

## **CHAPTER I DEFINITIONS**

### **1.1 DEFINITIONS**

Unless otherwise required by context and/or prevailing law, words and phrases used in these Rules shall have the following meanings:

**ACT** - Refers to Article 6, Chapter 5, Part 25 and appropriate sections of the Education Code of the State of California applying to the Merit System for classified employees in certain school districts that have adopted the merit system.

**ADMINISTRATIVE CLASS** - A class meeting the criteria outlined in Rule 6.1.E for certification from eligibility lists by the rule of three ranks.

**ALLOCATION** - The official placing of a class on a salary range schedule or hourly rate, or placing a position in a given classification and the assignment of the class title to the position.

**ANNIVERSARY DATE** - The date upon which an employee is granted an earned salary step advancement. This is the first day of the pay period first following the completion of the required period of satisfactory service.

**APPEAL** - A request by an employee or applicant requesting reconsideration of a decision related to a suspension, demotion, dismissal, disqualification of an application or an examination or removal from an eligibility list.

**APPLICANT** - A person who has filed an application for employment or participant in an examination.

**APPOINTING AUTHORITY OR POWER** - The Board of Education of the Long Beach Unified School District or its designees.

**APPOINTMENT** - The official act of the appointing authority in approving the employment of a person in a specific position.

**ASSIGNMENT** - A position to which an employee is placed.

**BEREAVEMENT LEAVE** - Paid leave of limited duration granted to an employee upon the death of a member of the immediate family or any person having a principal place of residence in the immediate household of the employee.

**CANDIDATE** - A person who has competed in one or more portions of an examination.

**CERTIFICATED SERVICE** - All employees serving in positions requiring credentials issued by the State Department of Education for the State of California.

**CERTIFICATION** - The submission of names of eligible candidates who may be legally appointed from an eligibility list or from some other source of eligibility to the appointing power or its authorized representative.

**CLASS/CLASSIFICATION** - A group of positions sufficiently similar in duties and responsibilities that the same descriptive title may be used to designate each position assigned to the class; substantially the same requirements of education, experience, knowledge and ability are demanded of incumbents; substantially the same tests of fitness may be used in choosing qualified appointees; and the same salary range may be applied with equity. Classification also refers to the act of placing a position in a class.

**CLASS SPECIFICATION** - A formal statement of the duties and responsibilities of the positions in the class, illustrated by typical tasks, and qualification requirements of the positions in the class, and distinguishing features of the class, if needed, and assigned a specific title.

**CLASSIFICATION STUDY** - The process of review which leads to a decision regarding such matters as the appropriateness of the allocation of a position to a class, title, etc.

**CLASSIFIED SERVICE** - All positions and employees in the District's service to which the merit system provisions of the California Education Code apply and which are not excepted by those provisions.

**COMMISSION** - An abbreviated term often used to refer to the Personnel Commission.

**CONTINUOUS EXAMINATION** - A method of recruiting applicants in which the last day for filing applications is not specified and examinations are conducted from time to time as the needs of the service require and as a sufficient number of applications are received to administer an exam.

**DAY** - any twenty four hour period beginning at midnight as follows:

1. **CALENDAR DAY** - Any numbered or named day of the week or month.
2. **WORK DAY, WORKING DAY, or DAY OF WORK** - A day on which an employee is authorized to be in regular work status on his/her assigned calendar. In some instances the work period constituting the work day of an employee, may cross over midnight and take place partially on two calendar days.

**DEMOTION** - A change in assignment of an employee from a position in one class to a position in another class with a lower maximum salary rate.

**DISMISSAL (or DISCHARGE)** - Separation from service for cause.

**DISTRICT** - The Long Beach Unified School District.

**DUAL CERTIFICATION** - A procedure, which provides for simultaneous certification from an open eligibility list and a promotional eligibility list according to examination scores.

**DUTIES STATEMENT** - A listing of the specific duties assigned to a classification. Also known as a position description.

**ELIGIBLE** - A person whose name appears on a merit system eligibility list legally qualified to be appointed.

**ELIGIBILITY LIST** - A rank or unranked order of names of persons who have qualified in an examination for employment, or qualified through some other authorized process such as transfer, reinstatement, reemployment.

**EMERGENCY APPOINTMENTS** - An appointment made in accordance with Education Code 45290 for a period not to exceed 15 working days to prevent the stoppage of public business when persons on eligibility lists are not immediately available.

**EMPLOYEE** - A person who is legally an incumbent of a position, or who is on an authorized leave of absence.

**EXAMINATION** - The process of testing and evaluating the fitness and qualifications of applicants for a specific classification. It may be given on either or both an open or promotional basis and each examination are independent from any other.

**EXECUTIVE CLASS** - A class meeting the criteria outlined in Rule 6.1.E. for certification from eligibility lists by the rule of three ranks.

**EXHAUSTED LIST** - A list of eligibles from which it is impossible to fill a regular full-time or part-time vacancy. A list may be less than three ranks of eligible candidates remain on the list. A list may be exhausted for part-time positions, yet remain in effect for full-time positions or vice versa.

