

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

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LAW AND RULES

October 27, 1983

500 DEFINITIONS

Unless otherwise required by context and/or prevailing law, terms used in these rules are understood to have the following meanings:

ACCELERATED HIRING RATE: An initial hiring rate at other than the beginning step of the schedule for the class, which rate must be specifically authorized by the Personnel Commission for the particular class. Such rates are based upon anticipated or actual recruitment difficulties. See also Shortened Range.

ACCRETION OF DUTIES: The gradual change in a position caused by the continuing assignment of higher-level duties or greater responsibilities; or a gradual increase in the scope and/or complexity of assigned work performed.

ADJUSTMENT PROCEDURE: Provisions for the hearing and adjustment of employee grievances.

ADMINISTRATIVE CLASS: One or more positions in the District with primary duties and responsibilities for the management of an organizational unit at the branch level or its equivalent. Individuals in positions designated as an administrative class direct the activities of the unit through subordinate supervisors, establish policies regarding the operation of the unit, and review recommendations and decisions of subordinates.

ADVANCED APPOINTMENT: An appointment from an eligibility list, which is scheduled to expire, to a position which is known to become vacant within 90 calendar days after the scheduled expiration of the eligibility list. (Rule 635)

ALLOCATION: The assignment of a class to a salary schedule or rate.

ANNIVERSARY DATE: The date upon which an employee is granted salary step advancement earned by completion of a required period of service. This is the first day of the pay period next following completion of the required period of service.

ANNUAL FIELD OF COMPETITION AUTHORIZATION: Approval by the Personnel Commission of a field of competition to be in effect for a period of up to one year, allowing the administration of examinations as needed without individual authorization.

CHANGES:

Adds definitions for Accretion of Duties, Administrative Class, and Advanced Appointment.

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APPEAL: A written protest by an employee regarding an administrative action actually or potentially detrimental to him/her.

APPLICANT: A person who has filed an application to take a merit system examination.

APPOINTMENT: The official act of the appointing power in approving the employment of a person in a specific position.

APPRENTICE: An employee assigned to an established apprenticeship position requiring paid on-the-job and unpaid classroom training in accordance with the Apprenticeship Standards of the Los Angeles Community College District.

ARMED FORCES: The United States Air Force, Army, Navy, Marine Corps, Coast Guard, Revenue Marine Service, Army Nurse Corps, and Navy Nurse Corps, and service as a Nurse in the American Red Cross.

ASSAULT AND BATTERY LEAVE OF ABSENCE: A type of industrial accident leave granted for absence because of an injury resulting from an assault and/or battery that was incurred while performing assigned duties.

ASSIGNMENT: The placement of an appointee in a position; also, the position in which an appointee is placed.

ASSIGNMENT BASIS: The portion of the year for which employment is authorized for a specific position or class.

AUTHORIZED SUPERVISOR: An employee of the District who has been authorized on either a special or continuing basis to assign duties and responsibilities to one or more employees. An authorized supervisor need not be a "supervisory employee" as that term is set out in Section 3540.1(m) of the Educational Employment Relations Act and defined in these rules.

BEREAVEMENT LEAVE: Paid leave of limited duration granted to an employee upon the death of a relative or certain close friends.

BREAK IN SERVICE: Severance of an individual's employment relationship with the District. The Break in Service may be cancelled by subsequent reemployment or reinstatement within 39 months.

CHANGES:

Adds or revises definitions for Appeal, Assignment, and Authorized Supervisor.

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BUMPING RIGHTS: The right of an employee, under certain conditions, to displace an employee with less seniority in a class.

CANDIDATE: A person who has taken one or more portions of a merit system examination.

CASUAL ABSENCE: Informal absence without loss of pay of one day or less which may be granted, under specified conditions, to employees by division heads or their designated representative.

CAUSE: Any violation by an employee of law or rule which forms the basis for formal action (suspension, demotion or dismissal) when taken for the good of the District or in District's best interest. Cause as defined in Education Code 88001: "Cause relating to disciplinary actions against classified employees means those grounds for discipline, or offenses, enumerated in the law or set forth in Paragraph F. of Rule 735.

CERTIFICATED SERVICE: All employees required by law to possess credential issued by the State Department of Education and the positions which are limited to those who possess such credentials.

CERTIFICATION: The submission of the names of eligibles who may be legally appointed from an eligibility list or from some other source of eligibility to the appointing power who will select an eligible.

