

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

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LAW AND RULES

February 12, 2020

523 CLASSIFICATION OF NEW POSITIONS

Education Code Sections

88009. Governing boards shall fix and prescribe the duties to be performed by all persons in the classified service and other nonacademic positions of the community college district, except those persons employed as a part of a personnel commission staff as provided in Article 3 (commencing with Section 88060) of this chapter.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.

88076. (a) The commission shall classify all employees and positions within the jurisdiction of the governing board of the community college district or of the commission, except those that are exempt from the classified service, as specified in subdivision (b). The employees and positions shall be known as 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.

(b) The following positions and employees are exempt from the classified service:

- (1) Academic positions.
- (2) Full-time students employed part time.
- (3) Part-time students employed part time in a college work-study program or in a work experience education program conducted by a community college 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 of a community college district or by the commission when so designated by the commission.

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(c) Employment of either full-time or part-time students in a college work-study program or in a work experience education program shall not result in the displacement of classified personnel or impair existing contracts for services.

(d) Nothing in this section shall prevent an employee, who has attained regular status in a full-time position, from taking a voluntary reduction in time and retaining his or her regular status under the provisions of this law.

(e) A person whose contribution consists solely in the rendition of individual personal services and whose employment does not come within the scope of the exceptions listed above shall not be employed outside the classified service.

(f) A part-time position is one for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is less than 87 1/2 percent of the normally assigned time of the majority of employees in the classified service.

(g) An employee employed by a community college district in a part-time playground position as of the effective date of the laws placing part-time playground positions into the classified service shall be deemed a permanent employee of the community college district without placement on an eligibility list under Section 88091 or examination under Section 88092.

88104.5. No position or reclassification plan which would affect classified employees who are represented by a certified or recognized exclusive bargaining representative shall be adopted by the commission until the exclusive bargaining representative and the community college employer of the classified employees who would be affected have been given reasonable notice of the proposed classifications or reclassifications.

88162. (a) The governing board of any community college district shall, not later than the date prescribed by law for approval of the publication budget of every year, fix the annual salaries for the ensuing school year for all persons employed by the district in nonacademic positions. The governing board may, at the time, include an increase in those annual salaries, all or part of which increase is conditional upon the actual receipt by the district of anticipated revenue from all sources. If the revenue actually received is less than that anticipated, the governing board may, at any time during the school year, reduce those annual salaries by an amount not to exceed the amount which was granted subject to the receipt of such revenues.

(b) The governing board of a community college district may, at any time during the school year, increase the salaries of persons employed by the district in

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nonacademic positions. The increase shall be effective on any date ordered by the governing board.

(c) A governing board may, at any time, increase the wages or salaries of classified employees if the board or, in a merit system district, the personnel commission approves a classification change in a position, a class of positions, or any or all of the positions or classes of positions a part of the classified service.

(d) The provisions of this section shall not be construed to permit a governing board to demote or dismiss an employee as a result of reclassification of a position or class of positions except as may otherwise be permitted by law.

(e) This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.

- A. When a new position is established by the Board of Trustees, the responsible President or Division Head shall request classification of the position by the Personnel Commission.
- B. The Personnel Director is delegated authority to review and act upon requests to classify new positions into existing job classifications subject to appeal to the Personnel Commission. Additional information may be required at the Personnel Commission staff's discretion.
- C. The Personnel Commission will create a new job classification only when the duties are such that they may not properly be performed under one or more of the existing job classifications. If a new job classification is necessary, the Personnel Director shall recommend the appropriate classification, examination authorization, and salary allocation to the Personnel Commission for approval. It shall be the policy of the Personnel Commission to provide advance notice to all recognized exclusive bargaining representatives and the District administration on any proposed job classification or reclassification actions. When a proposed job classification or reclassification action could affect a recognized exclusive bargaining representative or its members, the proposed action shall be consulted with the bargaining representative in accordance with the established consultation process adopted by the Personnel Commission.