

**CHAPTER III
POSITION CLASSIFICATION PLAN**

3.1 CLASSIFICATION OF EMPLOYEES AND POSITIONS

A. PERSONNEL COMMISSION RESPONSIBILITY TO CLASSIFY POSITIONS

The Commission shall classify all employees and positions except those which are exempt from the classified service. "To classify" shall include, but not be limited to, allocating positions to appropriate classes, arranging classes into occupational hierarchies, determining reasonable relationships within occupational hierarchies and preparing written class specifications.

Those positions exempt from the classified service are

1. Positions which require certification qualifications
2. Full-time students employed part-time
3. Part-time students employed part-time in any college work study program, or In a work experience education program conducted by a community college District pursuant to Article 7 (commencing with Section 51760) of Chapter 5 of Part 28 and that is financed by state or federal funds.
4. Apprentice positions
5. Positions established for the employment of professional experts on a temporary basis for a specific project by the governing board or by the Commission when so designated by the Commission

Reference: California Education Code 45256

B. OUT OF CLASS COMPENSATION

An employee assigned higher level duties not a part of their current classification shall have his/her salary adjusted upward for the entire period he/she is required to work out of classification.

A claim for a pay differential for working out of class may be submitted by the employee or the supervisor. A claim for pay differential must include a list of assigned duties. The Personnel Commission administrator shall review the duties assigned to the position and determine if the assigned duties are at a higher level and shall recommend an appropriate pay differential consistent with these rules. If the Personnel Commission administrator determines the assigned duties are not at a higher level, the administrator shall notify the employee and the appropriate supervisor.

Working out of class assignments are designed for temporary situations. It is not the intent these rules be construed as permitting an employee to refuse to perform duties assigned by his or her supervisor.

Reference: California Education Code 45110, 45285

C. CREATING AND ABOLISHING CLASSIFICATIONS

The Commission may create new classes as needed and abolish or combine existing classes within the classified service, as the needs of the service require.

Reference: California Education Code 45256

D. THE CLASSIFICATION OF NEW POSITIONS

No person shall be appointed to a new position in the established classified service until the classification of the position has been approved by the Commission. Requests for such appointments must be accompanied by a statement of the essential duties to be performed by the incumbents.

Reference: California Education Code 45256

E. THE CLASSIFICATION SPECIFICATIONS

For each class of positions in the classified service established by the Commission, there shall be maintained in the office of the Commission, in suitable form, official class specifications including:

1. The official class title.
2. A definition of the class, indicating the duties and responsibilities.
3. A statement of typical tasks performed by those holding positions in the class. These are descriptive and explanatory only and do not restrict the administration from assigning other duties or tasks to a position.
4. A statement of the minimum educational and work experience requirements and other qualifications required.
5. A statement of knowledges, skills, abilities, physical demands and working environment.
6. A statement of the distinguishing characteristics of the class as appropriate.

F. INTERPRETATION OF CLASS SPECIFICATIONS

Class specifications are descriptive and explanatory only and not restrictive. They indicate the kinds of positions that should be allocated to the respective classes as determined by their duties, responsibilities, and qualification requirements, and do not prescribe what the duties of a position shall be. The use of a particular expression illustration as to duties, responsibilities, qualification requirements, or other attributes is typical or descriptive of the class and does not exclude others not mentioned which are of similar kind and/or quality as may be determined by the Commission.

In determining the class to which a position shall be allocated, the specification for each class is considered as a whole. Consideration is not given to isolated clauses, phrases or words apart from their context and from illustrative information in other parts of the specifications, but to the general duties, responsibilities, specific tasks and qualification requirements as affording clear distinctions of the positions that class includes.

Each class specification is to be construed in its proper relationship to other specifications, particularly those in the same group of classes.

G. ALLOCATION OF POSITIONS TO CLASSES

All positions substantially similar as to duties performed and the responsibilities exercised by the incumbents of such positions, and as to the qualifications requirements as shown in the class specifications, shall be allocated to the same class. The titles of the classes shall become the title of such positions, and shall be used in the records and correspondence of the Commission.

H. CHANGE IN DUTIES

Changes in work assignments that substantially change the kind or level of duties and responsibilities of an existing position shall be promptly reported in writing by the appointing authority to the Commission.

Reference: California Education Code 45256

3.2 QUALIFICATIONS FOR PROFESSIONAL EXPERTS

In order to be exempted from the classified service as a professional expert, an individual must be recognized as such by reputable members of his own profession, as evidenced by one of the following:

1. Approval of a committee of members of his own profession.
2. Certification or license to practice that profession by a government agency if such license is established.
3. Listing in publications where individuals are chosen for listing by members of their own profession.
4. By membership in professional honor societies limited to that profession.
5. By advanced degrees in a recognized university with a major in the field of that profession.
6. By equivalent criteria acceptable to the Commission.

