

ARTICLE XII

SALARIES

1.0 Salary Allocations: Salary allocations shall be to the Master Salary Table or other salary tables for positions covered under this Agreement, as appropriate. Allocation shall be to a rate no less than the minimum nor more than the maximum of the salary schedule of the class to which the employee is assigned, unless otherwise specifically authorized by the Board of Education.

An employee with less than a full-time assignment to a position shall receive the same fraction of full salary for the position which the fraction of assignment bears to the full-time assignment.

The parties agree that, if and when the District resources may permit salary increase-related discussions, it will be appropriate to consider addition of a Step 6 and/or new career increment(s) to the Master Salary Table (MST).

2.0 Step Advancement: A certificated employee not on the maximum step of the schedule to which allocated shall receive a step advancement effective July 1, in accordance with the following:

a. The employee must have been paid on the current or higher schedule for the number of hours corresponding to 130 full-time days during the previous school year.

b. Paid time while on leave to serve full-time in another class paid on the same or higher schedule or an hourly rate shall also count as paid time in the class from which on leave.

c. Time on exchange, position, federal grant, full-time American Red Cross or Merchant Marine during national emergency, member of legislative body, military, organization, and paid absences/leaves shall count as paid time in the class from which on leave, provided the employee furnishes the Accounting and Disbursements Division verification of time spent on such leaves.

d. An exception shall be made to the above requirements and step advancement shall be granted to an employee who received salary for at least 90% of the number of hours required for such advancement, when the failure to receive salary for the required number of hours was as the result of an illness or injury which arose out of and in the course of employment with the District, and which qualifies under the workers' compensation laws of the State.

e. If step advancement, reallocation, reclassification of a class, promotion, or demotion becomes effective on the same date, salary determination for the employees affected shall be made in accordance with the following sequence:

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- (1) Step advancement,
- (2) Increase or decrease on the basis of reallocation or reclassification of the date
- (3) Increase or decrease on the basis of promotion or demotion.

(f) Reassignment to an equal or lower class shall not affect the employee's cycle of step advancement. (Amended 12/19/88)

3.0 Definitions of Promotion, Demotion, Reallocation and Reclassification:

3.1 A promotion is a change in an employee's assignment, other than reallocation or reclassification, from a position in one class to a position in another class with a higher maximum salary rate.

3.2 A demotion is a change in an employee's assignment, other than by reallocation or reclassification, from a position in one class to a position in another class with a lower maximum salary rate.

3.3 For purpose of salary comparisons in defining promotion and demotion, maximum rates on hourly-rate schedules shall be converted to pay-period rate equivalents for a full-time position in the hourly-rate class, which for the sole purpose of this rule, shall be 120 hours per pay period.

3.4 A reallocation is a change in the salary allocation of all positions in a class from one salary schedule on a table to another salary schedule on the same or different salary table on the basis of either internal or external alignment of a change in the salary-setting basis for the class.

3.5 A reclassification is the transfer of a position from one class to another class on the basis of a gradual accretion or gradual reduction of duties and responsibilities.

4.0 Salary When Reassigned to a Higher Class: Upon promotion or reallocation/reclassification upward to a higher-paid class, an employee shall be paid the lowest pay period rate of the higher salary schedule that provides a minimum increase of 2.5 percent over the employee's pay period rate in the lower class; such new salary rate shall not exceed step 5 on the Salary Schedule to which the employee is promoted. When reassigned to a higher class on the Master Salary Table from a class paid on a different salary table, any degree differential, responsibility differential, and career increment(s) to which the employee is entitled in that former class shall be included in determining the salary allocation to the Master Salary Table.

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The foregoing salary allocation policy shall be subject to the following provisions:

a. If an employee is on a reassignment list established under Article IX, 4.0 which is higher than the current assignment, the employee shall be allocated to the step in that former class and allowed step advancement previously earned in such class, and shall be allocated from the salary schedule of such former class.

b. If an employee is reassigned to a former higher class/schedule within 39 months after termination of an assignment from the higher class/schedule, the employee shall be allocated to the former step on the schedule for the class and allowed step advancement previously earned on the schedule, or shall be allocated as provided above, whichever is to the employee's advantage.

c. If a promoted employee would have received an increase in the former class within three calendar months of the reassignment to a higher class, the employee's step placement shall be recomputed at the time the increase in the former class would have occurred.

d. The salary rates provided for substitutes shall be in accordance with Section 8.0 below.

5.0 Salary Rate When Assigned to a Class on the Master Salary Table Having a Lower Schedule Number: An employee assigned to a class having a lower schedule number on the Master Salary Table than that of the class from which assigned shall be allocated to the same rate if it appears on the lower schedule number, or, if the rate does not appear, the next rate above the former rate.