**FULL-TIME POSITION** - A position for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is equal to or greater than 87-1/2% of the normally assigned time for the majority of employees in the classified service.

**GOVERNING BOARD** - The Board of Education of the Long Beach Unified School District.

**HEARING** - Formal review in the presence of the parties involved, of evidence in connection with an action affecting an employee, and concerning an appeal which the employee has filed.

**ILLNESS** - Any pronounced deviation from a normal, healthy state which makes it disadvantageous to the District and/or detrimental to the employee to be at work

**ILLNESS LEAVE** - Paid or unpaid leave given to an employee because of personal illness or injury. May also be used for short-term leaves for designated reasons of personal necessity.

**IMMEDIATE FAMILY** - Mother, father, grandmother, grandfather, child, or grandchild of the employee or the spouse of the employee, and the spouse, son-in-law, daughter-in-law, brother, brother-in-law, sister, sister-in-law, or any person having a principal place of residence in the immediate household of the employee.

**IMMEDIATE SUPERVISOR** - A person occupying a position in a higher classification who assigns, checks and/or supervises the work of a given employee.

**INDUSTRIAL ACCIDENT OR ILLNESS LEAVE** - Absence because of injury or illness which arose out of and in the course of employment with the District.

**INVESTIGATION** - A fact-finding procedure related to an appeal or a complaint. An investigation is less formal than a hearing.

**LAYOFF** - Separation from a permanent position, or a reduction in hours from a permanent position or assignment to a class or grade lower than that which the employee has permanent or probationary status because of lack of work, lack of funds, or because the position has been abolished or reclassified, or because an employee has exhausted all leave privileges after illness or accident.

**LEAVE OF ABSENCE** - An approved absence from duty, with or without pay, for a prescribed period of time from a class, but not necessarily from a specific position within the class.

**LIMITED TERM** - A term used in the California Education Code to designate employment for periods not to exceed six months, or employment during the authorized absence of a permanent employee.

**LIMITED TERM EMPLOYEE** - A person employed in a position established for a limited period not to exceed six months, or employed as a substitute during the authorized absence of a permanent employee, or serving in a provisional appointment.

**MILITARY LEAVE** - Authorized absence to engage in ordered military duty.

**NEWLY CLASSIFY** - A change in class assignment upward or downward as a result of a change in duties which did not occur by gradual accretion.

**OPEN EXAMINATION** - An examination in which any qualified applicant can compete.

**PART-TIME POSITION** - A position for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is less than 87-1/2% of the normally assigned time of the majority of the employees in the classified service.

PAY PERIOD - One calendar month.

PERMANENT EMPLOYEE - An employee who has completed a probationary period of either 6 months or 130 days of paid regular service, whichever is longer, in the classified service. Classes designated as management or police are required to satisfactorily complete a probationary period of one year.

PERMANENT POSITION - A position established for an unlimited period of time, or for a fixed period in excess of six months.

PERSONNEL COMMISSION RULES - This phrase is used to refer to the official compilation of "The Rules and Regulations of the Classified Service" as adopted and published by the Personnel Commission. They may also be referred to as PC Rules, Classified Rules, The Rules, or similar shorter phrases when no ambiguity exists.

PERSONAL NECESSITY LEAVE - Leave which may be taken for reasons of personal necessity as specified in the Education Code and these rules. Such leave is charged to the employee's illness leave and is limited to seven days per fiscal year.

POSITION - A group of duties and responsibilities assigned by the Board of Education or its designee and requiring the full-time or part-time employment of one individual.

PROBATIONARY PERIOD - The six-month or 130 day period of service, whichever is longer, immediately following appointment to a permanent position from an eligibility list. Classes designated as management or police are required to satisfactorily complete a probationary period of one year.

PROBATIONER - An employee who is serving a probationary period.

PROFESSIONAL CLASS - A class meeting the criteria outlined in Rule 6.1.E. for certification from eligibility lists by the rule of three ranks.

PROFESSIONAL EXPERT - A person employed in a professional capacity for a specific limited-term project; such persons are excluded from the classified service.

PROMOTION - A change in the assignment of an employee from a position in one class to a position in another class with a higher maximum salary rate achieved through participation in an application and examination process.

PROMOTIONAL LIST - An eligibility list resulting from a promotional examination limited to qualified permanent employees of the District.

PROTEST - A formal declaration of disapproval or objection to a matter under the jurisdiction of the Commission usually with a request for some specified form of relief.

**PROVISIONAL APPOINTMENT** - A limited term or temporary appointment made in the absence of an appropriate eligibility list and subject to prescribed time limits.

**PROVISIONAL EMPLOYEE** - A person employed under a provisional appointment while the examination process is being conducted.

**RANK** - A position on an eligibility list for the purpose of certification, wherein the eligible's final scores on the examination, after the addition of veteran's preference points and promotional credits as applicable, have been rounded to the nearest whole percent and all eligibles with the same score are accorded the same position on the list. Rule of three has a separate and different definition.