Evidence of these requirements must be presented to the Commission at the time the written request of temporary appointment is made.

Reference: California Education Code 45103

3.3 RECLASSIFICATION

A. CLASSIFICATION REQUESTS

Requests for classification studies or changes to the classification of positions shall be submitted in writing on forms provided by the Commission together with a statement of the reasons for the requested study. The Commission will receive requests for classification studies which are submitted by the administration, employees, or recognized employee organizations, and may direct staff study of such requests. Employees must inform their supervisors of the request. The Commission or its staff may also initiate classification studies. Should a study indicate a substantial change in the kind or level of duties or responsibilities, the Commission may reclassify or newly classify the position, including the establishment of a new class. If recommendations are made to the Personnel Commission indicating a substantial change, major revision or newly classified position, the employee association will be provided a copy of the recommended changes seven (7) days prior to Personnel Commission action. It is understood, however, that on occasion the needs of the District may limit the time available for review by the employee association.

B. BASIS FOR RECLASSIFICATION

The basis for reclassification of a position must be a gradual accretion of duties and not a sudden change occasioned by a reorganization or the assignment of completely new duties and responsibilities. Determinations as to gradual

accretion will be made by the Personnel Commission and will be based on the following guideline factors:

1. Changes in duties and responsibilities shall have occurred over a period of not less than one year.
2. Any increase in responsibilities shall have occurred over a period of not less than one year and shall be clearly defined by the supervisor or the incumbent.
3. A new position description reflecting the changes in duties and responsibilities shall be submitted to the Personnel Commission administrator along with the request for classification change.
4. Organizational changes affecting the position.

C. EFFECT OF CLASSIFICATION CHANGES ON INCUMBENTS

1. In a job family or class series classification and compensation study when all or a portion of positions within a class are reclassified to an existing or newly created class with a higher salary range, incumbents shall be granted status in the class without further competitive examination.
2. In individual classification studies in which the incumbent has served between one and three years is reclassified to a class with a higher salary range on the basis of gradual accretion of duties, the incumbent may be required to take a qualifying examination. If the incumbent achieves a passing score, no further competitive examination is required. When a position in which the incumbent has served between one and three years is reclassified to a class with a higher salary range on the basis of gradual accretion of duties and the incumbent has his/her name on an appropriate eligibility list established within the last two years of the effective date of the reclassification, the action may be effected without further competitive examination.
3. In individual classification studies when an incumbent is reclassified to an existing higher class or a new class based on the accretion of duties or a sudden reorganization and the assignment of new duties, the Personnel Commission administrator may determine that reclassification without further competitive examination is in the best interest of the District and the employee. Factors that will be considered in making the determination are Commission staff's judgment and recommendation and consistency with merit system principles. The studies should demonstrate that the incumbent meets the important standards of the class, (training, experience, knowledges, abilities and special requirements).

4. Salary adjustments based upon classification changes shall become effective on the first day of the pay period cycle following the Personnel Commission action.

D. ELIGIBILITY FOR SUBSEQUENT RECLASSIFICATION

An employee who has been reclassified with his/her position shall be ineligible for subsequent reclassification to a higher class with his/her position for a period of at least two years from the previous reclassification.

E. BASIS FOR NEWLY CLASSIFIED POSITION

When the classification of a position is changed and such change is not based upon gradual accretion but by a sudden change occasioned by a reorganization or the assignment of completely new duties and responsibilities it may be newly classified by the Commission, including the establishment of a new class.

An incumbent who does not meet the requirements for reclassification as stated may be newly classified and in order to remain in his/her position shall be required to meet the requirements of either 1. or 2. below:

1. Be required to successfully pass any test administered for the new class or newly classified position.

When an eligibility list exists for the higher class, the Commission may authorize a special administration of the examination for the higher class to the incumbent of that position. Such authorization shall be made only when the existing list was established less than 11 months prior to the date of Commission action and when the incumbent did not compete in any part of the examination that produced that list. The same tests of fitness and the same examination standards applied in the original examination shall be used in the special administration. If the incumbent is successful, his or her name shall be merged into the existing eligibility list in rank according to examination score (with seniority credit, if applicable, for service up to the date applied to other eligibles in the original examination). Actions authorized pursuant to this paragraph shall not be construed as constituting a new examination or eligibility list.

2. Have had his/her name on an appropriate eligibility list established within three years of the effective date of the change in classification. Appropriateness of eligibility lists shall be determined by the Personnel Commission.