CHANGE OF LOCATION: The reassignment of an employee from one position to another position in the same class, but in a different administrative unit.

CHANGE OF SERVICE ASSIGNMENT: An employee change from the certificated to the classification service of the District, or vice versa.

CLASS: A group of positions placed, with sufficient similarity as to kind of work, level of difficulty, and degree of responsibility that the following criteria can be applied: (1) the same descriptive title can be used; (2) the same levels of education and experience, knowledge, skill, and other pertinent qualifications are required; (3) the same tests of fitness may be used to choose qualified employees; and (4) the same salary range can be applied equitably.

CHANGES:

Adds definitions for Cause and Class.

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CLASS DESCRIPTION: A description, approved by the Personnel Commission, of the nature and level of duties of the positions in a class.

CLASS SPECIFICATION: A description of the characteristics of a class position. A class specification typically contains the class title, a description of the scope of duties and responsibilities of the class, examples of work or typical tasks, and a statement of the qualifications required to perform the work of the class.

CLASSIFICATION: The act of placing a position in a class (see also Classify).

CLASSIFY: The allocation of positions to appropriate classes, arranging classes into occupational hierarchies, determining reasonable relationships within occupational hierarchies and preparing written specifications.

CLASSIFIED SERVICE: All positions and employees in the District's service to which the merit system provisions of the Education Code apply and which are not excepted by those provisions.

COMMISSION: The three-member Personnel Commission established pursuant to the merit system provisions of the Education Code (see also Personnel Commission).

CONCURRENT ASSIGNMENT: The short-term assignment of two regular incumbents to the same position at the same time, for the purpose of giving a successor an opportunity to obtain on-the-job orientation from an incumbent who is leaving.

CONDITIONAL EMPLOYEE: A provisional employee who does not meet the entrance qualifications for the class and who will probably be ineligible to compete in the merit system examination for that class.

CONTINUOUS EXAMINATION: A procedure authorized by the Personnel Commission for the frequent testing of applicants.

DAY: The period of time between any midnight and the midnight following. Unless otherwise specified, the "day" in a rule shall mean a calendar day.

DEBARMENT: The act of denying the opportunity to participate in the agency's selection process.

CHANGES:

Adds definitions for Class Specification, Classification, Classify and Commission.

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DEMOTION: A change in assignment of an employee from a position in one class to a position in another class that is allocated to a lower maximum salary rate. Demotions are two types, voluntary and involuntary; a definition of each type is contained in this rule.

DIFFERENTIAL: Salary allowance in addition to the basic rate or schedule based upon additional skills, responsibilities or night work. Also, the size of the interval between salary schedules or rates of related classes.

DISCHARGE or DISMISSAL: Separation from service for cause in accordance with Personnel Commission Rules. Requires action by the Board of Trustees.

DISTRICT: The Los Angeles Community College District.

DUAL CERTIFICATION: A procedure authorized by the Personnel Commission under specific conditions which provides for simultaneous certification from an open eligibility list and a promotional eligibility list according to examination scores.

DUE PROCESS: The opportunity to be advised of charges against one, and the opportunity to be heard regarding the charges prior to any final action on the charges in accordance with applicable State law and Board rules.

DUTIES STATEMENT: A listing of the specific duties assigned to an individual position. Also known as position description or job description.

ELIGIBILITY LIST: A rank order list of the names of persons who have qualified in a merit system examination.

EMERGENCY APPOINTMENT: A provisional appointment for a period not to exceed 15 working days to prevent the stoppage of school business which there is insufficient time to canvass eligibility lists.

EMPLOYEE: A person who is legally an incumbent of a position or who is on authorized leave of absence.

CHANGES:

Amends definition of Demotion to distinguish that there are two types -- voluntary and involuntary.

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ELIGIBLE: A person whose name appears on a merit system eligibility list.

EMPLOYMENT LIST: A list of names from which certification may be made pursuant to the authority set out in Education Code Sections 88080, 88081, and 88091. Includes eligibility lists, reemployment lists, substitute/relief lists, and lists of persons who wish to transfer, change location, demote, be reinstated after layoff, resignation or retirement, or be restored after voluntary demotion or reduction to limited-term or part-time status.

ENTRANCE QUALIFICATIONS: Mandatory and desirable qualifications for a class established for those who wish to compete in merit system examinations.

EXAMINATION: The process of testing and evaluating the fitness and qualifications of applicants.

