

LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION MEETING  
Wednesday, March 11, 2020 – 12:30 p.m.  
Educational Services Center  
4<sup>th</sup> Floor Conference Room  
770 Wilshire Boulevard, Los Angeles, California

ORDER OF BUSINESS-CLOSED SESSION MEETING

- I. Roll Call
- II. Requests to Address the Personnel Commission on Closed Session Matters
- III. Convene in Closed Session
  - a. Public Employment  
Pursuant to Government Code Section 54957
  - b. Conference with Legal Counsel-Anticipated Litigation  
Pursuant to Government Code Section 54957(b)(1)
- IV. Report of Action taken in Closed Session
- V. Adjourn

NEXT PERSONNEL COMMISSION MEETING:

**Wednesday, March 25, 2020**  
Closed Meeting 12:30 p.m.  
Open Meeting 1:00 p.m.  
Los Angeles Southwest College  
Room TBD  
Address, Los Angeles, California

In compliance with Government Code Section 54957.5 (b), documents made available to the Personnel Commission after posting of the agenda that relate to an upcoming public session item will be made available by posting on the District's official bulletin board located in the lobby of the Educational Services Center located at 770 Wilshire Boulevard, Los Angeles, California 90017. Members of the public wishing to view the material will need to make their own parking arrangements at another location.

If requested, the agenda shall be made available in appropriate alternate formats to persons with a disability, as required by Section 202 of the American with Disability Act of 1990 (42 U.S.C. Section 12132), and the rules and regulations adopted in implementation thereof.

To make a request for disability-related modification or accommodation, including auxiliary aids or services, please contact the Personnel Commission Office at (213) 891-2333 no later than 12 p.m. (noon) on the Monday prior to the Personnel Commission meeting.

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LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION MEETING  
Wednesday, March 11, 2020 – 1:00 p.m.  
Educational Services Center  
4th Floor Conference Room  
770 Wilshire Boulevard, Los Angeles, California

ORDER OF BUSINESS – OPEN SESSION MEETING  
Amended\*

- I. Convene Regular Meeting
- II. Report of Actions Taken in Closed Session
- III. Review and Approve Minutes of the Closed and Open Meeting of February 12, 2020
- IV. Resolution Honoring Personnel Commissioner, Ann Young Havens
- V. Miscellaneous Personnel Commission Activities and Announcements
  - a. Classified Employment Opportunities Bulletin
  - b. Strictly Classified
- VI. Revision to Personnel Commission Rule 771, REINSTATEMENT (Final Approval) (Case 3815)
- VII. Revisions to Personnel Commission Rule 804, LEAVES RESULTING FROM INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS (Final Approval) (Case 3816)
- VIII. Revisions to Personnel Commission Rule 820, MILITARY LEAVE OF ABSENCE (Final Approval) (Case 3817)
- IX. Classification Study for EN 790632, Administrative Assistant, Administrative Services, Los Angeles Mission College (Case 3800)  
*\*Noted on item; correct meeting dates added to notation*
- X. Classification Study for EN 1008044, Human Resources Division, Educational Services Center (Case 3818)
- XI. Class Description Revisions for:
  - a. ADA Compliance Officer
- XII. Receive Notices of Outstanding Work Performance for:
  - a. Kenny Renderos, SFP Program Technician, Administrative Services, East Los Angeles College
  - b. Consuelo Cervantes, SFP Program Technician, Academic Affairs, East Los Angeles College

- XIII. Correspondence
- XIV. Notice of Anticipated Items: Classification Study: Public Information Officer, EN 1049444, President's Office, Los Angeles Southwest College; Class Description Revisions for: Web Designer (AFT), Web Architect (AFT), Technical Writer (AFT)
- XV. Hear Non-Agenda Speakers/Open Forum
- XVI. Reconvene into Closed Session
- XVII. Reconvene into Open Session
- XVIII. Report of Actions Taken in Closed Session
- XIX. Adjourn

NEXT PERSONNEL COMMISSION MEETING:

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**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION  
Wednesday, February 12, 2020 – 12:30 p.m.  
Educational Services Center – 4<sup>th</sup> Floor Conference Room  
770 Wilshire Boulevard, Los Angeles, California**

**MINUTES OF THE REGULAR MEETING – CLOSED SESSION**

Present:     Commissioners:  
                David Iwata, Chair  
                Henry Jones, Vice- Chair  
                Ann Young-Havens

Staff:  
                Ute Severa, Interim Personnel Director

- I.     Roll Call
- II.    Requests to Address the Personnel Commission on Closed Session Matters - None
- III.   Convene in Closed Session
- a. Public Employee Discipline/Dismissal/Release  
           Pursuant to Government Code Section 54957
- b. Conference with Legal Counsel – Anticipated Litigation  
           Pursuant to Government Code Section 54956(b)(3), (C), (D)
- IV.    Report Out Actions Taken in Closed Session - Mr. Iwata reported that no action was taken during Closed Session.
- V.     Correspondence – No correspondence was received.
- VI.    Adjourn. The meeting adjourned at 2:15 p.m.

This is to certify that these are the full and correct minutes of the Closed Session meeting of the Personnel Commission of the Los Angeles Community College District.

\_\_\_\_\_

Date

\_\_\_\_\_

David Iwata,-Chair

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**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION  
Wednesday, February 12, 2019 – 12:30 p.m.  
Educational Services Center – 4<sup>th</sup> Floor Conference Room  
770 Wilshire Boulevard, Los Angeles, California**

**MINUTES OF THE REGULAR MEETING – OPEN SESSION**

Present: Commissioners:  
David Iwata, Chair  
Henry Jones, Vice Chair  
Ann Young-Havens

Staff:  
Ute Severa, Interim Personnel Director  
Neely Miller, Executive Assistant  
Deborah Tsai, Assistant Personnel Analyst  
Justin L’Hommedieu, Assessment & Selection Analyst  
Ryan Pennock, Personnel Analyst  
Patrick Sung, Administrative Intern

Guests:  
Mary Van Ginkle, Administrative Analyst, Human Resources, Educational Services Center  
Claudia Gallegos, Senior Secretary, Employer-Employee Relations, Educational Services Center  
James Bradley, SEIU Local 99

- I. The Chair convened the regular meeting at 1:10 p.m.
- II. **Report of Actions Taken in Closed Session** – Mr. Iwata reported that the Personnel Commission took no action during closed session.
- III. **Miscellaneous Personnel Commission Activities and Announcements** – Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission received the latest Classified Employment Opportunities Bulletin and Strictly Classified Employee Bulletin as information.
- IV. **Reissue of Personnel Commission Rule 516, CLASSIFICATION PLAN (Case 3811)**  
– Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission granted approval for the reissue of Rule 516, as presented.
- V. **Reissue of Personnel Commission Rule 522, CLASS TITLES AND DESCRIPTIONS (Case 3812)** - Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission granted approval for the reissue of Rule 522, as presented.

**VI. Reissue of Personnel Rule 523, CLASSIFICATION OF NEW POSITIONS (Case 3813)**

Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission granted approval for the reissue of Rule 523, as presented.

**VII. Reissue of Personnel Commission Rule 725, MULTIPLE ASSIGNMENTS (Case 3809)**– Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission granted approval for the reissue of Rule 725, as presented.

**VIII. Revisions to Personnel Commission Rule 803, LEAVES OF ABSENCE (Tentative Approval) (Case 3814)** - Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission granted tentative approval for Rule 803, as presented.

**IX. Claims for Temporary Work Out of Classification for EN 1047735 (Case 3801)** - Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission approved the Claims for Temporary Work Out of Class for EN 1047735.

**X. Establishment of New Job Classification of Child Development Center Assistant (Infant Care) (Case 3808)**

- a. Approve the Establishment of the New Classification of Child Development Center Assistant (Infant Care)
- b. Approve the Salary Allocation for the New Classification of Child Development Center Assistant (Infant Care)
- c. Approve the Class Description for the New Classification of Child Development Center Assistant (Infant Care)
- d. Approve the Examination Authorization for the New Classification of Child Development Center Assistant (Infant Care), with an Open Only Field of Competition

Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission approved the establishment of the new class of Child Development Center Assistant (Infant Care).

**XI. Correspondence** – No correspondence was received.

**XII. Notice of Anticipated Agenda Items** – Upon motion by Ms. Young-Havens and concurred with by the Chair, the Personnel Commission acknowledged notice of Anticipated Agenda Items: Notice of Anticipated Items: Classification Study for EN 1060896 (AFT); Class Description Revision for Senior Network Engineer (AFT); Revisions to Personnel Commission Rule 803, LEAVES OF ABSENCE (Final Approval); Revisions to Personnel Commission Rule 820, MILITARY LEAVE OF ABSENCE (Tentative Approval); Revisions to Personnel Commission Rule 804, LEAVES RESULTING FROM INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS (Tentative Approval)



- XIII. **Hear Non-Agenda Speakers/Open Forum** – There were no non-agenda speakers.
- XIV. Reconvene into Closed Session
- XV. Reconvene into Open Session
- XVI. **Report Out Actions Taken in Closed Session** – Mr. Iwata reported that the Personnel Commission took no action in Closed Session
- XVII. **Adjourn** – The meeting adjourned at 1:20 p.m.

\_\_\_\_\_  
Ute Severa, Interim Personnel Director

This is to certify that these are the full and correct minutes of the regular meeting of the Personnel Commission of the Los Angeles Community College District.

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Iwata, Chair

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**LOS ANGELES COMMUNITY COLLEGE DISTRICT**

**RESOLUTION HONORING PERSONNEL COMMISSIONER ANN YOUNG-HAVENS**

- WHEREAS,** Ann Young-Havens was appointed to serve as Personnel Commissioner of the Los Angeles Community College District on February 12, 2009, **And**
- WHEREAS,** Ms. Young-Havens was uniquely qualified for service as a Personnel Commissioner of the Los Angeles Community College District based on her extensive human resources experience with merit system/civil service agencies; she acted as the Personnel Director of the Los Angeles Unified School District, a merit system that supports over 40,000 classified employees; she is currently employed as a senior human resources manager of the Countywide Examination Administration Division for the County of Los Angeles where she is responsible for conducting high-quality recruitment campaigns, constructing valid and reliable testing methods based on job-related criteria, and ensuring that all examination processes are in accordance with relevant professional standards and guidelines, **And**
- WHEREAS,** During her 11 years as Personnel Commissioner, Ms. Young-Havens has consistently proven her strong support of the Merit System and the interests of the District and classified employees, **And**
- WHEREAS,** During her tenure as Personnel Commissioner, Ms. Young-Havens has advanced the principles of equal employment opportunity, diversity, equity, and inclusion in the recruitment and selection process of the Personnel Commission; **And**
- WHEREAS,** Ms. Young-Havens has been instrumental in implementing changes and improvements in Personnel Commission operations which incorporated merit principles, sound business practices, innovative systems technologies, **And**
- WHEREAS,** Ms. Young-Havens has gained the respect of her fellow Personnel Commissioners, District administration, employees, union leadership, and staff in carrying out the role of Personnel Commissioner, **Now, Therefore, Be It**
- RESOLVED** That the Personnel Commission of the Los Angeles Community College District does hereby honor Ann Young-Havens as Personnel Commissioner Emeritus for her service and dedication and wish her the best in her future endeavors.