6.0 Salary Rate When Transferred to a Class Having the Same Schedule Number: An employee transferred to a class having the same schedule number as that of the former assignment, shall be allocated to the same step number.

7.0 Salary Rate When Assigned as a Temporary Adviser:
An employee on leave from a regular Master Salary Table position to serve as a Temporary Adviser, Master Salary Table may be paid on the schedule number of the position from which on leave including any location differential(s) to which entitled.

8.0 Salary Rates for Substitute Employees with Regular Status:
Substitute salary for an employee with regular status, as defined in Article IV, 2.0, who serves in substitute status in another class shall be determined as follows:

a. Substitutes under this Section shall be paid for substitute service during any period in which the employee is assigned and substitutes for five or more consecutive working days; salary rates for such substitutes shall be the

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same rates provided to employees who are reassigned to a class in accordance with Sections 4.0 and 5.0 above.

b. There shall be no salary adjustment when substitute service under this Section is for less than five days; the salary of the employee's regular position shall be paid.

c. When an employee is assigned during the school year to regular status in a class in which serving as a substitute, the employee shall receive for the remainder of the school year the same salary rate that the employee was receiving as a substitute.

d. When an employee paid at an hourly rate is assigned as a substitute in a class paid at a pay period rate, the employee shall receive the rate on the new salary schedule as a new substitute employee in the class to which assigned.

9.0 Eligibility for Career Increments: A career increment is a salary differential for longevity. An employee who has been paid for one year on the highest step of the Mastery Salary Table schedule shall qualify for the first career increment provided each of the following requirements are met:

a. Fifteen school years of service in the District. Five years of service outside of the District that is creditable for rating-in purposes on the Preparation Salary Table may satisfy part of the fifteen-year requirement.

b. Ten school years of service on the Master Salary Table. This requirement shall be reduced by one year, not to exceed a total of six years, for each year that a career increment was received on the Preparation or Special Services Salary Tables.

To be eligible for the second career increment, (50% greater than the first career increment), the employee must have been paid on the first career increment for five years while meeting step advance requirements.

A school year during which the employee was paid for sufficient time to qualify for step advance shall be deemed a year of service for the purpose of this Section. Service rendered prior to a break in service greater than 39 months shall not be considered for the fifteen school years in requirement (a) nor shall service rendered prior to a break in Master Salary Table service greater than 39 months be considered for the ten school years in requirement (b).

The career increment shall become effective at the beginning of the pay period immediately following the date that all requirements are completed and all necessary verification is on file with the Human Resources Division.

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Employees reassigned from a lower salary table to the Master Salary Table shall qualify for a career increment in accordance with this Section; employees who are receiving a career increment and who are reassigned from the Master Salary

Table to a lower salary table shall be eligible to receive a career increment on the lower table. (Amended 12/19/88.)

10.0 Doctorate Differential: Employees paid on the Master Salary (G Table) Schedules 22G to 49G who hold a doctorate degree from a regionally accredited college or university are eligible for a doctorate degree differential. The differential for employees paid on annualized assignment bases will be prorated.

To qualify, the employee must present an application for a degree differential (U-Form) and an official transcript from the college/university awarding the doctorate degree that verifies the effective date of the degree to the Certificated Administrative Assignments Unit.

The doctorate differential will be effective at the beginning of the pay period following the date the required verification is submitted to the appropriate office and will continue as long as the employee is paid on the appropriate Master Salary Schedule. Once eligibility is established, additional application is not required.

11.0 Retirement Bonus: Employees who were employed by the District during the 1992-93 school year and retire from the District on or after July 1, 1994 under the California State Teachers Retirement System, (CalSTRS) or California Public Employees Retirement System (CalPERS) shall receive a lump-sum bonus upon retirement. The bonus will partially compensate such employees for loss of compensation during the fiscal crisis faced by the District during these years.

Upon retirement referenced above, employees eligible for this bonus will be paid an amount determined by multiplying the employee's regular daily rate for the year preceding the retirement by 20.4.

Employees who otherwise qualify for this bonus shall not be disqualified because they were on an approved leave of absence prior to retirement.

12.0 Staff Development Buy Back Days: School-based administrators are eligible to participate in staff development days in academic content and instructional methods authorized by California Education Code Sections 44579.1, 44579.5 and 48980 to the extent that such days are funded by the State.

Staff Development must meet educational priorities; be consistent with State Department of Education regulations; must be offered on days not counted as instructional time and must be as long as the certificated teaching employees would otherwise be required to work 6-hours).