EXECUTIVE CLASS: A position in the District with primary duties and responsibilities for the management of an organizational unit above the branch level. Individuals in positions designated as an executive class are regularly involved in making recommendations affecting District-wide operations or personnel, or regularly making policy presentations to the Board of Trustees.

EXHAUSTED LIST: A list of eligibles from which it is not possible to fill a regular full-time or part-time vacancy. A list may be exhausted for a part-time position vacancy, yet remain in effect for full-time position vacancies, or vice versa.

EXPIRED LIST: A list which is two years old; or which is one or more years old when a new list has been established.

FIELD OF COMPETITION: Those categories of persons (either from within or outside the District) identified by the Personnel Commission as possessing the necessary qualifications to participate in a merit system examination.

FISCAL YEAR: July 1 to June 30.

FULL-TIME POSITION: A position for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is equal to or greater than 87-1/2 percent of the normally assigned time of the majority of employees in the classified service.

GOVERNING BOARD: The Board of Trustees of the Los Angeles Community College District.

CHANGES:

Amends definition for Employment List and adds Education Code sections that contain reference to employment lists.

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GRIEVANCE: An employee complaint concerning conditions of employment, not including appeals of disciplinary actions or requests for classification study or salary review.

GROUP: Those classes similar in type of duties and responsibilities or related by other criteria, as set forth in "Class Titles and Salary Schedules" published by the Personnel Commission.

HEARING: Formal review in the presence of the parties involved, of evidence in connection with an action affecting an employee, concerning which the employee has filed an appeal.

HEARING OFFICER: A qualified person employed by the Personnel Commission to hear and make recommendations on appeals from disciplinary actions for non-medical reasons.

ILLNESS: Any pronounced deviation from a normal, healthy state which makes it disadvantageous to the Los Angeles Community College District and/or detrimental to the employee for him/her to be at work and perform the duties of his/her position.

ILLNESS LEAVE: Paid or unpaid leave given to an employee because of personal illness or injury. May also be used for specified personal emergencies of limited duration.

INCUMBENT: An employee assigned to a position and currently serving in or on leave from that position.

INDUSTRIAL ACCIDENT or INDUSTRIAL ILLNESS LEAVE: Absence because of injury or illness which arose out of and in the course of employment with the District.

INFORMAL LEAVE: A leave of less than 20 days which may be granted by a Division Head.

INTERVIEW: Part of the selection process, usually the final portion of an examination, for the purpose of evaluating education, experience and personal qualifications of the candidates. Also known as oral interview. Also the meeting between an eligible and an appointing power in order to discuss appointment to a specific vacancy.

INVESTIGATION: A fact-finding procedure related to an appeal or complaint. An investigation is less formal than a hearing.

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No changes to text.

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INVOLUNTARY DEMOTION: A type of disciplinary action, initiated by the Administration, which results in the reduction of an employee from a higher class to a class that is allocated to a lower maximum salary rate.

LAYOFF: Separation from a permanent position because of lack of work or lack of funds, or because the position has been abolished or reclassified, or because an employee has exhausted all leave privileges after illness or accident.

LEADER: An employee who is temporarily given extra pay for limited supervisory responsibilities over a group of three or more other employees (other than employees in a class for which the lead employee's class normally has supervisory responsibility) who work in the immediate presence of the leader at one site.

LEAVE OF ABSENCE: An approved absence from duty, with or without pay, for a prescribed period of time from a class, but not necessarily from a specific position within the class.

LIMITED-TERM: A term used in the Education Code to designate employment for periods not to exceed six months, or employment during the authorized absence of a permanent employee.

LIMITED-TERM EMPLOYEE: An employee who is serving in a provisional appointment, or as a substitute for a regular employee, or in a position established for a limited period of six months or less.

LOYALTY OATH: A statement required of each new employee concerning his/her support of the United States and California Constitutions, required by State law and local Board Rule.

MEDICAL REVIEW BOARD: A board of independent physicians appointed by the Personnel Commission to hear appeals from medical disqualifications.

MERGING: The act of combining two or more eligibility lists for the same class, established not more than one year apart, in order of the scores of eligibles. Each individual eligibility list within a merged list expires one year after its promulgation.

MERIT SYSTEM: A personnel system in which comparative merit and fitness govern each individual's selection and progress in the service.

CHANGES:

Adds definition for Involuntary Demotion and revises definition for Leader.

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MILITARY LEAVE: Authorized absence to engage in ordered military duty.

MOST APPROPRIATE ELIGIBILITY LIST: Designation of an eligibility list for an equal or higher class in making appointments in another class.