March 11, 2020

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**LOS ANGELES COMMUNITY COLLEGE DISTRICT**

**TO:** THE PERSONNEL COMMISSION

**FROM:** Ute Severa

**SUBJECT:** Revision to Personnel Commission Rule 771, REINSTATEMENT (Final Approval)  
(Case 3815)

The proposed amendments to Rule 771 are part of the Personnel Commission's continuing review and update of Personnel Commission Laws and Rules. Education Code Sections 88080 and 88081 have been added. Paragraph G has been amended in conjunction with updates made in Rule 820, MILITARY LEAVE.

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771 REINSTATEMENT

**Education Code Sections**

**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.

**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

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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.

- A. The provisions of this rule shall apply to a permanent classified employee who has resigned while in good standing. Such former employee may, upon the recommendation of the division head or college president under whom he/she last served, be reinstated as a permanent or limited-term employee without further competitive examination to a position in his/her former class, in a related lower class, or a lower class in which he/she formerly had permanent status.

If the permanent classified employee has resigned while in good standing from a position in the classes of SFP Program Director, SFP Program Specialist, SFP Program Technician, or SFP Program Office Assistant, he/she may, upon the recommendation of the division head or college president under whom he/she last served, be reinstated as a permanent or limited-term employee without further competitive examination in an equal or lower SFP job classification.

In accordance with Rule 519, SENIOR ADMINISTRATIVE POSITIONS AND EMPLOYEES, employees hired into a senior classified administrative position on or after January 1, 2001, are excluded from the provisions of this rule. Such employees do not obtain permanent status in such a position.

- B. Reinstatement shall not supersede the right of any person to reemployment pursuant to Rule 740, LAYOFF AND REEMPLOYMENT.
- C. A person who is reinstated shall be compensated as follows:
1. A person who is reinstated in the class from which he/she resigned shall be placed on:
    - a. The flat rate of the class, if applicable, or
    - b. The step of the schedule attained at the time of resignation, or
    - c. The hiring step for the class, whichever is higher.
  2. A person who is reinstated in a class lower than that from which he/she resigned shall be placed on:
    - a. The flat rate of the class, if applicable, or



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- b. The step of the schedule that provides a rate equal to or next below the rate he/she would be entitled to if reinstated in the former class, or
- c. The hiring step for the class, whichever is higher.

In no case shall the rate assigned exceed the maximum rate for the class or include step advancements the person would have earned if he/she remained employed with the District.

- D. A person reinstated as a permanent employee in a lower class shall be entitled to the privileges extended in Rule 745, VOLUNTARY DEMOTION OR REDUCTION IN STATUS OR ASSIGNED TIME.
- E. A person reinstated as a limited-term employee shall be granted the rights and privileges extended in Rule 710, VOLUNTARY REDUCTION IN STATUS.
- F. The lapse of 39 months after the last day for which salary was received as a permanent employee voids any privileges gained under this rule except as provided in Paragraph G. below.
- G. The period for requesting reinstatement may be extended if a former regular classified employee, who resigned from the District to enter into military service and was subsequently separated from the military under conditions other than dishonorable, submits a request to return in accordance with the provisions of Rule 820, MILITARY LEAVE ~~within one year of the termination of war emergency or within six months of completion of active military service~~. Such extension shall allow the employee to perform military service for a maximum period of five years in accordance with the applicable provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA). Certain types of service in the uniformed services, which are identified in the code provision 1002.103 of USERRA, do not count against the five-year service limit.
- H. A person reinstated as a limited-term employee does not relinquish his/her privilege of returning to permanent employment within the 39-month period or the applicable time period outlined in USERRA for persons returning from military service.
- I. Whenever any former employee of the District who held permanent status at the time of his/her resignation is reinstated as a permanent employee, the governing board of the District shall disregard the break in service of said employee and restore all the rights, benefits, and burdens of a permanent employee.
- J. A former employee who has been reinstated in accordance with this rule may request that his/her name be restored to its proper rank on any promotional eligibility list that is still in effect.

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**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION**

**TO:** THE PERSONNEL COMMISSION

**FROM:** Ute Severa

**SUBJECT:** Revision of Personnel Commission Rule 804, LEAVES RESULTING FROM INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS (Final Approval) (Case 3816)

The proposed amendments to Rule 804 are part of the Personnel Commission's continuing review and update of Personnel Commission Laws and Rules. The rule has been retitled for consistency purposes. Education Code Section 88192 has been updated in accordance with the passing of SB 1171 in 2016. Education Code Section 88199 has been added. Editorial changes have been made to the rule for clarity, consistency, and conciseness. Headings have been added to the rule and paragraphs have been reorganized under the appropriate heading.

The following substantive changes have been made to the rule:

- Paragraph A. includes additional definitions for industrial accident leave and assault and battery leave.
- Paragraph B.3 adds a provision from Education Code Section 88192 on the use of leave from year to year.
- Paragraph B.5 changes the length of leave for retired employees employed in accordance with Rule 763 from 90 to 60 working days in order to be consistent with the length of leave for non-retired employees.
- Paragraph C.4 addresses compensation for employees on assault and battery leave.
- Paragraph D.1 updates the rights available to employees upon return to service from leave.
- Paragraph D.3 includes an option available to employees subject to placement on a reemployment list for medical purposes.
- Paragraph D.5 adds that employees returning from leave are subject to provision of Rule 682, HEALTH EVALUATIONS.
- Paragraph I. has been removed as with the passing of AB 915 in 2015, employees are no longer required to obtain prior approval before traveling outside the State of California.

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804 ~~LEAVES RESULTING FROM INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS LEAVES~~

**Education Code Sections ~~87042~~**

**87042.** Any school employee of a community college district who is absent because of injury or illness which arose out of and in the course of the person's employment, and for which the person is receiving temporary disability benefits under the workers' compensation laws of ~~the~~ this state, shall not be entitled to received wages or salary from the district which, when added to the temporary disability benefits, will exceed a full day's wages or salary.

During such periods of temporary disability so long as the employee has available for the employee's use sick leave, vacation, compensating time off or other paid leave of absence, the district shall require that temporary disability checks be endorsed payable to the district. The district shall then cause the employee to receive the person's normal wage or salary less appropriate deductions including but not limited to employee retirement contributions.

When sick leave, vacation, compensating time off or other available paid leave is used in conjunction with temporary disability benefits derived from workers' compensation, as provided in this section, it shall be reduced only in that amount necessary to provide a full day's wage or salary when added to the temporary disability benefits.

**Education Code ~~87043~~**

**87043.** Notwithstanding the provisions of Sections 87042, 87787, and 88192, a community college district may waive the requirement that temporary disability checks be endorsed payable to the district, and may in lieu thereof, permit the employee to retain his temporary disability check, providing that notice be given to the district that such check has been delivered to the employee. In such cases, the district shall then cause the employee to receive his normal wage or salary less appropriate deductions, including, but not limited to, employee retirement contributions, and an amount equivalent to the face amount of the temporary disability check, which the employee has been permitted to retain. In all cases, employee benefits are to be computed on the basis of the employee's regular wage or salary prior to the deduction of any amounts for temporary disability payments.

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Nothing contained herein shall be deemed in any way diminish those rights and benefits which are granted to a school employee pursuant to the provisions of Sections 87042, 87787, and 88192.

Education Code 88192

**88192. Industrial Accident and Illness Leaves for Classified Employees.**

(a) ~~The~~ Governing boards of community college districts shall provide, by rules and regulations, for industrial accident or illness leaves of absence for employees who are a part of the classified service. The governing board of any community college district ~~which that~~ is created or whose boundaries or status is changed by an action to organize or reorganize community college districts completed after January 1, 1975, shall provide, by rules and regulations, ~~for such~~ these leaves of absence on or before the date on which the organization or reorganization of the community college district becomes effective for all purposes ~~as provided in Section 4064.~~

~~Such~~ (b) The rules and regulations shall include all of the following provisions:

(a1) Allowable leave shall not be for less than 60 working days in any one fiscal year for the same accident.

(b2) Allowable leave shall not be accumulative from year to year.

(e3) Industrial accident or illness leave of absence will commence on the first day of absence.

(e4) Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.

(e5) Industrial accident leave ~~will~~ shall be reduced by one day for each day of authorized absence regardless of a compensation award made under workers' compensation.

(f6) When an industrial accident or illness occurs at a time when the full 60 days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

(c) The industrial accident or illness leave of absence is to be used in lieu of entitlement acquired under Section 88191. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other sick leave will then be used, but if an employee is receiving workers' compensation, the ~~person~~ employee shall be entitled to use only so much of ~~the person's~~ his or

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her accumulated or available sick leave, accumulated compensating time, vacation or other available leave ~~which as~~, when added to the workers' compensation award, provide for a full day's wage or salary.

(d) The governing board ~~may of a community college district~~, by rule or regulation, may provide for ~~such~~ additional leave of absence, paid or unpaid, as it deems appropriate and during ~~such~~ that leave the employee may return to ~~the person's~~ his or her position without suffering any loss of status or benefits.

(e) ~~A p~~Periods of leave of absence, paid or unpaid, shall not be considered to be a break in service of the employee.

(f) During ~~all~~ paid leaves of absence, whether industrial accident leave as provided in this section, sick leave, vacation, compensated time off or other available leave provided by law or the action of a governing board of a community college district, the employee shall endorse to the community college district wage loss benefit checks received under the workers' compensation laws of this state. The community college district, in turn, shall issue the employee appropriate warrants for payment of wages or salary and shall deduct normal retirement and other authorized contributions. Reduction of entitlement to leave shall be made only in accordance with this section.

