

CHAPTER I

RULE-MAKING AUTHORITY AND DEFINITIONS

1. APPLICATION OF RULES

1.1.A STATUTORY AUTHORITY FOR THESE RULES: Article 3 (Merit System) in Chapter 4 of Part 51 in Division 10 of the California Education Code (commencing with Section 88050) provides the Personnel Commission with the right and responsibility for establishing rules and regulations as may be necessary to ensure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness.

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1.1.C GENERIC TERMINOLOGY: As used in these Rules, singular terms shall be construed to include the plural, and plural terms shall be construed to include the singular.

REFERENCE: Education Code 88080

1.1.D SEVERABILITY: If a judicial review or a change in law causes any portion of these Rules to become invalid or unenforceable, such finding or amendment shall not affect the validity or the enforceability of the other Rules and Regulations.

REFERENCE: Education Code 88080

1.1.E PRINTING AND DISTRIBUTION OF RULES AND REGULATIONS: The Rules and Regula

ACT or THE ACT: The Act shall mean those sections of the Education Code of the State of California applying the "Merit System" to classified

interest of the district. Employees designated as “confidential” are precluded from participating in or belonging to any organization which represents classified employees per the Government Code.

CONTINUOUS EXAMINATION(S): A procedure or procedures authorized by the Personnel Commission for the frequent testing of applicants in certain specified classes (or classifications).

DAY: A day in which the District Offices are open.

DEMOTION: A change in assignment of an employee from a position in one class to a position in another class which is allocated to a lower maximum salary rate. Change in assignment may be either voluntary or involuntary.

DIFFERENTIAL or DIFFERENTIAL PAY: A salary allowance in addition to the basic salary rate or schedule, based upon additional skills, responsibilities, or specifically scheduled working hours. It also relates to the size of the interval(s) between steps on a salary range and/or the salary rates (ranges) of related classes.

DIRECTOR OF HUMAN RESOURCES: As used in these Rules and Regulations, the term refers to the person appointed by the Personnel Commission to act as its designated representative in administering the Merit System under the provisions of law and the Rules and Regulations established by the Personnel Commission.

DISCHARGE or DISMISSAL: Separation from the classified service for cause in accordance with the Rules and Regulations of the Personnel Commission by order of the Board of Trustees.

DISCIPLINARY ACTION: Includes any action whereby an employee is deprived of any classification or any incident of any classification in which he/she has permanence, including dismissal, suspension, demotion, or any reassignment, without his/her voluntary consent, except a layoff for lack of work or lack of funds.

DISTRICT: Long Beach Community College District.

DUTIES STATEMENT: A listing of the specific duties assigned s mDIFFERE.3TEM

child, grandchild, brother, sister, grandparent and any relative living in the immediate household of employee.

INCUMBENT: An employee assigned to a particular position within a class.

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

INSUBORDINATION: Willful failure of an employee to comply with a legitimate directive from his/her supervisor, or any act which indicates clearly and beyond doubt his/her unwillingness to accept the authority of a supervisor.

INTERVIEW: Part of the selection process, usually the final portion of an examination, for the purpose of evaluating the education, experience, and personal qualifications of the candidate(s); also known as an "oral interview." This term also applies to a meeting between an eligible and the appointing power, or its designated representative, to discuss appointment to a specific vacant position within the District.

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

INVOLUNTARY LEAVE: Leaves of absence resulting from a disciplinary action; a suspension.

JOB AUDIT: A personnel job evaluation technique by which a staff analyst uses various combinations of job audit questionnaires, personal interviews, as well as work site observations and conversations, to collect data on the duties, tasks and responsibilities of a position.

JOB DESCRIPTION: A statement of duties and responsibilities comprising the work assigned to an employee.

JOB FAMILY: Refer to series.

JOB TITLE: The title assigned to a classification by the Personnel Commission.