MULTIPLE ASSIGNMENT: A limited-term classified assignment in addition to a regular classified assignment.

NEPOTISM: Assignment of close relatives in a supervisor-subordinate relationship in the same office.

NOTICE OF UNSATISFACTORY SERVICE: A form prescribed by the Division of Human Resources to document and to inform an employee of his/her unsatisfactory service.

OPEN ELIGIBILITY LIST: An eligibility list resulting from a competitive examination in which all candidates who met the entrance qualifications were allowed to compete. Employees of the Los Angeles Community College District who compete in an open examination are not given promotional credits.

OPEN EXAMINATION: An examination which is not restricted to persons who are current permanent employees of the district; i.e., may be taken by any person otherwise qualified.

OVERTIME: Authorized time worked by an employee in excess of eight hours a day and/or 40 hours a week.

PART-TIME POSITION: A position for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis, is less than 87-1/2 percent of the normally assigned time of the majority of employees in the classified service.

PAY PERIOD: Twenty working days usually consisting of four consecutive five-day weeks. There are 13 pay periods each year.

PERFORMANCE EVALUATION: An evaluation of the work performed by an employee.

CHANGES:

Revises definitions for Nepotism, Notice of Unsatisfactory Service, and Open Eligibility List.

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PERMANENT EMPLOYEE: An employee who has completed a period of 130 days of paid regular service in a class in the classified service (260 days required for executive and administrative classes). An employee must complete a probationary period in a class in order to attain permanent status in the classified service.

PERMANENT POSITION: A position established for a continuing and indefinite or unlimited period of time or for a fixed period in excess of six months.

PRE-REQUISITES: Items such as meals, uniforms, and monetary awards provided to employees without charge and which are considered a part of employee's compensation.

PERSONAL NECESSITY LEAVE: Leave which may be taken for reasons of personal necessity as specified in the Education Code and Personnel Commission rules. Such leave is charged to the employee's illness leave and is limited to six days a school year.

PERSONNEL COMMISSION: Three members appointed in accordance with Education Code provisions and responsible for maintenance of the merit system for classified employees.

POSITION: A group of duties and responsibilities assigned by competent authority requiring the full or part-time employment of one person.

PRIVILEGE: A benefit that is discretionary (may or may not be granted), in contrast to a right, which must be granted.

PROBATIONARY PERIOD: A trial period of 130 days (or 260 days for employees in executive or administrative classes or a class in the Safety and Police Series, as defined in Rule 701) of paid service following appointment to a permanent position.

PROFESSIONAL EXPERT: A person employed in a professional capacity for a specific limited-term project; such persons are excluded from the classified service.

PROMOTION: A change in the assignment of an employee from a position in one class to a position in another class with a higher maximum salary rate.

PROMOTIONAL APPLICANT: As defined in Rule 621, a promotional applicant is any person who has successfully completed an initial probationary period prior to the opening date of filing for a promotional examination, has regular status in the District, and meets the qualification requirements for the class.

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PROMOTIONAL ELIGIBILITY LIST: An eligibility list resulting from a competitive examination in which only employees with permanent status in the Los Angeles Community College District were allowed to compete.

PROVISIONAL APPOINTMENT: A temporary appointment to a permanent or limited-term position made in the absence of an appropriate eligibility list and subject to prescribed time limits.

PROVISIONAL EMPLOYEE: A person employed under a provisional appointment.

RANK (Rule of Three Ranks): A position on an eligibility list for a class for the purpose of certification, wherein the eligible's final scores on the examination, after the addition of veteran's preference points and promotional credits as applicable, have been rounded to the nearest whole percent and all eligibles with the same score are accorded the same position on the list.

REALLOCATION: Movement of an entire class from one salary schedule or hourly rate to another salary schedule or hourly rate.

RECLASSIFICATION: The removal of a position or positions from one class and placement into another class.

READY AND WILLING: The willingness and ability of an eligible to report for an employment selection interview within the prescribed time limits; or the willingness and ability of a selected eligible to report to duty within prescribed time limits. The prescribed time limits are set out in Personnel Commission Rules 635 and 671 for regular appointments and limited-term appointments respectively.

REEMPLOYMENT: Exercise of the right to return to duty of an employee who has been laid off. Also applies to employees who return to duty for a limited period after retirement.

