

ASSEMBLY BILL

No. 226

Introduced by Assembly Member Atkins

February 4, 2013

An act to add Section 45133.5 to the Education Code, relating to school employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 226, as introduced, Atkins. Classified employees: workweek.

Existing law generally prescribes the workweek of a classified school employee to be 40 hours, and prescribes the workday to be 8 hours. Existing law also authorizes the governing board of a school district or a county superintendent of schools to establish a 9-hour-per-day, 80-hour-per-2-week work schedule, subject to the concurrence of the employee organization, or, absent an employee organization, subject to the concurrence of the affected employee. Existing law generally provides for the payment of overtime compensation for hours worked in excess of the required workday, except as specified.

This bill would also authorize the governing board of a school district or a county superintendent of schools to establish a 12-hour-per-day, 80-hour-per-2-week work schedule for school police officer dispatchers, subject to the concurrence of the employee organization or the employee. The bill would require the payment of overtime compensation for hours worked in excess of the required workday, as specified, and would require the workweek to be defined so that no employee will be required to work more than 40 hours during any given workweek.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 45133.5 is added to the Education Code,
2 to read:
3 45133.5. (a) Notwithstanding Sections 45127 and 45131, a
4 governing board of a school district or a county superintendent of
5 schools may establish a 12-hour-per-day, 80-hour-per-2-week
6 work schedule for school police officer dispatchers, provided the
7 establishment of the work schedule has the concurrence of the
8 employee organization, or in the absence of an employee
9 organization, the concurrence of the affected employee.
10 (b) When a 12-hour-per-day, 80-hour-per-2-week work schedule
11 is established, it shall consist of seven work days, six of which
12 shall be 12-hour days, and one of which shall be an eight-hour
13 day. The overtime rate shall be paid for all hours worked in excess
14 of the required workday, at a rate equal to one and one-half times
15 the regular rate of pay for the employee designated and authorized
16 to perform the work.
17 (c) When a 12-hour-per-day, 80-hour-per-2-week work schedule
18 is established, the workweek shall be defined so that no employee
19 will be required to work more than 40 hours during any given
20 workweek.