(g) When all available leaves of absence, paid or unpaid, have been exhausted and if the employee is not medically able to assume the duties of ~~the person's~~ his or her position, the ~~person shall~~ employee, if not placed in another position, shall be placed on a reemployment list for a period of 39 months. When available, during the 39-month period, the ~~person~~ employee shall be employed in a vacant position in the class of ~~the person's~~ his or her previous assignment over all other available candidates except for a reemployment list established because of lack of work or lack of funds, in which case the ~~person~~ employee shall be listed in accordance with appropriate seniority regulations.

(h) The governing board of a community college district may require that an employee serve, or have served continuously, a specified period of time with the community college district before the benefits provided by this section are made available to the ~~person provided that such~~ employee. However, ~~that~~ period shall not exceed three years, and that a All service of an employee ~~prior before~~ to the effective date of this section shall be credited in determining compliance with the requirement.

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~~Any employee receiving benefits as a result of this section shall, during periods of injury or illness, remain within the State of California unless the governing board authorizes travel outside the state.~~

(i) In the absence of rules and regulations adopted by the governing board of a community college district, pursuant to this section, an employee shall be entitled to industrial and accident or illness leave as provided in this section but without limitation as to the number of days of ~~such~~ that leave and without any requirement of a specified period of service.

(j) An employee who has been placed on a reemployment list, as provided ~~herein~~ in this section, who has been medically released for return to duty and who fails to accept an appropriate assignment shall be dismissed.

(k) This section ~~applies~~ shall apply to community college 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~~.

**88199.** Governing boards of community college districts may grant leaves of absence to persons employed in nonacademic positions, and at their discretion may pay compensation at the rate the board prescribes, during the absence, to any such employee whose absence is caused by accident or illness, whether or not the absence arises out of or in the course of the employment of the employee, or because of quarantine which results from his or her contact with other persons having a contagious disease while performing his or her duties.

A. General Provisions Definitions

- ~~1. Leaves resulting from an industrial accident or industrial illness shall be granted in accordance with the provisions of Education Code Sections 87042 and 88192 and this Rule.~~ An industrial accident leave is a leave granted for absence caused by an occupational illness or injury which arose out of and in the course of District employment for which an employee is receiving temporary disability benefits under the applicable workers' compensation laws.

An assault and battery leave is a type of industrial accident leave that is granted for absence because of an injury resulting from an assault and/or battery that was directly related to the performance of duties but is considered to be above and beyond the normal risks expected by an employee of the District. The Division of Human Resources is responsible for determining if an absence is due to an assault and/or battery.



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2. ~~Whenever a certificated employee who has an additional assignment in the classified service is granted an industrial accident or industrial illness leave from his certificated assignment, he shall be granted an industrial accident or industrial illness leave from his classified assignment provided that he is eligible for industrial accident or industrial illness absence pay in that assignment.~~

B. ~~Paid~~ Use of Industrial Accident Leave

1. ~~An employee in the classified service who is absent from duty because of an illness or injury defined as an industrial accident or industrial illness under provisions of the workers' compensation insurance law shall be granted paid industrial accident leave for each such accident or illness while receiving temporary disability benefits from workers' compensation shall be granted~~ provided that:

- a. ~~He~~ The employee has permanent status; or
- b. ~~He~~ The employee is a probationary classified employee who has completed at least 130 days of paid service; or
- c. ~~He~~ The employee has completed a total of three consecutive years of continuous employment with the District immediately preceding the beginning of the leave with any combination of limited term, probationary, or permanent status, including at least 130 days of paid service during each of the three years. at least 130 working days of paid service in any combination of limited-term, probationary, or permanent status during each of the three consecutive years immediately preceding the beginning of the leave. A day of paid service shall be defined as any day for which pay is received. ~~;~~ or
- d. ~~The Chancellor or his designated representative has determined that the illness or injury was directly related to the performance of his duties and caused by assault and/or battery.~~

2. ~~Paid industrial accident~~ The leave shall be granted, as indicated in accordance with the employee's assignment, from the first day of absence to and including the last day of absence resulting from each separate industrial illness or industrial injury. A paid industrial accident leave granted under: The length of the leave granted shall not exceed 60 working days in any one fiscal year.

- a. ~~Paragraph B.1.a and b, above, shall be for not more than 60 working days.~~

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b. ~~Paragraph B.1.c, above, shall be for not more than the number of hours which corresponds to that proportion of 480 hours as the total number of hours the employee worked in the preceding 13 pay periods is in proportion to 2080 hours.~~

c. ~~Paragraph B.1.d, above, shall be for not more than one calendar year.~~

3. Allowable leave shall not be accumulative from fiscal year to fiscal year. When an industrial accident leave extends into the next fiscal year, the employee shall be entitled to only the unused amount of leave for the same injury or illness.

~~43. Paid industrial accident~~ The leave shall be reduced by one day for each day of authorized absence regardless of the temporary disability allowance made under applicable workers' compensation laws. Days absent while on paid industrial accident leave shall not be deducted from the number of days of paid illness leave to which an the employee may be entitled under Rule 808, ILLNESS LEAVE.

~~54. A retired employee assigned for limited periods under employed in accordance with Rule 763, EMPLOYMENT OF RETIRED PERSONS, who qualifies under Paragraph B.1., above, shall be granted only a paid industrial accident leave under the provisions of this rule if the employee qualifies in accordance with Paragraph B.1.c., above. The paid industrial accident leave shall extend only to the last day of the employee's current period of 90 working days or less assignment or to 60 working days, whichever occurs first.~~

6. An academic employee who has an additional assignment in the classified service and is granted a leave due to industrial accident or industrial illness from his/her academic assignment shall be granted an industrial accident leave from the classified assignment provided that he/she is eligible for industrial accident pay in that assignment.

7. If an employee has exhausted all accumulated paid leave privileges, a District-approved medical consultant may approve an employee being placed on an industrial accident leave without pay. The total time of all leave benefits provided under this rule, including unpaid industrial accident leave, shall not exceed 36 months for any one industrial accident or industrial illness.

8. Paid leave shall be granted from the first day of absence resulting from assault and/or battery, but paid leave shall not exceed one calendar year. If unable to return at the end of a calendar year, an employee may be placed on another type of paid or unpaid leave for which he/she meets eligibility requirements.

C. ~~Illness Leave~~

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~~1.9.~~ If the District-approved ~~M~~medical ~~C~~onsultant determines that an employee is still unable to return to duty after exhausting paid industrial accident leave, the employee shall be placed on illness leave in accordance with Rule 808, ILLNESS LEAVE, provided he/she is eligible therefor.

~~2.~~ Accumulated illness leave will be reduced only in the amount necessary to provide a full day's wages or salary, as indicated in the employee's assignment, when added to compensation without penalties from the workers' compensation fund. Accumulated half-pay illness leave shall be reduced by no more than eight hours for any one day or no more than the employee's basic daily assignment.

~~D. Vacation Pay~~

~~After all illness leave pay has been exhausted following a paid industrial accident leave, an employee may choose to receive pay from accrued vacation to the extent necessary to make up the employee's regular salary when receiving a temporary disability allowance without penalties from the compensation fund.~~

~~E. Industrial Accident Leave Without Pay~~

~~After the expiration of accumulated paid leave privileges, Employee Health Services may approve an employee being placed on an industrial accident leave without pay. Vacancies caused by such unpaid leave may be filled by regular appointment. The total time of all leave benefits provided under this Rule, including unpaid industrial accident leave, shall not exceed 36 months for any one industrial accident or industrial illness.~~

~~H.C. Compensation~~

1. While an employee is on any paid leave resulting from an industrial accident or industrial illness, the employee's salary paid by the ~~Los Angeles Community College~~ District shall not, when added to a normal temporary disability allowance award without penalties granted the employee under workers' compensation laws, exceed the employee's regular salary. A permanent employee's regular salary is computed on the basis of the number of hours and days in ~~his~~ the employee's basic daily assignment. The regular salary of Aan employee who is not permanent shall ~~have his regular salary~~ be computed on the basis of the average number of hours worked each pay period in which the employee was in paid status during the preceding ~~13 pay periods~~ 12 month period. An employee who receives a salary differential other than shift differential shall lose the advantage of the differential after 10 consecutive days of paid industrial accident leave for any one accident or illness.

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2. During all paid leaves resulting from an industrial accident or industrial illness, the employee shall endorse to the District all wage-loss benefit checks received under workers' compensation laws. The District shall issue to the employee appropriate warrants for payment of wages, loss benefits, salary, and/or leave benefits and shall deduct normal retirement and other authorized contributions.
3. If an employee continues to receive temporary disability allowance from the workers' compensation fund after all paid illness leave has been exhausted following a paid industrial accident leave, an employee may choose to receive pay from accrued vacation to the extent necessary to make up the employee's regular salary.
4. When an employee is on an assault and battery leave, the employee will be paid his/her full salary for the assignment in which serving when injured for a maximum of one year. Except for the one year provision, compensation is paid under the same provisions as apply to other industrial accidents.
- 3.5. Final allowance for permanent industrial disability settlements shall not be subject to remittance to the District under this rule.

F.D. Return to Service Following Leave

1. ~~From Paid and/or Unpaid Leave~~

- a1. Upon return to service from any paid or unpaid leave resulting from an industrial accident or industrial illness, an employee shall be ~~assigned~~ placed to in a position in his/her former job classification and, if vacant, to his/her former position in the class, ahead of any employee with a lesser amount of seniority. If no vacancy exists in ~~his~~ the former class, ~~he may displace the most recently appointed employee in the class with less seniority~~ he/she shall have the right to exercise bumping rights provided that he/she does not have the least seniority in that class. If an employee's former class has ceased to exist, the employee may be reassigned or placed on ~~a suitable~~ the reemployment list for the classes in which he/she had attained regular status. If a negotiated bargaining agreement contains additional provisions regarding the rights of an employee returning to service from an industrial accident leave, then those rights shall be granted to the employee upon return to service.
- b2. An employee returning from such paid or unpaid leave of absence shall not have any loss or gain in status or benefits other than that which is specifically provided in

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applicable provisions of the Education Code and Personnel Commission rules. An employee shall continue to receive seniority credit for all purposes while on such a paid or unpaid leave of absence.