LAYOFF: Separation from a permanent position because of the lack of work, or lack of funds. A layoff shall also include any reduction in hours of employment or assignment to a class or grade lower than that in which the employee has probationary or permanent status, voluntarily consented to by the employee, in order to avoid interruption of employment by layoff. (See also Voluntary Demotion)

LEAVE OF ABSENCE: An approved absence from duty, with or without pay, for a prescribed period of time.

LIMITED-TERM: A term used in the Education Code and the Rules and Regulations to designate employment for periods of time not to exceed six (6) calendar months; or employment of a temporary employee to substitute during the authorized absence of a permanent employee.

LIMITED-TERM EMPLOYEE:

PERMANENT POSITION: A position established for a continuing and indefinite or unlimited period of time, or for a fixed period of time, in excess of six (6) calendar months.

PERSONAL NECESSITY LEAVE: A leave of absence with pay for a limited duration which may be taken for reasons of personal need as specified in the Education Code, Collective Bargaining Agreement, and the Rules and Regulations of the Personnel Commission. Such leave is charged against the employee's earned cumulative sick leave.

PERSONNEL COMMISSION: A three-member committee established pursuant to the requirements of "The Merit System Act" to administer the Merit System in the Long Beach Community College District.

PERSONNEL COMMISSION STAFF: Persons appointed by the Personnel Commission to carry out the day-to-day operations of the Personnel Commission.

POSITION: A group of duties and responsibilities assigned by competent authority which requires either full-

PROVISIONAL EMPLOYEE: A person employed temporarily while the examination process is being conducted to fill the position.

RANK: An eligible's position on an eligibility list. A rank is determined by rounding the final examination score to the nearest whole percent. All eligibles with the same final score are accorded the same position (rank) on the eligibility list. (89.9 = 90, 89.5 = 90 both the same rank, 89.4 = 89, 89.2 = 89 - both the same rank)

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

RECLASSIFICATION: The removal of a position or positions from one class and placement into another. A gradual change in class assignment as a result of a change in duties.

REEMPLOYMENT: Return to duty of a former employee who has been laid off from a permanent position because of lack of work or lack of funds.

REEMPLOYMENT LIST: A list of names, in rank order of seniority in class, of persons who have been laid off from permanent positions by reason of a lack of work, lack of funds, exhaustion of illness, accident leave privileges, or other reasons specified in the Rules and Regulations of the Personnel Commission, and who are eligible for reemployment without examination in their former class or classes within a period of thirty-nine (39) months following the date of layoff.

REGULAR APPOINTMENT: An appointment to a position of more than six (6) months duration from an eligibility list to fill a regular full-time or part-time position vacancy.

REGULAR EMPLOYEE: An employee who has probationary or permanent status with the District.

REGULAR STATUS: Probationary or permanent status in the classified service of the District.

REHIRE DATE: The date of most recent regular employment with the District.

REINSTATEMENT: A reappointment of a former employee, within a period of thirty-nine (39) months following the date of his resignation, without examination, to a position in one of the person's former classes or in a related former class.

RESIGNATION: A voluntary statement in writing from an employee requesting to be terminated from employment.

RESTORATION: The reinstatement to duty of an employee or former employee with all of the rights, benefits, and burdens held prior to the

break in service. This term includes reemployment as well as reinstatement following demotion or dismissal when an appeal is sustained by the Personnel Commission.

RULE OF THREE: The scope of choice available to the appointing authority or power for making its selection from an eligibility list. Specifically, it refers to selection from the first three (3) ranks of eligibles who are ready, willing, and able to accept appointment to a specific position.

SALARY RANGE: A series of consecutive salary steps that comprise the rates of pay for a classification. A salary range usually consists of five (5) steps.

SALARY RANGE PLACEMENT: The act of placing a specific classification onto a specified range of the salary schedule or salary matrix.

Computation of service years commences with the date of probationary appointment. (See Longevity)

SHIFT DIFFERENTIAL: Added pay for hours worked other than daytime

