

**622 FIELDS OF COMPETITION**

**Education Code Sections**

**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, demotions, promotions, 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.

**88091.** (a) All vacancies in the classified service shall be filled pursuant to this article and the rules of the commission, from applicants on eligibility lists which, wherever practicable, as determined by the commission, shall be made up from promotional examinations, or appointments may be made by means of transfer, demotion, reinstatement, and reemployment in accordance with the rules of the commission. All applicants for promotional examinations shall have the required amount of service in classes designated by the commission or meet the minimum qualifications of education, training, experience, and length of service, which shall be determined by the commission to be appropriate for the class for which they have applied. Any promotional applicant who has served the required amount of time in a designated class or who meets the minimum qualifications for admission to a promotional examination shall be admitted to the examination. Applicants shall be placed on the eligibility lists in the order of their relative merit as determined by competitive examinations. The final scores of candidates shall be rounded to the nearest whole percent for all eligibles. All eligibles with the same percentage score will be considered as having the same rank. Appointments shall be made from the eligibles having the first three ranks on the list who are ready and willing to accept the position.

(b) (1) Upon the request of a majority of the members of the governing board of a community college district, the commission may exempt two executive secretarial positions from the requirements of this section. Exemptions authorized under this subdivision shall be limited to one executive secretary position

**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION**

622

**LAW AND RULES**

April 29, 2020

reporting directly to members of the governing board, and one executive secretary position reporting directly to the chancellor.

(2) Any person employed in an exempt executive secretarial position shall continue to be afforded all of the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, except he or she shall not attain permanent status in an executive secretarial position. Positions of executive secretary shall be filled from an unranked list of eligible employees who have been found to be qualified for the positions as determined by the district chancellor or superintendent and determined by the personnel commission. Any person whose services in an executive secretarial position are discontinued for a cause other than a cause for disciplinary action specified in this code or in a rule of the commission shall have the right to return to a position in a classification he or she previously occupied or, if that classification no longer exists, in a similar classification, as determined by the commission. This subdivision shall apply only to the employees hired on or after January 1, 1988.

(c) (1) Upon the request of a majority of the members of the governing board of a community college district, the personnel commission may exempt designated senior classified administrative positions from the requirements of this section. A "senior classified administrative employee" means a classified employee who acts as the chief business, fiscal, facilities, or information technology adviser or administrator for the district chancellor or superintendent or a college president, as determined by the governing board and certified by the personnel commission.

(2) Any person employed in an administrative position exempted under this subdivision shall continue to be afforded all of the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, except that he or she shall not attain permanent status in that administrative position. A vacancy in an administrative position that is exempted under this subdivision shall be filled from an unranked list of eligible persons who have been found to be qualified for the positions as determined by the district chancellor or superintendent and the personnel commission. Any person whose services in an administrative position exempted under this subdivision are discontinued for any reason other than for cause as specified in this code or in a rule of the personnel commission shall have the right to return to a position in a classification he or she previously occupied or, if that classification no longer exists, in a similar classification, as determined by the commission.

(3) This subdivision shall apply only to employees hired on or after January 1, 2001.

(d) Nothing contained in this section shall authorize the selection of eligible candidates in circumvention of the affirmative action programs of any community college district.

**88099.** The commission shall, by rule, provide for an open competitive examination and a promotional examination to be held at the same time for the position of business manager or for any other single position class which it declares to be at or above the level of business manager. It shall require that all educational and work experience requirements be developed to fit the needs of the position in such a manner that the position will attract competent and qualified applicants from within the classified service, among academic personnel, or other persons meeting the minimum requirements established for the position.

**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION**

622

**LAW AND RULES**

April 29, 2020

Such 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.

**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.

**88111.** The commission may by rule provide for the continuous examination of eligibles for classes of positions which the commission determines cannot be practicably filled by promotional examination only.

- A. The Personnel Commission shall designate the field(s) of competition for examinations for each job classification in the classified service.

**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION**

622

LAW AND RULES

April 29, 2020

- B. Whenever practicable, examinations shall be given promotionally. When practicability is in doubt, the Personnel Commission may authorize simultaneous promotional and open examinations with the understanding that no certification from an open eligibility list shall precede that from the promotional list, except in the case of dual certification.
- C. The Personnel Commission may order dual certification of open competitive and promotional eligibility lists at the time it designates the field of competition, under the following conditions:
1. Simultaneous open competitive and promotional examinations are held for a class.
  2. The most recent promotional examination for the class has failed to provide an adequate number of available eligibles on a promotional list to fill regular vacancies which developed during the first year of the life of the eligibility list.
  3. When the class being examined for is a management class, or one for which unique qualifications are required and a broader field of competition is necessary to insure the appointment of the best qualified candidates available.
  4. Open and promotional examinations with an authorization for dual certification shall be given for classes identified as Administrative or Executive in Rule 596, OVERTIME, provided they are not designated as a senior administrative position.
- D. Continuous examinations on an open and promotional basis or on an open basis only may be conducted for classes specifically designated by the Personnel Commission.
- E. Examinations for senior administrative positions as outlined in Education Code 88091 shall be authorized with an open (unranked) field of competition.
- F. The field(s) of competition for a job classification shall remain in effect until changed by action of the Personnel Commission with the following exceptions:
1. When a class has been authorized for an open and promotional field of competition, the Personnel Director may suspend the authorization for the open field of competition. Such suspension shall be based on their determination that a promotional only field of competition can reasonably be expected to meet the need for qualified eligibles.
  2. When an examination is authorized on an open only basis and upon completion of the examination process one or more regular employees with permanent status in the District has/have passed the exam, a promotional eligibility list will be established. This provision shall not apply to eligibility lists established for the job classifications of SFP Program Director, SFP Program Specialist, SFP Program Technician, and SFP Program Office Assistant.

**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION**

622

LAW AND RULES

April 29, 2020

- G. When the entrance qualifications are changed for a class, the field of competition for the job classification shall be reviewed and a recommendation to change the field(s) of competition made for future examination processes, if necessary.
  
- H. A recruitment bulletin calling for a competitive examination to fill position vacancies shall include the authorized field(s) of competition and the minimum qualifications in effect as of the opening date of filing.
  
- I. The Personnel Commission may permit employees who have obtained permanent status in their current class to compete in a promotional examination for a class within their occupational area as a matter of equity and/or the good of the service.