated for such hours of classes required and reimbursed for any and all fees.

14.18.1 The District shall train unit employees in the safe and proper use of equipment, materials, and/or chemicals that they are required to use.

14.18.2 If a unit employee is required by the District to attend a class, the District shall reimburse the employee for any required textbooks and any other required costs mandated by the class. Proof of expenditure and necessity of such expenditure must be provided in writing to the District prior to reimbursement. Prior to taking the required class, the employee shall secure necessary signatures on the appropriate District form. Forms may be picked up at the Human Resources Office.

14.19 Hourly On-Going Employees Working Nineteen (19) Hours or Less Per Week

14.19.1 Prorated vacation accrual, sick leave, and paid holidays for eligible employees will be provided effective July 1, 1984.

14.19.2 Employees working in 1984/85 who were classified employees in 1983/84 will receive retroactive vacation and holiday credit for 1983/84 on the following basis:
   a. Vacation accrual as earned;
   b. Ten (10) days maximum holiday credit prorated on the basis of number of hours worked during the month of March, 1984; hours to be credited to vacation accrual.
   c. Notification of accumulated vacation and sick leave for the current year will be provided at least once each year.

14.20 Social Security Alternative For Hourly On-Going Employees

Effective January 1, 1998, all hourly on-going employees who are not members of The Public Employers’ Retirement System (PERS) shall be enrolled in the Public Agency Retirement System (PARS) in lieu of social security. The hourly on-going employee shall contribute 6.2% of his/her earnings to this plan and the District shall contribute an amount equal to 1.3% of the hourly/on-going employees earnings to this plan. All administrative costs associated with this plan shall be paid from the 1.3% District contribution. If the administrative costs associated with this plan exceed the amount contributed by the District, the District shall pay those additional costs.