~~2. From a Reemployment List~~

- ~~3. When all paid or unpaid leaves have been exhausted, and the employee is not medically able to assume the duties of his/her position, the employee shall be placed on a reemployment list for a period of 39 months as if he/she were being laid off. An employee on a reemployment list shall have the same rights and benefits as an employee laid off because of lack of work or lack of funds as provided in Rule 740, LAYOFF AND REEMPLOYMENT. The reemployment rights of an employee with limited term status only shall be limited to the same status the employee had earned previous to the industrial accident or industrial illness.~~

~~An employee subject to placement on a reemployment list for medical reasons may request a review of other placement options through the Division of Human Resources.~~

- ~~4. An employee who fails to accept an appropriate assignment after being medically approved by the District Medical Consultant shall be removed from the reemployment list. Appropriate assignment is defined as an assignment to the employee's former class at the time of layoff, in the former status and time basis, and in assignment areas in which the employee has made himself/herself available. Employees removed from a reemployment list under this rule may appeal the removal using the procedure indicated in Rule 600, REJECTION OF APPLICANTS, CANDIDATES, AND ELIGIBLES.~~

- ~~5. An employee returning to duty shall be subject to provisions of Rule 682, HEALTH EVALUATIONS.~~

~~G. Reemployment List~~

- ~~1. When all paid or unpaid leaves of absence have been exhausted following an industrial accident or industrial illness, an employee shall be terminated and his name shall be placed on the reemployment list for the class from which he was on leave for a period not to exceed 39 months.~~
- ~~2. An employee who fails to accept an appropriate assignment after being medically approved by the District Medical Consultant shall be removed from the reemployment list. Appropriate assignment is defined as an assignment to the employee's former class at the time of layoff, in his the former status and time basis, and in assignment areas in which the employee has made~~

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~~himself available. Employees removed from a reemployment list under this rule may appeal the removal using the procedure indicated in Rule 600, REJECTION OF APPLICANTS, CANDIDATES, AND ELIGIBLES, except that an appeal of an administrative review decision relating to medical matters shall not be made to the Personnel Commission but shall be to such authorities as the Board of Trustees may designate.~~

I. ~~Out of State Travel~~

~~An employee receiving benefits under the provisions of this rule shall obtain prior approval of the Board of Trustees for any travel outside the State of California.~~

**LOS ANGELES COMMUNITY COLLEGE DISTRICT  
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**TO:** THE PERSONNEL COMMISSION

**FROM:** Ute Severa

**SUBJECT:** Revision of Personnel Commission Rule 820, MILITARY LEAVE OF ABSENCE (Final Approval) (Case 3817)

The proposed amendments to Rule 804 are part of the Personnel Commission's continuing review and update of Personnel Commission Laws and Rules. Military and Veterans Code Sections have been updated. Military and Veterans Code Section 395.03 and Education Code Sections 88080, 88081, and 87018 have been added. Editorial changes have been made to the rule for clarity, consistency, and conciseness. Headings have been renamed for consistency purposes.

The following substantive changes have been made to the rule:

- Paragraph A.1 and 2 updates the definitions for military leave.
- Paragraph C.2 was added to address compensation for members of the California National Guard or a United States Military Reserve organization.
- Paragraph D. 3 addresses the accrual of vacation and illness leave while an employee is on temporary military leave.
- Paragraph F.4 addresses the rights to a position an employee has upon return from temporary military leave.
- Additional provisions in accordance with the federal Uniformed Services Employment and Reemployment Rights Act (USERRA) have been added as follows:
  - Paragraph B. for an employee's notification to an employee's supervisor of military leave.
  - Paragraph D.4 for health plan coverage for employees on military leave.
  - Paragraph F.1 for timelines on when an employee should report back to work or submit an application to his/her employer for reemployment.
  - Paragraph F.3 for the effects on a pension plan for an employee returning from military leave.

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820 MILITARY LEAVE OF ABSENCE

**Military and Veterans Code Sections**

**389.** (a) As used in this chapter, "temporary military leave of absence" means a leave of absence from public employment to engage in ordered military duty for a period which by the order is not to exceed 180 calendar days including travel time for purposes of active military training, encampment, naval cruises, special exercises or like activity as a member of the reserve corps or force of the armed forces of the United States, or the National Guard, or the Naval Militia.

(b) "Public employee" means any officer or employee of a public agency, except for those officers or employees of the state subject to provisions of Chapter 11 (commencing with Section 19770) of Part 2 of Division 5 of Title 2 of the Government Code.

(c) "Public agency" means the state, or any county, city and county, city, municipal corporation, school district, irrigation district, water district, or other district.

(d) "Armed forces" or "armed forces of the United States" means the "armed forces" as defined in Section 18540 of the Government Code.

(e) "Recognized military service" means service as defined in Section 18540.3 of the Government Code.

**395.** (a) Any public employee who is a member of the reserve corps of the Armed Forces of the United States or of the National Guard or the Naval Militia ~~shall be~~ is entitled to a temporary military leave of absence as provided by federal law while engaged in military duty ordered for purposes of active military training, inactive duty training, encampment, naval cruises, special exercises or like activity ~~as such member~~, providing that the period of ordered duty does not exceed 180 calendar days, ~~and provided that military leave of absence is not required for periods of inactive military duty including time involved in going to and returning from that duty.~~

(b) ~~Notwithstanding subdivision (a), a local public agency may, but is not required to, provide paid military leave of absence for periods of inactive duty training.~~

(c) ~~He~~ The employee shall have ~~has~~ an absolute right to be restored to ~~his~~ the former office or position and status formerly had by him or her in the same locality and in the same office, board, commission, agency, or institution of the public agency upon the termination of ~~such~~ temporary military duty. If the office or position has been abolished or otherwise has ceased to exist during his or her absence, he or she shall be reinstated to a position of like seniority, status, and pay if ~~such~~ a position exists, or if no ~~such~~ position exists ~~he~~ the employee shall have the same rights and privileges that he or she would have had if he or she ~~had~~ occupied the position when it ceased to exist and had not taken temporary military leave of absence.

(d) Any public employee who has been in the service of the public agency from which the leave is taken for a period of not less than one year immediately prior to the date upon which ~~his~~ a temporary military leave of absence begins, shall receive

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the same vacation, sick leave, and holiday privileges and the same rights and privileges to promotion, continuance in office, employment, reappointment to office, or reemployment that ~~he~~ the employee would have enjoyed had he or she not been absent therefrom; excepting that an uncompleted probationary period, if any, in the public agency, must be completed upon reinstatement as provided by law or rule of the agency. For the purposes of this section, in determining the one year of service in a public agency all service of ~~said~~ the ~~public~~ employee in recognized military service shall be counted as public agency service.

~~(e) If the provisions of this section are~~ is in conflict with ~~the provisions of a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1 of the Government Code, the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a~~ the memorandum of understanding requires the expenditure of funds, ~~the provisions~~ it shall not become effective unless approved by the Legislature in the annual Budget Act.

**395.01.** (a) Any public employee who is on temporary military leave of absence for military duty ordered for purposes of active military training, inactive duty training, encampment, naval cruises, special exercises, or like activity as such member, provided that the period of ordered duty does not exceed 180 calendar days including time involved in going to and returning from the duty, ~~but not for inactive duty such as scheduled reserve drill periods,~~ and who has been in the service of the public agency from which the leave is taken for a period of not less than one year immediately prior to the day on which the absence begins, ~~shall be~~ is entitled to receive his or her salary or compensation as ~~such a~~ public employee for the first 30 calendar days of any such absence. Pay for ~~such~~ those purposes ~~shall~~ may not exceed 30 days in any one fiscal year. For the purposes of this section, in determining the one year of public agency service, all service of ~~said a~~ public employee in the recognized military service shall be counted as public agency service.

(b) Notwithstanding subdivision (a), a local public agency may, but is not required to, pay an employee during a period of inactive duty training.

(c) If the provisions of this section are in conflict with the provisions of a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4, of Title 1 of the Government Code, the memorandum of understanding shall be controlling without further legislative action, except that if those provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the Annual Budget Act.

**395.02.** Every officer and employee of a public agency who is on military leave other than temporary military leave of absence who has been in the service of such public agency for a period of not less than one year immediately prior to the date on which the absence begins shall be entitled to receive his salary or compensation

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as such officer or employee for the first 30 calendar days while engaged in the performance of ordered military duty.

As used in this section only, the terms "officer" and "employee" mean an officer or employee who

- (a) Is ordered into active military duty as a member of a reserve component of the armed forces of the United States;
- (b) Is ordered into active federal military duty as a member of the National Guard or Naval Militia; or
- (c) Is inducted, enlists, enters or is otherwise ordered or called into active duty as a member of the armed forces of the United States.

**395.03.** No more than the pay for a period of 30 calendar days shall be allowed under the provisions of Section 395.01 or 395.02 for any one military leave of absence or during any one fiscal year, except as otherwise authorized by resolution of the legislative body of a public agency or as provided in a memorandum of understanding reached with an employee organization pursuant to Chapter 10 (commencing with Section 3500) of Division 4 of Title 1 of the Government Code.

**395.04.** ~~During such~~ the time that as an officer or enlisted ~~man~~ person of the California National Guard, who is on full-time active duty in the military service of the state, and is engaged, with the approval of the Adjutant General, in the military service of the state in attendance at drills, camps, or special exercises, sponsored by federal authority or by the ~~War~~ United States Department of Defense, as a member of the National Guard of the United States, he or she shall receive ~~his~~ salary, pay, and compensation as provided in Sections 320 and 321 ~~of this code~~.

**395.05.** (a) Any public employee who is a member of the National Guard, shall be entitled to absent himself from his duties or service, without regard to the length of his public service, while engaged in the performance of ordered military or naval duty and while going to and returning from such duty, provided such duty is performed during such time as the Governor may have issued a proclamation of a state of extreme emergency or during such time as the National Guard may be on active duty in one or more of the situations described or included in Section 146 of this code provided such absence does not exceed the duration of such emergency. During the absence of such officer or employee while engaged in such military service during such emergency and while going to and returning from such duty, and for a period not to exceed 30 calendar days, he shall receive his salary or compensation as such officer or employee and shall not be subjected by any person directly or indirectly by reason of such absence to any loss or diminution of vacation or holiday privilege or be prejudiced by reason of such absence with reference to promotion or continuance in office, employment, reappointment to office, or reemployment.

(b) If the provisions of this section are in conflict ~~with~~ with the provisions of a memorandum of understanding reached pursuant to Chapter 12 (commencing with

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Section 3560) of Division 4, of Title 1 of the Government Code, the memorandum of understanding shall be controlling without further legislative action, except that if those provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the Annual Budget Act.

