

# Santa Barbara Unified School District Board Policy

BP 4313.1

## Management and Confidential Personnel

### LOAD/SCHEDULING/HOURS OF EMPLOYMENT

The Governing Board designates in accordance with law salaried positions which are exempt from overtime. Persons holding these positions work whatever hours are necessary in order to fulfill their assignments. Their positions are set apart from other positions by virtue of the duties, flexibility of hours, salary, benefit structure and authority which they entail.

Employees serving in positions excluded from overtime shall not be unreasonably discriminated against as a result of the exclusion. (Education Code 45130)

Exempt employees' pay shall not be subject to salary deductions for absences of less than a day.

#### Confidential Employees

Confidential employees may be designated as exempt employees depending on job requirements.

#### *Legal Reference:*

EDUCATION CODE

45130 Exclusion from overtime provisions

UNITED STATES CODE, TITLE 29

201-215 Fair Labor Standards Acts

CODE OF FEDERAL REGULATIONS, TITLE 29

511-800 Department of Labor Relations

COURT DECISIONS

Abshire v. County of Kern, (9th Cir. 1990) 908 F.2d 483

SANTA BARBARA UNIFIED SCHOOL DISTRICT  
Santa Barbara, California January 26, 2010