Failure to successfully meet the requirements in paragraphs 1. or 2. shall mean that the employee will be laid off for lack of work. The employee may exercise any seniority of bumping rights as provided in the Education Code or these Rules and Regulations.

The employee may also request a voluntary demotion to avoid layoff as provided in the Education Code.

F. CHANGE IN CLASSIFICATION TO A LOWER LEVEL

When a position or group of positions is either newly classified or reclassified to a class with lower wage or salary range, any incumbent shall have the following rights:

1. To transfer to any vacant position in the higher class or to bump the employee in the higher class with the lowest seniority in the class, provided that the incumbent has greater seniority in the class.
2. To bump the employee with the least seniority in any equal or lower class in which the incumbent formerly served, provided that he/she had greater seniority in the class.
3. To be demoted to the class to which his position is now allocated.

The employee may choose to transfer, demote or exercise bumping rights at his/her option, and his/her choice shall not affect any reemployment layoff rights.

Any displacement of a regular employee resulting from an action to newly classify or reclassify a position, positions, or class of positions shall be considered a layoff for lack of work, and an appropriate reemployment list will be established in accordance with these Rules.

G. CHANGE IN CLASSIFICATION AT THE SAME LEVEL

Incumbents of positions reclassified or newly classified to a class at the same salary level shall be granted status in the new class without examination.

3.4 RESTRICTED CLASSIFICATION AND POSITIONS

A. POSITIONS CLASSIFIED AS “RESTRICTED”

Restricted positions are positions limited to persons who are either mentally, physically or developmentally disabled. The positions shall be part of the classified service but in addition to the regular class title indicate “restricted”. Restricted positions shall be subject to the following:

1. Considered part of the classified service
2. Not subject to Section 45272 and 45273 of the California Education Code

3. Shall not acquire permanent status or seniority credits
4. Shall not be eligible for promotion into the regular classified service until they have complied with subdivision © of Section 45105

Reference: California Education Code 45259, 45105

B. RESTRICTED POSITIONS QUALIFYING FOR REGULAR POSITIONS

After completion of six months of paid, satisfactory service in a "restricted" position, a person working in such a position may take such regular examination for the class (unrestricted) as is required for all other persons. If the incumbent of a "restricted" position qualified in such an examination, regardless of his ranking or place on the eligibility list, he shall be accorded the full rights, benefits, and burdens of any other classified employee serving in the regular classified service. In such case, his seniority for purposes of layoff or promotion shall be computed from the original date of employment in the "restricted" position and shall continue even though the incumbent continues to service in a "restricted" position. A probationary period shall not be required unless he qualified for a class on a higher salary schedule.

Reference: California Education Code 45105

3.5 SENIOR MANAGEMENT EMPLOYEES

A. DESIGNATION OF SENIOR MANAGEMENT POSITION

The Board of Education may designate up to five positions as senior management of the classified service. Employees whose positions are so designated shall be part of the classified service except they shall not attain permanent status in senior management positions. Senior management positions may include the fiscal advisor to the Superintendent and the highest positions that have district-wise responsibility for formulating policies or administering a principal district program area, as determined by the Board of Education.

When the Board of Education adopts a resolution designating a position as part of senior management of the classified service, they shall be identified in the Classified Salary Schedule as such.

Reference: California Education Code 45100.5, 45104.5, 45108.5, 45256.5

B. SELECTION OF SENIOR MANAGEMENT EMPLOYEES.

Positions designated as senior management of the classified service shall be filled from an unranked alpha list of persons who have been determined by the

Personnel Commission to meet the minimum qualifications specified by the superintendent.

Reference: California Education Code 45256.5

C. SENIORITY RIGHTS

Senior management employees shall earn seniority credit in accordance with the provisions of these rules.

D. BUMPING AND PLACEMENT RIGHTS FOR EMPLOYEES WITH UNDERLYING PERMANENT STATUS IN THE CLASSIFIED SERVICE

If any or all of the senior management positions are abolished by a resolution adopted by the Board of Education or the assignment of an incumbent to a senior management position is terminated pursuant to the provisions of Education Code section 35031, the employee shall be placed in the following order:

1. In a position in the classification to which the employee would be entitled if their position and classification had not been designated as senior management.
2. In a position in the classification to which the employee holds bumping rights under the provisions of these rules.
3. In a vacant position which is similar to their former position in the regular classified service upon recommendation of the Personnel Commission administrator and approval of the Personnel Commission.

E. PLACEMENT FOR EMPLOYEE WITHOUT UNDERLYING PERMANENT STATUS IN THE CLASSIFIED SERVICE

Displaced incumbents of senior management positions who do not have underlying permanent status in the classified service may be placed in a position only in accordance with the Education Code and rules of the Personnel Commission.