**395.1.** (a) Notwithstanding any other provision of law to the contrary, any officer or employee of the state not subject Chapter 11 (commencing with Section 19770) of Part 2 of Division 5 of Title 2 of the Government Code, to civil service, or any public officer, deputy, assistant, or employee of any city, county, city and county, school district, water district, irrigation district, or any other district, political corporation, political subdivision, or governmental agency thereof who, in time of war or national emergency as proclaimed by the President or Congress, or when any of the armed forces of the United States are serving outside of the United States or their territories pursuant to order or request of the United Nations, or while any national conscription act is in effect, leaves or has left his or her office or position prior to the end of the war, or the termination of the national emergency or during the effective period of any ~~such~~ order or request of this type of the United Nations or prior to the expiration of the National Conscription Act, to join the armed forces of the United States and who does or did without unreasonable and unnecessary delay join the armed forces or, being a member of any reserve force or corps of any of the armed forces of the United States or of the militia of this state, is or was ordered to duty therewith by competent military authority and served or serves in compliance with ~~such~~ those orders, shall have a right, if released, separated or discharged under conditions other than dishonorable, to return to and reenter upon the office or position within six months after the termination of his or her active service with the armed forces, but not later than six months after the end of the war or national emergency or military or police operations under the United Nations or after the Governor finds and proclaims that, for the purposes of this section, the war, national emergency, or United Nations military or police operation no longer exists, or after the expiration of the National Conscription Act, if the term for which he or she was elected or appointed has not ended during his or her absence; provided, that ~~such~~ the right to return to and reenter upon the office or position shall not extend to or be granted to ~~such any public officer, deputy assistant,~~ or employee of the state not subject to Chapter 11 (commencing with Section 19770) of Part 2 of Division 5 of Title 2 of the Government Code, or any public officer, deputy, assistant, or employee of any city, county, city and county, school district, water district, irrigation district or any other district, political corporation, political subdivision or governmental agency thereof, who shall fail to return to and reenter upon his or her office or position within 12 months after the first date upon which he or she could terminate or could cause to have terminated his or her active service with the armed forces of the United States or of the militia of this state. He or she shall also have a right to return to and reenter upon the office or position during

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terminal leave from the armed forces and prior to discharge, separation or release therefrom.

(b) Upon ~~such~~ return and reentry to the office or employment the officer or employee shall have all of the rights and privileges in, connected with, or arising out of the office or employment which he or she would have enjoyed if he or she had not been absent therefrom; provided, however, ~~such~~ the officer or employee shall not be entitled to sick leave, vacation or salary for the period during which he or she was on leave from ~~such that~~ governmental service and in the service of the armed forces of the United States.

If the office or position has been abolished or otherwise has ceased to exist during his or her absence, he or she shall be reinstated in a position of like seniority, status and pay if ~~the such~~ position exists, or to a comparable vacant position for which he or she is qualified.

(c) Any officer or employee other than a probationer who is restored to his or her office or employment pursuant to this act shall not be discharged from ~~that such~~ office or position without cause within one year after ~~the such~~ restoration, and shall be entitled to participate in insurance or other benefits offered by the employing governmental agency pursuant to established rules and practices relating to ~~such those~~ officers or employees on furlough or leave of absence in effect at the time ~~such the~~ officer or employee left his or her office or position to join the armed forces of the United States.

(d) Notwithstanding any other provisions of this code, any enlisted person who was involuntarily ordered to active duty (other than for training) for a stated duration shall not lose any right or benefit conferred under ~~the provisions of~~ this code if he or she voluntarily elects to complete the period of ~~such that~~ duty.

(e) If the provisions of this section are in conflict with the provisions of a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4, of Title 1 of the Government Code, the memorandum of understanding shall be controlling without further legislative action, except that if those provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the Annual Budget Act.

**395.2.** Any employee of a board of school trustees or board of education in a position not requiring certification qualifications who enters the active military service of the United States of America or of the State of California, including active service in any uniformed auxiliary of, or to, any branch of such military service created or authorized as such auxiliary by the Congress of the United States of America or by the Legislature of the State of California, or in the full time paid service of the American Red Cross, during any period of National emergency declared by the President of the United States of America or during any war in which the United States of America is engaged, shall regain all rights to his position and shall be reinstated thereto upon his application at any time within six months of the termination of that service, but in any event within one year from the date of

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a treaty of peace terminating the hostilities in which the United States is now engaged. The provisions of this act shall apply to service in the Merchant Marine as that phrase is now defined in any Federal statute relating to reemployment rights of persons in service in the Merchant Marine.

**395.3.** In the event that any public officer or employee has resigned or resigns his or her office or employment to serve or to continue to serve in the Armed Forces of the United States or in the ~~armed forces~~ militia of this state, he or she shall have a right to return to and reenter the office or employment prior to the time at which his or her term of office or his or her employment would have ended if he or she had not resigned, on serving a written notice to that effect upon the authorized appointing power, or if there is no authorized appointing power, upon the officer or agency having power to fill a vacancy in the office or employment, within six months of the termination of his or her active service with the Armed Forces; provided, that ~~such~~ the right to return and reenter upon the office or position shall not extend to or be granted to any such public officer or employee, who shall fail to return to and reenter upon his or her office or position within 12 months after the first date upon which he or she could terminate or could cause to have terminated his or her active service with the Armed Forces of the United States or of the militia of this state.

As used in this section, "public officers and employees" includes all of the following:

- (a) Members of the Senate and of the Assembly.
- (b) Justices of the Supreme Court and the courts of appeal, judges of the superior courts, ~~and of the municipal courts~~, and all other judicial officers.
- (c) All other state officers and employees not within Chapter 11 (commencing with Section 19770) of Part 2 of Division 5 of Title 2 of the Government Code, ~~the state civil service~~, including all officers for whose selection and term of office provision is made in the California Constitution and laws of this state.
- (d) All officers and employees of any county, city and county, city, township, district, political subdivision, authority, commission, board, or other public agency within this state.

The right of reentry into public office or employment provided for in this section shall include the right to be restored to ~~such~~ the civil service status as the officer or employee would have if he or she had not so resigned; and no other person shall acquire civil service status in the same position so as to deprive such officer or employee of his or her right to restoration as provided for herein.

This section shall be retroactively applied to extend the right of reentry into public office or employment to public officers and employees who resigned prior to its effective date.

This section does not apply to any public officer or employee to whom the right to reenter public office or employment after service in the Armed Forces has been granted by any other provision of law.

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If any provision of this section, or the application of this section to any person or circumstance, is held invalid, the remainder of this section, or the application of this section to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

If the provisions of this section are in conflict--- with the provisions of a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4, of Title 1 of the Government Code, the memorandum of understanding shall be controlling without further legislative action, except that if those provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the Annual Budget Act.

**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, promotions, demotions, transfers, dismissals, resignations, lay-offs, reemployment, vacations, leaves of absence, compensation within classification, job analyses and specifications, performance evaluations, public advertisements 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.

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**87018.** (a) In addition to the benefits provided pursuant to Sections 395.01 and 395.02 of the Military and Veterans Code, any employee of a community college district who, as a member of the California National Guard or a United States Military Reserve organization, is called into active military duty, may receive, on approval of the governing board of the school district, the benefits provided for in subdivision (b). (b) Any employee to which subdivision (a) applies, while on active duty, may receive from the community college employer, for a period not to exceed 180 calendar days, as part of his or her compensation, all of the following: (1) The difference between the amount of his or her military pay and allowances and the amount the employee would have received as an employee, including any merit raises that would otherwise have been granted during the time the individual was on active military duty. (2) All benefits that he or she would have received had he or she not been called to active military duty unless the benefits are prohibited or limited by vendor contracts.

A. Definitions

An appropriate military leave shall be granted to any classified employee in accordance with the applicable provisions of the Military and Veterans Code, Education Code, the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), and this Rule. As used in this Rule, "military leave" means either a Temporary Military Leave or a Military Leave Other Than Temporary or both.

1. Temporary Military Leave

An employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or of the Naval Militia shall be granted a Temporary Military Leave while engaged in military duty ordered for purposes of active military training, inactive duty training, encampment, naval cruises, special exercises or like activity ~~as such member, and~~ provided that the period of ordered duty does not exceed 180 calendar days, including time involved in going to and returning from ~~such~~ that duty.

2. Military Leave Other Than Temporary

A Military Leave Other than Temporary shall be granted to any employee who is ordered into active military duty for a period greater than 180 calendar days, but not to exceed five years, as a member of a reserve component of the armed forces of the United States; is ordered into active Federal military duty as a member of the National Guard or Naval Militia; or is inducted, enlists, enters, or is otherwise ordered or called into active duty as a member of the armed forces of the United States.

B. Request for Military Leave



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An employee, or an appropriate officer of the uniformed service in which his/her service is to be performed, must notify the employee's supervisor that the employee intends to take a military leave at least 30 days prior to departure for military duty, or as soon as practicable when such advance notice is not feasible. An employee is excused from providing advance notice of taking military leave if prevented by military necessity or other circumstances.

CF. Payment of Military Leave Compensation for First 30 Calendar Days of Military Leave.

1. Upon presentation of adequate evidence of military service for which pay is requested, an employee shall be paid his/her salary or compensation as employee of the Los Angeles Community College District for the first 30 calendar days of his/her military service while on a military leave exclusive of time not covered by his/her assignment basis code, providing the following conditions are met:
  - a1. The employee is on temporary military leave as described in A.1; the employee is on military leave other than temporary as described in A.2; or the employee is on military leave as a member of the National Guard and is ordered into military or naval duty during such time as the Governor may have issued a proclamation of a state of extreme emergency or during such time as the National Guard may be on active duty in one or more of the situations described in Section 146 of the Military and Veterans Code.~~as a member of the National Guard or Naval Militia, or a member of a reserve component of the armed forces of the United States; or the employee is on military leave as a result of being inducted, enlisted, or otherwise having entered or been called into active duty as a member of the armed forces of the United States.~~
  - b2. An employee on temporary military leave or on military leave other than temporary must have been in the service of the Los Angeles Community College District for a period of not less than one year immediately prior to the date the ~~previous recognized military service in order to accumulate the required one year in the service of the Los Angeles Community College District.~~ The one year in absence begins. An employee on temporary military leave may count all previous recognized military service in order to accumulate the required one year in the service of the Los Angeles Community College District. The one year in the service of the District is not required in the case of an employee who is ordered into military or naval duty~~active military service~~ as a member of the National Guard under the situations described in Section 395.05 ~~a situation included within Section 146 of the Military and Veterans Code.~~
  - c3. A regular employee servng in a with limited-term provisional, relief, or substitute status assignment in another class shall receive a military leave from his/her regular position and shall receive compensation in accordance with his/her current assignment during the time he/she is entitled to compensation under the Military and Veterans Code.
  - d4. An employee with limited-term provisional, relief, or substitute status only, who meets other provisions of this rule, shall be compensated only in accordance with his/her assignment at

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the time of entry into military service and ~~shall be the compensation shall be compensated not in excess of one month's salary~~ for the same number of ~~days~~ hours for which compensation was received during the 30 calendar ~~days~~ month immediately prior to the beginning of the military leave. ~~In no case shall a provisional, relief, or substitute employee receive salary or compensation for more days than the number of working days during the first 30 calendar days of his/her military service while on military leave, exclusive of time not covered by his/her assignment basis code.~~

e5. No more than the pay for a period of 30 calendar days shall be allowed under the provisions of Paragraph C.1 for any military leave or military leaves involving continuous military service or during any one fiscal year. The salary to be paid is equivalent to that salary rate which the employee would have received during the first 30 calendar days of military leave. Fractions of less than 30 days shall be paid on the same basis as if the employee had been in active service as a District Board employee. Retroactive salary payments shall be made to employees or former employees who are entitled to those ~~such~~ payments.

