

775 WORKING PERIODS

Education Code Section

88026. The workweek of a classified employee, as defined in Section 88033 or Section 88076, shall be 40 hours. The workday shall be eight hours. These provisions do not restrict the extension of a regular workday or workweek on an overtime basis when such is necessary to carry on the business of the district. Nothing in this section shall be deemed to bar the district from establishing a workday of less than eight hours or a workweek of less than 40 hours for all or any of its classified positions.

Notwithstanding the provisions of this section and Section 88027, a governing board may, with the approval of the personnel commission, where applicable, exempt specific classes of positions from compensation for overtime in excess of eight hours in one day, provided that hours worked in excess of 40 in a calendar week shall be compensated on an overtime basis. Such exemption shall be applied only to those classes which the governing board and personnel commission, where applicable, specifically find to be subject to fluctuations in daily working hours not susceptible to administrative control, such as security patrol and recreation classes, but shall not include food-service and transportation classes.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.

Government Code Section

6806. A day is the period of time between any midnight and the midnight following.

Labor Code Section

500. For purposes of this chapter, the following terms shall have the following meanings:

- (a) “Workday” and “day” mean any consecutive 24-hour period commencing at the same time each calendar day.
- (b) “Workweek” and “week” mean any seven consecutive days, starting with the same calendar day each week. “Workweek” is a fixed and regularly recurring period of 168 hours, seven consecutive 24-hour periods.

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

775

April 6, 2022

LAW AND RULES

(c) "Alternative workweek schedule" means any regularly scheduled workweek requiring an employee to work more than eight hours in a 24-hour period.

- A. "Day" and "calendar day" are synonymous when either term is used in the rules.
- B. "Working day" and "workday" are synonymous when either term is used in the rules.
- C. A working day is any day for which an individual employee receives compensation, regardless of the number of hours in a day for which compensation is received, with the following exceptions:
 - 1. A work shift that begins in one day and ends in the succeeding day shall be considered one working day.
 - 2. Working hours for which only overtime compensation is received shall not be considered a working day.
- D. A working day is that part of a 24-hour period during which an employee is scheduled to work in accordance with their specific assignment(s).
- E. A workweek is that part of a seven-day period during which an employee is scheduled to work in accordance with their specific assignment(s). A typical workweek consists of not more than forty hours, usually served in five consecutive days within a seven-day cycle.
- F. Nothing in this Rule shall be deemed to restrict the District from:
 - 1. extending the regular working day or workweek on an overtime basis when such is necessary to carry out the business of the District.
 - 2. providing alternative workweek schedules, such as a four/forty (4/40) or nine/eighty (9/80) work schedule.
- G. A pay period shall consist of the total workdays or total work hours during a calendar month. There are twelve monthly pay periods each year, one for each month. The provisions of Personnel Commission rules which are based on pay periods shall not be affected by any temporary reduction in working days in a month.
- H. Pay frequency refers to the number of times an employee receives a paycheck during a single monthly pay period. Represented classified employees typically receive two paychecks during a monthly pay period. Unrepresented classified employees typically receive one paycheck in a monthly pay period.

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

775

April 6, 2022

LAW AND RULES

- I. When assignments are made, split shifts shall be avoided whenever possible. No classified employee shall be obliged to accept more than one intermission, other than the customary meal period, between their assigned hours of duty.
- J. The minimum salary guarantee for employees who have reported for and remained on duty in accordance with authorized instructions is fixed at two hours of pay in any one working day, unless they are assigned for a shorter period on a continuing basis. The provisions of this paragraph will be superseded if such provisions are included in current collective bargaining agreements.
- K. Necessary modifications in assignment basis code definitions are made by the Board of Trustees. Any reference to an assignment basis code in a Personnel Commission rule shall be interpreted in terms of the latest basis code definition as approved by the Board of Trustees.