

621 SENIORITY CREDIT ON PROMOTIONAL EXAMINATIONS

Education Code Section(s)

87602. For the purposes of other provisions of law:

- (a) A contract employee is a probationary employee.
- (b) A regular or tenured employee is a permanent employee.

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.

88100. The Commission may by rule provide for the competition of academic employees of the governing board in promotional examinations for positions in the classified service.

88101. The Commission shall by rule, provide for an open competitive examination and a promotional examination to be held at the same time for the positions that existed or could be created, when the positions become available for competitive examination, under the provisions of subdivisions (m), (n), and (o) of former Section 13055 as those subdivisions existed prior to their repeal by action of the 1965 General Session of the Legislature.

The rule shall provide: (a) that all permanent employees of the district, classified and academic, who meet the established minimum qualifications, shall be eligible to compete in the examination as promotional candidates; (b) that promotional credits, including seniority credits, if any, shall be equally applicable to both classified and academic promotional candidates; (c) that eligibility lists resulting from such an open competitive and promotional examination shall be merged according to the order of the examination scores into a single eligibility list, after the scores of each candidate on the promotional list have been adjusted for promotional credits, including seniority credits, if any; and (d) that the examination for any such position shall not be construed to be an entrance level position examination.

88103. When an open competitive examination and a promotional examination for a particular class are held at the same time, the commission may, prior to the examination, authorize certification for employment of candidates from the open competitive eligibility list before the promotional eligibility list has been exhausted if the candidate on the open list has a higher score before adjustment for preferential credits than the score of the highest available candidate on the promotional list after seniority credits have been added.

**LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION**

621

LAW AND RULES

February 16, 2022

88128. Any permanent classified employee of a community college district, who voluntarily resigns from his or her permanent classified position, may be reinstated or reemployed by the governing board of the district, within 39 months after the employee's last day of paid service and without further competitive examination, to a position in his or her former classification as a permanent or limited-term employee, or as a permanent or limited-term employee in a related lower class or a lower class in which the employee formerly had permanent status.

If the governing board elects to reinstate or reemploy a person as a permanent employee under the provisions of this section, it shall disregard the break in service of the employee and classify him or her as, and restore to the employee all of the rights, benefits and burdens of, a permanent employee in the class to which he or she is reinstated or reemployed.

- A. For purposes of this rule, a promotional candidate is any person who has successfully completed an initial probationary period prior to the opening date of filing for the promotional examination and has regular status in the District.
- B. A regular or tenured academic employee shall be considered a promotional candidate and shall receive seniority credit on the same basis as that of a permanent classified employee.
- C. Promotional candidates who attain a final score on an examination which will place them on an eligibility list shall receive seniority credit based on their length of service in regular status in either the classified or academic service of the District. Seniority credit shall be added to the final score attained by each promotional candidate.
- D. Seniority credit shall accrue at the rate of one fourth of a point for each full year of regular status in the classified service for qualifying service as described below up to a maximum of 10 years (2.5 points).

A full year for classified employees is defined as 12 calendar months commencing on July 1 and ending on June 30 in the following year. For parts of a year or assignments of less than a full year of qualifying service, seniority credit shall be computed on a prorated basis. A candidate shall receive 1/12 of a year seniority credit for each calendar month of qualifying service through the last day of the month prior to the establishment of the eligibility list. Periods of less than one calendar month shall not be counted.

Listing of qualifying service:

- a. All paid non-overtime service.
- b. Leave granted under the provisions of Rule 820, MILITARY LEAVE OF ABSENCE.
- c. Leave granted under the provisions of Rule 804, LEAVES RESULTING FROM INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS.
- d. Leave granted under the provisions of Rule 808, ILLNESS LEAVE.

**LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION**

621

LAW AND RULES

February 16, 2022

- e. Leave granted under the provisions of Rule 806, RETRAINING AND STUDY LEAVE OF ABSENCE.
 - f. Leave granted under the provisions of the Family Medical Leave Act of 1993.
 - g. Unpaid Leaves granted for maternity, Peace Corps, Red Cross, and Merchant Marine service if negotiated in a collective bargaining agreement.
 - h. Service earned prior to separation by persons who are reemployed from a reemployment list or are reinstated as permanent employees under the provisions of Education Code Section 88128.
- E. When dual certification has been authorized by the Personnel Commission, and is in effect, promotional candidates shall have two and one-half seniority bonus points, in addition to the seniority points described in Paragraph D. above, added to their final score.

Under dual certification, simultaneous open and promotional eligibility lists are merged together in score order after the addition of seniority points and without the addition of veteran's credit. When only open eligibles remain on the list, eligibles shall be re-ranked according to their scores with the addition of veteran's credit, where applicable.