2. Upon presentation of adequate evidence of military service for which pay is requested, and by the Board of Trustees approval, an employee that is a member of the California National Guard or a United States Military Reserve organization and on leave for active military duty shall receive the difference between the amount of his/her military pay and allowances and the amount the employee would have received as a District employee, for a period not to exceed 180 calendar days.

DB. Use and Accrual of Benefits ~~Vacation and Illness Leave~~

1. Vacation shall accrue during temporary military leave. Vacation already earned but not taken may be granted prior to, during an unpaid period, or after return from military leave in accordance with the vacation policy or collective bargaining agreements in effect at the time the vacation leave is taken. ~~No vacation shall accrue during military leave other than temporary.~~
2. ~~Illness Leave.~~ Illness leave shall accrue to an employee ~~while on~~ during temporary military leave, but no illness leave shall be allowed during military leave.
3. Vacation and illness leave shall accrue for an employee on temporary military leave only, provided that he/she has been in the service of the District for a period of not less than one year immediately prior to the date the absence begins. An employee on temporary military leave may count all previous recognized military service in order to accumulate the required one year in the service of the Los Angeles Community College District. The one year of District service is also required for an employee on temporary military leave to have the right to holiday privileges while on leave.
4. An employee on military leave for a period of 30 days or less shall have continuing health plan coverage paid for by the District. An employee on military leave for a period of 31 days or more

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shall have the option to continue health plan coverage at a rate no more than 102% of the full premium under the plan, for up to 24 months from the start of leave.

ED. Examination Eligibility During Leave ~~Eligibility to Take Examinations.~~

An employee shall be eligible to take examinations for which otherwise qualified during the time of military service. An employee on a military leave whose name appears on an eligibility list shall be certified for assignment to a position in the class during the life of any such list when and if his/her name is reached. In the event the employee accepts the appointment, he/she shall be granted the same type of military leave from the new position.

FE. Return to Service Following Leave ~~Return to Position.~~

1. Upon completion of military service, the employee must notify the District of his/her intent to return to employment. The employee is required to report to work or submit a timely application for reemployment depending upon the length of service, as follows:
  - a. For a leave of 30 days or fewer, the employee shall report for duty no later than the beginning of the first full work day following the completion of military service, provided the employee has a period of eight hours of rest following transportation to his/her residence.
  - b. For a leave of 31 to 180 days, the employee shall submit a written or verbal application for reemployment not later than 14 days after the completion of military service.
  - c. For a leave of more than 180 days, the employee shall submit a written or verbal application for reemployment within 90 days after the completion of military service.
2. An employee absent from the service of the Los Angeles Community College District because of a military leave shall continue to accrue seniority credit during such absence.
3. Upon return from military leave, the employee shall be treated as not having a break in service with the District for purposes of participation, vesting, and accrual of benefits in the pension plan.
4. An employee returning from temporary military leave shall be returned to his/her former position that was held prior to taking leave. If the position no longer exists, he/she shall be placed in a position in his/her former job classification. If no vacancy exists in the former class, he/she shall have the right to exercise bumping rights provided he/she does not have the least seniority in that class. If an employee's former class has ceased to exist, the employee may be reassigned or shall be placed on the reemployment list for any classes in which he/she had attained regular status.
5. An employee returning from military leave other than temporary shall, upon application made within six months one year after the cessation of war, national emergency, or within six months of prior completion of active military duty service, be returned to a position in his/her former classification and, if vacant, to his/her former position in the class, if such a position exists,

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~~provided that he/she was separated from the military under conditions other than dishonorable in accordance with pertinent provisions of the Military and Veterans Code. The right to return to his/her position is granted provided that he/she returns within 12 months after the first date upon which he/she could terminate or could cause to have terminated his/her active service. He shall be entitled to a position in his/her former class ahead of any employee with a lesser amount of seniority with the understanding that vacancies caused by the granting of such leave may be filled by regular appointment. If no vacancy exists in the former class, he/she shall have the right to exercise bumping rights provided he/she does not have the least seniority in that class. If such a position in his an employee's former class has ceased to exist during his absence, he/she shall be returned to a vacant position in a comparable class for which he/she is qualified. In the absence of such a vacant position in a comparable class for which qualified, the employee's name shall be placed on such reemployment list for a period not to exceed 39 months from the date of his application.~~

~~E. Placement on an Eligible List.~~

- ~~6. An employee returning from a military leave, in accordance with Paragraph ~~CF~~ above, shall be eligible to take a ~~supplementary~~ special administration of an examination for any class for which ~~there is an eligible list exists in effect, if the employee examination for which he~~ was unable to take ~~the examination because by reason of his/her~~ military service, provided ~~such that the~~ veteran met the requirements for ~~such the~~ examination at the date it was originally conducted. ~~Such supplementary~~ The special administration of the examinations shall be prepared and conducted under similar conditions and techniques which are sufficiently similar to the respective original examinations to preserve their competitive original character. The name of a candidate who is successful in the ~~supplemental~~ special administration of the examination shall be added to the list according to examination score, with seniority credit, if applicable, for the class for which he/she was examined immediately ahead of the person who received the next lower grade among those taking either the original examination or any examination supplemental thereto.~~

**LOS ANGELES COMMUNITY COLLEGE DISTRICT**

**TO:** THE PERSONNEL COMMISSION

**FROM:** Ute Severa

**SUBJECT:** Classification Study: Administrative Assistant, Administrative Services, EN 790632, Administrative Services, Los Angeles Mission College (Case 3800)

**Recommendation:**

It is recommended that the Personnel Commission find that the position of Administrative Assistant, Administrative Services, occupied by T. Ward-Thompson, EN 790632, in Administrative Services at Los Angeles Mission College is PROPERLY classified.

**Bases of Recommendation:**

1. The request to study the employee’s position was initiated by the employee’s immediate supervisor, the Vice President, Administrative Services. It was requested that the position be reclassified to Assistant Administrative Analyst because the employee has assumed responsibility for the reporting function for the SMAA (School-Based Medi-Cal Administrative Activities) to secure salary reimbursement of eligible student services employees.
2. Staff audited the position and found that the employee’s primary duties consist of the following:

Duties:	Time Spent on Duties:
<ul style="list-style-type: none"><li>• Compiles and completes four quarterly reports to obtain employee salary reimbursements from the SMAA program. This function includes updating an eligible employee participants list with new and departing employees (includes currently 40 employees); determining and adding up reimbursable employee salary and benefits based on federal vs state funding; verifying revenue data against SAP budget report and deferring any discrepancies to the Financial Analyst in the department; and adding up college revenue in categories approved by SMAA.</li><li>• Responds to inquiries from SMAA and provides requested information, i.e. absence certification forms.</li><li>• Attends SMAA meetings and trainings on reporting requirements and compliance.</li></ul>	50%
<ul style="list-style-type: none"><li>• Schedules and maintains the campus’ master facilities calendar.</li><li>• Coordinates and oversees logistics, schedules, and other details of events hosted on campus.</li></ul>	30%
<ul style="list-style-type: none"><li>• Resolves last-minute processing issues with operational documents such as contracts, purchase requests, or purchase orders.</li><li>• Monitors budgets of the Administrative Services Division and recommends and initiates adjustments in accounts.</li></ul>	10%

<ul style="list-style-type: none"> <li>Assists in the claims process for campus insurance, liability, and worker's compensation by answering inquiries and processing and submitting documents/forms to LACCD vendors.</li> </ul>	5%
<ul style="list-style-type: none"> <li>Acts as liaison between the Vice President, Administrative Services, and administrative staff by coordinating activities and projects, conferring on matters requiring the supervisor's input or action, and relaying the Vice President's directives and instructions.</li> <li>Schedules the Vice President's calendar.</li> <li>Assists the Vice President, Administrative Services in preparing documents for DAC (District Administrative Council) and preparing agenda and minutes for the District Budget and Planning Committees.</li> <li>Acts as the AQMD (South Coast Air Quality Management District) coordinator for the campus by ensuring adequate number of survey responses.</li> </ul>	5%

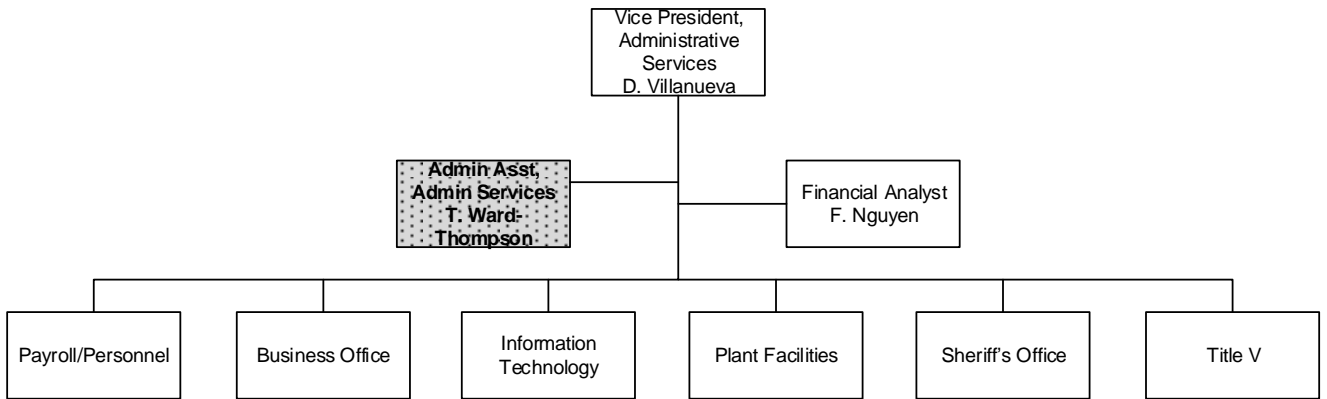
3. The classification concept for the employee's current classification of Administrative Assistant, Administrative Services, is based on providing paraprofessional staff assistance to a Vice President, Administrative Services, in executing his/her administrative responsibilities related to the business operations of the administrative services office. The classification concept for the class that the supervisor requested (Assistant Administrative Analyst) is based on performing professional-level staff work of moderate complexity related to the analysis of and solution of problems involving systems and procedures, organization and management, work-flow and distribution, work simplification, and improvement in efficiency in a major administrative division. Staff determined that the primary duties assigned to the employee fall within the scope of responsibilities of the class of Administrative Assistant, Administrative Services, because the employee performs a variety of paraprofessional-level support duties, which follow established policies and procedures, to relieve the Vice President, Administrative Services, of details relative to the business operations of his office. This includes duties such as compiling and reviewing financial, statistical, and other information and preparing data summaries; answering inquiries, investigating and resolving difficult problems, and explaining complex policies and procedures; acting as a liaison between the Vice President and administrative staff by coordinating activities and projects; coordinating special projects such as receptions, committees, and special events. The employee's duties do not rise to the higher-level class of an Assistant Administrative Analyst because her duties do not entail conducting professional-level studies that require in-depth analysis and correlation of information for the administrative services office.