**REALLOCATION** - Movement of an entire class from one salary range or hourly rate to another salary range or hourly rate.

**RECLASSIFICATION** - A change in class assignment of a position upward or downward as a result of a change in duties by virtue of gradual accretion.

**REEMPLOYMENT** - Return to duty of an employee who has been laid off, reduced in hours or who has accepted an assignment at a lower salary range, from a regular position because of lack of work or lack of funds.

**REEMPLOYMENT LIST** - A list consisting of the names of employees laid off who are eligible for reemployment without re-examination in the classification from which they were laid off.

**REGULAR APPOINTMENT** - An appointment to a position of more than six months duration made from an eligibility list or from some other list of persons who are legally qualified.

**REGULAR EMPLOYEE** - A person who has probationary or permanent status in the classified service.

**REINSTATEMENT** - A reappointment after resignation within 39 months after the last day of paid service, without examination, to a position in one of the employee's former classes or in a related lower class. Also refers to a return to work after appeal from disciplinary action when so ordered by the Personnel Commission.

**REJECTION** - Refusing an applicant, candidate or eligible participation in an examination process, receiving certification on an eligibility list, or remaining on an eligibility list for reasons outlined in the Rules and Regulations of the Classified Service.

**RESIGNATION** - Voluntary termination of employment status by an employee.

**RESTRICTED** - When this designation is used the field of competition for any restricted position in a classification is limited to prospective new employees in:

- A. Low income groups (Education Code 45105 or 45108) as specified by the Board of Education, or
- B. Persons residing in specifically designated areas of the community (Education Code 45105 and 45108) as specified by the Board of Education, or
- C. Mentally, physically, or developmentally disabled persons (Education Code 45259) as specified by the Board of Education. Specially funded classes, positions, and employment where competition is limited to persons in low income groups, from designated impoverished areas, and other criteria which restrict the privileges of all citizens to compete for employment.

A restricted designation limits the ability of potential workers in our community to apply and be considered for employment on an equal basis. It also limits some rights of the new employee who is selected to fill a restricted position unless, and until, other provisions of the Code relative to the classified service are met by the individual. (See Education Code 45105, 45108, or 45259 for relevant details.

**RULE OF THREE** - The scope of choice available to an appointing power in making a selection from an eligibility list; refers to selection from the first three ranks of eligibles ready and willing to be appointed to a specific position. Rule of three is often referred to as the top three ranks.

**SAFE DRIVING RECORD/STANDARD** - An acceptable safe driving record is defined as meeting all of the following criteria: (a) no more than three (3) moving violations within the past three years; (b) no more than one at fault accident within the past three years; (any accident shall be deemed at-fault absent sufficient proof of contrary, such as: a signed statement from a private insurance company, or a report from the Department of Motor Vehicles or other government agency); (c) no conviction for failure to report an accident within the past three years; (d) no conviction for driving under the influence, or driving while intoxicated, or reckless driving within the past five years.

**SALARY RANGE** - A series of specific consecutive salary steps that comprise the rates of pay for a classification.

**SALARY RATE** - A specific amount of money paid for a specified period of service.

**SALARY SCHEDULE** - The complete list of ranges, steps and rates established for the classified service.

**SALARY STEP** - A specified rate in a salary range. One of several consecutive rates that comprise a monthly salary range, or that comprise an hourly salary range.

**SENIORITY** - Status secured by length of service calculated by hours worked prior to December 30, 2017 and by date of hire within classification after January 1, 2018 to which certain rights are attached.

**SERVICE YEAR** - A twelve-month period in which an employee has been compensated for at least 50% or more of the employee's regular work year.

**STATUS** - An employee or applicant's present standing in the employment process.

**SUBSTITUTE EMPLOYEE** - An employee temporarily filling a permanent position during the absence of the incumbent.

**SUSPENSION** - A forced absence of an employee for disciplinary purposes or pending investigation of charges made against the employee.

**TECHNICAL CLASS** - A class meeting the criteria outlined in Rule 6.1.E. for certification from eligibility lists by the rule of three ranks.

**TEMPORARY** - Employment on a basis other than permanent or probationary, i.e., in limited-term status.

**TEMPORARY MILITARY LEAVE** - Leave of absence for ordered military duty of not more than 180 calendar days, including travel time. (Military and Veterans Code, Section 389).

**TERMINATION** - The ending of an incumbent's assignment or appointment.

**TRANSFER** - The reassignment of an employee without examination from one position to another position in the same class or to a position in a related or similar class with the same salary range.

**UNCLASSIFIED SERVICE** - Also known as exempt classes which are positions and employees not in the classified or certificated services. Full-time students employed part-time, apprentices, and professional experts employed on a temporary basis for a specific project are all considered exempt classes.

**VETERANS PREFERENCE** - Additional points (five or ten) added to a passing score in open entry level examinations for military or related service rendered during time of war or national emergency.

**WAIVER** - The voluntary relinquishment by an eligible of a right to be considered for appointment from an eligibility list in one or more positions, locations, or for a specific or unlimited period of time.