

LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION

588

LAW AND RULES

December 21, 2022

**588 SALARY DIFFERENTIAL FOR EMPLOYEES USING BILINGUAL SKILLS**

**Education Code Section(s)**

**88080.** (a) The commission shall prescribe and, amend, and interpret subject to this article, such rules as may be necessary to insure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness. The rules shall not apply to bargaining unit members if the subject matter is within the scope of representation, as defined in Section 3543.2 of the Government Code, and is included in a negotiated agreement between the governing board and that unit. The rules shall be binding upon the governing board, but shall not restrict the authority of the governing board provided pursuant to other sections of this code.

(b) No rule or amendment 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 proposal.

**88081.** (a) The rules shall provide for the procedures to be followed by the governing board as they pertain to the classified service regarding applications, examinations, eligibility, appointments, promotions, demotions, transfers, dismissals, resignations, layoffs, reemployment, vacations, leaves of absence, compensation within classification, job analyses and specifications, performance evaluations, public advertisement of examinations, rejection of unfit applicants without competition, and any other matters necessary to carry out the provisions and purposes of this article.

(b) With respect to those matters set forth in subdivision (a) which are a subject of negotiation under the provisions of Section 3543.2 of the Government Code, such rules as apply to each bargaining unit shall be in accordance with the negotiated agreement, if any, between the exclusive representative for that unit and the public school employer.

**88182.** The governing board of any community college district may provide differential compensation to those classified employees who perform duties of a distasteful, dangerous, or unique nature when, in the opinion of the board, such compensation is reasonably justified.

In a merit system district, such differentials shall be based upon findings and recommendations of the personnel commission and shall not be applied in a manner contrary to the principle of like pay for like service.

- A. Under conditions and procedures prescribed in this rule, full-time classified employees shall be paid a differential of \$70.02 per calendar month, if they are frequently called upon to exercise their ability to perform one or more of the following: speaking/listening and/or reading/writing in a foreign language.
- B. To establish the differential:
  - 1. The employing college or division shall prepare a Request to Designate a Classified Position as Bilingual (LACCD P.C. Form 588).

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The employing college or division shall obtain certification of bilingual skills for the employee to be paid a salary differential in the position. The process to obtain certification of the employee's bilingual skills shall be provided by the Human Resources Division.

2. The employing college or division shall forward a completed copy of P.C. Form 588 and proof of certification of bilingual skills issued by an authorized evaluator, to the Personnel Commission for final approval of all positions and employees to be paid a bilingual skills differential.

The differential shall become effective on the first day of the monthly pay period following the completion of these procedures. In the event an employee who has previously received a bilingual differential gets appointed to another bilingual position that requires the same language skills, they may be paid the differential from the date of assignment.

- C. The differential authorized under this rule shall not be considered a part of salary for the purpose of salary allocation upon promotion, demotion, transfer, multiple assignments, or other assignment action.
- D. The differential authorized under this rule is not available to those employees whose use of foreign language skills is part of the regularly assigned duties of their position and thus has been recognized in the salary allocation of their class.
- E. The differential authorized under this rule is available to part-time classified employees but will be prorated according to a ratio of the number of hours in their assignment in a certified bilingual position and the number of hours in a full-time assignment of 173.33 hours per pay period.
- F. Upon notification by the division head, college president, or by order of the Personnel Commission that an authorized differential no longer meets relevant laws, rules, procedures, and policies, an authorized differential shall be withdrawn effective the first day of the next monthly pay period if the position is occupied or immediately if the position is vacant.
- G. A bilingual differential shall be removed from an incumbent upon promotion, demotion, transfer, change of location or position, or other assignment action unless they are appointed to a position which has been designated as bilingual in accordance with this rule. A person appointed to another position which has been designated as bilingual need not be retested for the same language ability.
- H. This rule shall have no force and effect upon employees of any collective bargaining unit to the extent that the provisions of this rule are negotiable.