*\*Note: This study was pulled from the January 15, 2020 and February 24, 2020 agendas.*



**LOS ANGELES COMMUNITY COLLEGE  
DISTRICT ORGANIZATIONAL CHART**

**LOS ANGELES MISSION COLLEGE  
-Administrative Services-**



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LOS ANGELES COMMUNITY COLLEGE DISTRICT

**TO:** THE PERSONNEL COMMISSION

**FROM:** Ute Severa

**SUBJECT:** Classification Study: Administrative Intern, EN 1008044, Human Resources Division, Educational Services Center (Case 3818)

**Recommendation:**

It is recommended that the Personnel Commission approve the following reclassification action:

**From:**  
Administrative Intern  
(\$4,851.35 – 6,009.97/month)

**To:**  
Assistant Administrative Analyst  
(\$5,399.67 – 6,689.24/month)

**Location:**  
Human Resources Division  
Educational Services Center

**Incumbent:**  
H. Alonzo (EN 1008044)

**Effective Date:** January 30, 2020

**Bases of Recommendation:**

1. The request to study the employee's position was initiated by the submission of the incumbent's performance evaluation, dated May 14, 2019, in accordance with the provisions of Rule 702, PERFORMANCE EVALUATION FOR PROBATIONARY AND PERMANENT CLASSIFIED EMPLOYEES, Paragraph D., of the agreement between the Los Angeles Community College District and AFT College Staff Guild. The performance evaluation was accompanied by a description of the employee's duties. The employee requested that her position be reclassified to Assistant Administrative Analyst because she has assumed higher level responsibilities in the Human Resources/Operations Department. The Administration was informed about this request.
2. Staff audited the position and found that the employee's primary duties consist of the following:
  - Researches, compiles, and analyzes information related to routine Human Resources policies and processes; writes initial drafts of new, or amendments to existing, HR Guides, HR forms and other District rules and regulations related to Human Resources; presents draft to her supervisor and the Vice Chancellor of Human Resources for review; and answers questions on drafts from HR Council members at the monthly HR Council meetings. This function accounts for approximately 40% of the employee's time.
  - Gathers, compiles, verifies, and analyzes information related to special projects which involves researching applicable District rules, regulations, and bargaining unit contracts, generating routine management information system reports; participation in assigned task forces; presenting findings in graphic, tabular, written, and oral form; making initial recommendations based on findings. This function accounts for approximately 15% of the employee's time.
  - Prepares and submits annual and quarterly reports including the annual Full-time Faculty Obligation and Adjunct Faculty Part-time reports to the State Chancellor's Office as well as quarterly reports to the Department of Labor, Bureau of Labor Statistics. This function, including the functions below account for the remaining 45% of the employee's time.

- Prepares a variety of Human Resources related AD HOC reports in order to complete requests for information from other District departments, LACCD Labor Unions, or outside agencies.
  - Interfaces with District IT to review and update management information system reports and assists in resolving report errors identified through testing and output verification.
  - Updates and maintains the Human Resources main web page and supporting web pages.
3. The classification concept for the employee's current classification of Administrative Intern is based on performing professional administrative work of an introductory nature in preparation for career advancement to more responsible and specialized management positions in administrative services, academic affairs, or student services. Work assignments are related to the analysis of systems and procedures, organization and management, work-flow and distribution, work simplification, and improvement in efficiency. Work assignments are well defined and subject to continuous review as to progress and results. The classification concept for the requested class of Assistant Administrative Analyst is based on performing professional administrative work of moderate difficulty related to the analysis of systems and procedures, organization and management, work-flow and distribution, work simplification, and improvement in efficiency in an administrative services, academic affairs, or student services area. Employees are continuing to learn skills in preparation for promotion, but are expected to work without continuous review and supervision. After a thorough analysis of the employee's assigned duties, staff found that the duties the employee performs falls within the higher-level class of Assistant Administrative Analyst because the employee is performing a variety of general professional level staff work of moderate complexity.

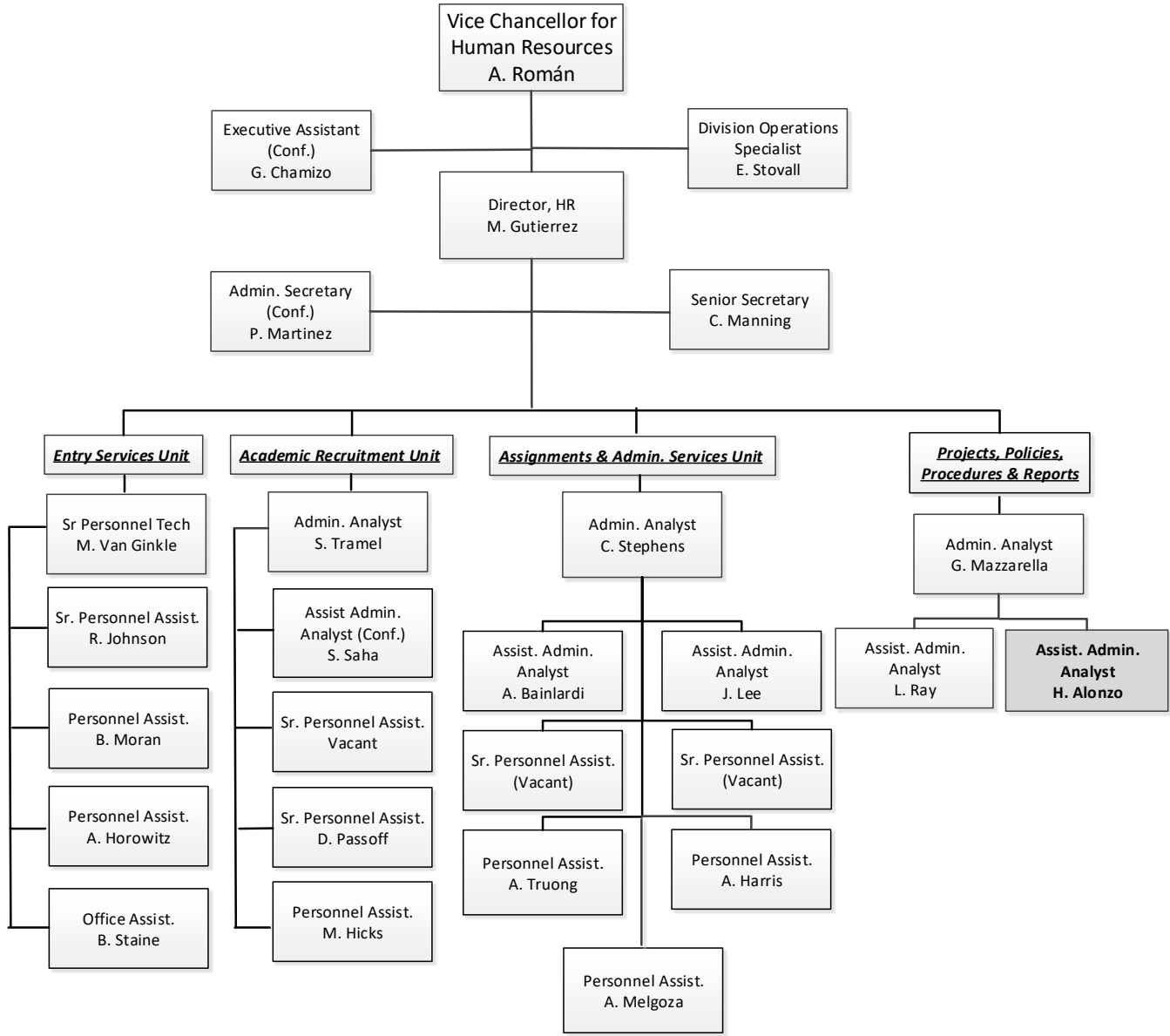
Staff would like to note that employees hired after 7/26/11 in an Administrative Intern position are required to establish eligibility to successfully advance to a higher-level professional job classification within two years of appointment. An employee may be released from his/her assignment at the discretion of the District for failing to fulfill this requirement. At the time of the employee's appointment to her Administrative Intern position, this requirement was not in effect.

## **STATUS OF INCUMBENT**

H. Alonzo, EN 1008044 may be appointed to her reclassified position without participating in an examination process in accordance with the provisions of Personnel Commission Rule 545, CLASSIFICATION STUDIES.



**LOS ANGELES COMMUNITY COLLEGE DISTRICT**  
**Human Resources Division/Operations**  
**Organizational Structure**



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## ADA COMPLIANCE OFFICER

### DEFINITION

Develops, implements, and evaluates policies, procedures, and standards for the effective administration of a comprehensive District ~~ADA~~—compliance program facilitating accessibility for individuals with disabilities across all relevant areas; coordinates and monitors compliance activities.

### TYPICAL DUTIES

Plans, coordinates, and monitors ADA compliance activities of the District, including helping to ensureing that every college identifies an appropriate designee to serve as the site ADA compliance support representative.

Develops, implements, and periodically reviews self evaluation processes to assess local college and District-wide policies, procedures, services, and practices related to ADA and accessibility compliance obligations of the District in areas such as public services, educational/instructional services, student support services, facilities design and alteration, ~~telecommunication~~—information and technologies ~~services~~, transportation, and employment.

Recommends appropriate proactive or corrective actions to address disability and access compliance issues; monitors the progress toward established goals and objectives on a district-wide basis.