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Eligible school-based administrators shall be paid for six (6) hours for participation in each of the staff development days on X Basis at their regular eight (8) hour tenthsly rate and shall be required to attend six (6) hours of staff development on each staff development buy back day. Currently, three six-hour days (18 hours) are funded by the state.

Duties and responsibilities that are set aside by school-based administrators in order to participate in the staff development days may be accomplished by scheduling six (6) additional hours of work beyond the regular assignment basis for each day of staff development participation.

Flexibility in the scheduling of the additional hours of work shall be allowed to accommodate school site need and calendar.

13.0 Return to Service: A former permanent employee who re-enters service in the same, equivalent or lower class shall be rated in as follows:

a. If 39 months or less have elapsed since the last day of paid service:

1. Allocate the employee to the appropriate salary schedule and step on the salary table of the class to which assigned in accordance with Section 5.0 above.
2. Allow any step advancement earned in last assignment for which salary was received.

b. If more than 39 months have elapsed since the last day of paid service, the employee shall be allocated to an appropriate salary schedule under paragraph a.1. of this Section and placed on Step 1 of the schedule. Exceptions to restore an employee's step may be made based on District need, i.e., shortage field classification.

Absence from a position while in active military service or its equivalent, as defined in the Education Code, shall not be included in computing the period of time after the last day of service.

14.0 Payroll Errors

14.1 Limitations Upon Recovery: Any payroll or other salary errors claimed by an employee against the District in a timely manner as provided in the grievance procedure shall be corrected retroactively up to a maximum of three years from the date of claim. In the event of an error in favor of an employee, the District shall be limited in its retroactive recovery against the employee to a three-year period dating from the discovery of the error.

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14.2 Salary Overpayments: When a salary overpayment error has been discovered, the Payroll Branch will notify the employee and AALA in writing of the amount and circumstances related to the overpayment and will recommend a suggested method of recovery of the over payment.

a. For cases in which the amount and circumstances are such that is probable that the employee was unaware of a salary overpayment, \$200 per pay period will be the normal limit on repayment deductions. However, in such cases the repayment may be accelerated upon termination of paid status or may be larger than \$200 per pay period if necessary to recover the full overpayment.

b. The employee and AALA may request consideration of alternative methods for recovery of over-payments that the time frame for recovery does not exceed the period of time during which the over-payment occurred. If no request is made for an alternative method of recovery within ten calendar days, the recovery shall commence effective with the next pay period using the method recommended by the District in its written notice to the employee.

c. When the amount and circumstances are such that the employee knew or should have known that there was an overpayment, the recommended recovery payment will be as much as the entire amount. In such cases, however, the District will work out a suitable recovery payment schedule with the employee and AALA which may be as much as the entire amount within one pay period.

d. If no agreement is reached between the District and the employee or AALA on behalf of the employee, the matter shall be resolved pursuant to the overpayment grievance procedure (See Article VIII, 22.0.)

e. Recovery of temporary disability overpayments is handled separately from the above repayment provisions.

14.3 Prompt Correction: If the District fails to issue a scheduled regular pay warrant, or makes an error of \$100 or more due to problems involving assignment, time reporting, payroll processing or the like, the employee may request an Emergency Pay Allowance for the amount of the estimated payroll error. Such a request is to be made to the person at the work site who is responsible for reporting time, who will contact the Payroll Branch between 8:00 a.m. and 12 noon on the day after the pay warrant was due at the site. Payroll Branch shall issue the Emergency Pay Allowance for approximately the amount of the error and have it prepared for pickup at the Payroll Services Branch between 3:30 and 5:00 p.m. of the same working day the error is reported to the Payroll Branch. Those warrants not picked up by the employee shall be mailed to the employee that same day. Any portion of an Emergency Pay Allowance may be recovered against future salary warrants if the District later determines that the employee was not entitled to keep the payment.

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This procedure is not available to cover step advancement, rating-in allocations, promotional adjustments and the like which normally take up to 60 days to process. Also, an Emergency Pay allowance is not lawful in the case of a salary warrant issued and mailed but later lost, stolen or delayed. However, a replacement salary warrant will be issued (upon timely request) seven days after scheduled receipt of the original salary warrant. Emergency Pay Allowances cannot be issued when the District has knowledge that the employee is in an overpay situation. The District shall hold open all Payroll Inquiry phone lines on the morning after the pay warrants are due at the site for the purpose of receiving reports of payroll errors from time-reporting personnel.

15.0 Mileage Reimbursement The mileage reimbursement rate for use of personal vehicles on District business shall, beginning July 1, 2008, be the Internal Revenue Service established standard business rate for all miles driven in District service.