Chairs the District's ADA Advisory Committee ensuring appropriate representatives from affected student and employee groups for the review of issues pertaining to compliance related to programs, services, or facilities; attends and participates in other committees related to assigned responsibilities.

Develops, publishes, and maintains effective and accessible grievance procedures that provide for prompt and equitable resolution of all disability-related complaints.

Receives, investigates, and responds to disability related inquiries and complaints from staff, students, the public, and regulatory agencies.

Maintains a case management system of student and employee requests for accommodations, provides guidance to District staff on how to address these requests, and tracks disposition of requests.

Participates in the review of building designs and alterations as they relate to ADA and accessibility compliance obligations and makes recommendations.

~~Interprets federal and state disability laws using Supreme and Appellate Court decisions,~~ Implements statutory requirements related to Disability accessibility compliance in accordance with relevant judicial decisions, legislative guidance, executive directives, best business practices and other research material.

Stays abreast of legislative changes affecting ADA and other related accessibility compliance regulations, analyzes the effects, and makes sound recommendations.

Designs and implements outreach and educational programs to increase knowledge and understanding of ADA policy, issues and compliance responsibilities among ADA compliance support representatives,

administrators, faculty, staff, students, contractors, vendors and community members, and develops and implements tailored training and development activities as appropriate.

Prepares a variety of descriptive and evaluative reports, correspondence, and makes presentations related to ADA issues.

Performs related duties as assigned.

## **DISTINGUISHING CHARACTERISTICS**

An **ADA Compliance Officer** develops, implements, and evaluates policies, procedures, and standards for the effective administration of a comprehensive District ~~ADA~~ compliance program facilitating accessibility for individuals with disabilities across all relevant areas; coordinates and monitors compliance activities.

A **Senior Compliance Investigator** plans, organizes, and supervises the day-to-day activities of a small unit engaged in investigating, analyzing, and resolving complaints, grievances, of alleged violations of civil rights, discrimination, gender equity, sexual harassment, and accessibility for individuals with disabilities and other related policies at locations throughout the District; personally performs the more complex investigation of complaints in accordance with applicable laws and regulations.

A **Compliance Investigator** applies a thorough knowledge of federal, state, and local laws, regulations, and guidelines in the investigation, analysis, and resolution of grievances, appeals, and complaints related to one or more of the following areas: civil rights, gender equity, sexual harassment, equal employment opportunity, and accommodations of individuals with a disability enforcement and related policies, procedures, and practices of the District.

A **Director of Diversity, Equity, and Inclusion** develops, implements, administers, and monitors a variety of compliance programs to ensure compliance with federal and state statutes focused on diversity, equity, and inclusion for the District which include but are not limited to equal employment opportunity, discrimination, American with Disabilities Act, and Title IX.

## **SUPERVISION**

General supervision is received from the Director of Diversity, Equity, and Inclusion. Functional supervision may be exercised over staff and consultants on disability related matters.

## **CLASS QUALIFICATIONS**

### **Knowledge of:**

Federal, state and local laws, regulations, and guidelines related to ~~the~~ accessibility and civil rights compliance for individuals with disabilities, ~~including but not limited to~~ such as the Americans with Disabilities Act and Section 504 and 508 of the Rehabilitation Act

Employment policies, procedures, and practices of the District including collective bargaining agreements

District Board Rules and administrative policies related to the accessibility for individuals with disabilities

Fact finding and investigative methods, practices and procedures

Principles of counseling, guidance, and conflict resolution

Research, analytical, and statistical methods used in assigned area

Principles of staff development and training

Principles and techniques used to promote human and inter-group relations

Characteristics and working conditions of all job classifications used in the District

Organization, functions, and key staff of the District

Capabilities of computer systems, software, and hardware used in compliance programs

**Ability to:**

Plan, coordinate, implement, and monitor ADA compliance activities

Interpret and apply applicable laws, policies and precedents

Analyze and evaluate effectiveness of policies and standards involving an ADA compliance program

Compile data and analyze situations; identify problems and risks, and recommend innovative, workable solutions to complex and sensitive problems

Facilitate the resolutions of employee grievances and public complaints related to ADA compliance

Prepare effective and comprehensive reports, correspondence, and presentations

Design and manage effective control, information, and documentation systems

Independently complete complex assignments

Anticipate conditions, plan ahead, establish priorities, and meet schedules

Maintain a high level of confidentiality

Effectively communicate complex information, verbally and in writing

Effectively utilize computer equipment, software, and hardware in the performance of duties

Maintain effective working relationships with all levels of District personnel, ADA advocates, regulatory agency representatives, business associates, and the public

Travel to off-site meetings and events

## ENTRANCE QUALIFICATIONS

### Education and Experience:

A A bachelor's degree from a recognized college or university, preferably with a major in public administration, educational administration, human resources management, business administration, law, or a related field **AND** three years of recent, full-time, paid experience in developing and implementing employer-based compliance and accommodation programs mandated by federal and state laws, including the Americans with Disabilities Act. ~~A master's degree is desirable.~~ Qualifying experience must have included implementing accessible technology. Experience at an educational institution and with implementing processes or initiatives compliant with federal accessibility requirements as they relate to the use of information communication technologies (ICT) is desirable.

### OR

B. A master's degree from a recognized college or university with a major in public administration, educational administration, human resource management, business administration, law, or related field **AND** one year of recent, full-time, paid experience in developing and implementing employer-based compliance and accommodation programs mandated by federal and state laws, including the Americans with Disabilities Act. Qualifying experience must have included implementing accessible technology. Experience at an educational institution and with implementing processes or initiatives compliant with federal accessibility requirements as they relate to the use of information communication technologies (ICT) is desirable.

### Special:

A valid Class "C" California driver's license is required.

Travel to locations throughout the District is required.

### Reasonable Accommodation

Our class specification generally describes the duties, responsibilities, and requirements characteristic of the position(s) within this job class. The duties, responsibilities, and requirements of a particular position within this class may vary from the duties of other positions within the class.

In accordance with the Americans with Disabilities Act (ADA), the Los Angeles Community College District provides reasonable accommodation to qualified individuals with covered disabilities on a case-by-case basis throughout the application, examination, and hiring processes and throughout employment. If an individual is in doubt about his or her ability to perform the duties and responsibilities of a position or possession of any other requirement noted in a class specification or job announcement, he or she should always apply for a position and request reasonable accommodation at the appropriate time.





Name Renderso Kenny Employee Number 1056197  
Last First

College/Division \_\_\_\_\_ Classification \_\_\_\_\_

The employee named above is commended for outstanding work performance for the period beginning \_\_\_\_\_ and ending \_\_\_\_\_. Below are specific examples or explanatory comments of the outstanding work performance of the employee:

MS. Kenny Renderso is not one to look at the time of day. She is a dedicated employee who is committed to her team and her workload. She pays great attention to detail which is super important as it relates to budgets and accounting. She is extremely knowledgeable and ~~withing~~ always willing <sup>leaving new</sup> <sub>2-18-20</sub> challenge.

Signature of Supervisor  
K. Renderso

VP CEWD  
SFP Tech

Title  
Date  
2-19-20

Signature of Reviewer (Optional)

Title Date

INSTRUCTIONS FOR PREPARING NOTICES OF OUTSTANDING WORK PERFORMANCE

- Reasons for Awarding a Notice of Outstanding Work Performance:** To provide an official record of commendation for:
  - Outstanding, day-to-day performance of an employee
  - Outstanding work performance in unusually difficult and/or emergency situations.
- When:** Outstanding service may be awarded as often as the supervisor considers appropriate.
- Who:** Notices are completed by the immediate supervisor. The immediate supervisor is defined as the person who either oversees, reviews, or checks the daily work of the employee or is most closely acquainted with the employee's work.
- How:** The supervisor should give specific examples or explanatory comments of the employee's work performance which illustrate in what respect the employee has clearly exceeded the supervisor's standards for satisfactory work. These examples or comments should demonstrate the employee's outstanding work performance on one or more of the following factors:
 

Quantity of work	Quality of work	Work habits and attitudes
Dependability	Relationships with people	Supervisory ability
- Awarding the Notice of Outstanding Service:**
  - Present the signed Notice of Outstanding Service to the employee being recognized so that he or she can sign and receive a copy.
  - Forward a copy to the Services Unit, District Human Resources Division so that a copy can be added to the employee's Personnel File.
  - Forward a copy to the Personnel Commission Office.



LOS ANGELES COMMUNITY COLLEGE DISTRICT

NOTICE OF OUTSTANDING WORK PERFORMANCE

COPY

Name Cervantes Consuelo  
Last First

Employee Number 805505

College/Division Workforce

Classification SFR Tech

The employee named above is commended for outstanding work performance for the period beginning \_\_\_\_\_ and ending \_\_\_\_\_. Below are specific examples or explanatory comments of the outstanding work performance of the employee:

Consuelo has a diverse set of skills and goes above and beyond her assigned duties to ensure our division meets its goals. She is always friendly and outgoing and willing to lend a helping hand. She is extremely hardworking and works well in a team environment. She is also extremely creative and will regularly think out of the box.

Signature of Supervisor

VP CEWB 2-18-20  
Title Date

Signature of Employee

SFR Technician 2/18/20  
Title Date

Signature of Reviewer (Optional)

Title Date

INSTRUCTIONS FOR PREPARING NOTICES OF OUTSTANDING WORK PERFORMANCE

1. **Reasons for Awarding a Notice of Outstanding Work Performance:** To provide an official record of commendation for:
  - a. Outstanding, day-to-day performance of an employee
  - b. Outstanding work performance in unusually difficult and/or emergency situations.
2. **When:** Outstanding service may be awarded as often as the supervisor considers appropriate.
3. **Who:** Notices are completed by the immediate supervisor. The immediate supervisor is defined as the person who either oversees, reviews, or checks the daily work of the employee or is most closely acquainted with the employee's work.
4. **How:** The supervisor should give specific examples or explanatory comments of the employee's work performance which illustrate in what respect the employee has clearly exceeded the supervisor's standards for satisfactory work. These examples or comments should demonstrate the employee's outstanding work performance on one or more of the following factors:
 

Quantity of work	Quality of work	Work habits and attitudes
Dependability	Relationships with people	Supervisory ability
5. **Awarding the Notice of Outstanding Service:**
  - a. Present the signed Notice of Outstanding Service to the employee being recognized so that he or she can sign and receive a copy.
  - b. Forward a copy to the Services Unit, District Human Resources Division so that a copy can be added to the employee's Personnel File.
  - c. Forward a copy to the Personnel Commission Office.