REEMPLOYMENT LIST: A list of names of persons who have been laid off from permanent positions by reason of lack of work, lack of funds, or abolishment or reclassification of position, exhaustion of illness or industrial accident leave privileges, or other reason specified in these rules, and who are eligible for reemployment without examination in their former class for a period of 39 months, arranged in order of their right to reemployment. In certain specific cases of reduction in class or time in lieu of layoff, the period of reemployment is extended an additional 24 months.

CHANGES:

Adds definition for Ready and Willing. Amends definitions for Reemployment to distinguish between a right to reemployment after layoff as provided by Education Code Section 88117 and 88127, versus the privilege to be reinstated under Education Code Section 88128.

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REGULAR APPOINTMENT: An appointment made from an eligibility list to fill a continuing full-time or part-time position vacancy.

REGULAR POSITION: A continuing position established and authorized within budget allocation.

REGULAR STATUS: Probationary or permanent status in the classified service.

REINSTATEMENT: Exercise of the privilege of reappointment after layoff or resignation, within 39 months after the last day of paid service, to a position in one of the employee's former classes or in a related lower class. Also refers to a return to work after appeal from disciplinary action when so ordered by the Personnel Commission, or the return of a retirant to active service.

REJECTION: The refusal to accept an application or examine an applicant, candidate, or eligible, or the removal of an eligible's name from an eligibility or substitute and relief list.

RELIEF EMPLOYEE: A person hired to fill a relief position.

RELIEF POSITION: A limited-term position of not more than six month's duration which augments the number of regular positions in a given organizational unit.

RESIGNATION: A voluntary statement, preferably in writing, in which an employee indicates that he/she wishes to terminate one or all of his/her assignments.

RESTRICTED: Positions whose incumbents have mental handicaps or must be from low income groups or from designated impoverished areas and who are not entitled to employment permanency.

RETURN TO FORMER CLASS: A reappointment within 39 months of a demotion in class to one's former class.

RIGHT: A benefit which is bestowed by law or rule and which must be granted.

CHANGES: Amends definition for Reinstatement to distinguish between a right to reinstatement after layoff as provided by Education Code Section 88117 and 88127, versus the privilege to be reinstated under Education Code Section 88128.

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RULE OF THREE RANKS: The scope of choice available to an appointing power in making a selection from an eligibility list; refers to selection from the eligibles having the first three ranks on the list who are ready and willing to be appointed to a specific position.

SALARY RATE: A specific amount of money paid for a specific period of service; i.e., dollars per hour, pay period, or month.

SALARY RANGE: A series of salary steps that comprise a schedule of rates of pay for a class.

SALARY STEP: One of the salary rates within the salary range or schedule of rates of a class.

SALARY SURVEY: The collection of current wage and salary data for the purpose of determining the prevailing wage for certain types of work in private industry or other public agencies. Also, the report of such data.

STEP ADVANCEMENT: Movement to a higher step on the salary schedule for a class as a result of having served the required number of days in paid status.

SALARY YEAR: Consists of 13 consecutive four-week periods per year.

SCHOOL YEAR: Same as fiscal year (July 1 to June 30).

SENIORITY: Credits secured by length of service to which certain rights are attached. Different formulas are used in calculating seniority credit for employees taking promotional examinations and for the purpose of determining the order of layoff.

SEPARATION: The ending of all status as an employee.

SERIES: A number of groups of classes closely related in an occupational hierarchy and arranged on a list in order to indicate occupational levels in each group.

SHIFT DIFFERENTIAL: Additional pay for night work.

SHORTENED RANGE: A salary schedule consisting of less than the usual five steps, based upon a narrow range of prevailing community rates for that occupation.

CHANGES:

Adds or revised definitions of Rule of Three Ranks, Salary Range, Salary Step, and Seniority.

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SPECIAL LIMITED-TERM ASSIGNMENT: An assignment to a regular position vacancy which will facilitate an impending reclassification, reorganization, layoff, reduction in hours or resolution of an employee appeal.

STARRED RATE: A rate above the established rate or range of salary of a class, paid only to specified employees upon authorization by the Personnel Commission, in accordance with Rule 582.

STATUS: Character of employment in the classified service or in a class, with the following categories:

Regular: Based upon appointment of a fully qualified person to a position of more than six months' duration. Sub-categories are probationary and permanent.

Limited-Term: See definition of "limited-term" and "limited-term employees".

SUBSTITUTE ASSIGNMENT: An assignment to a regular position which provides temporary employee service in the absence of the regular incumbent.

SUBSTITUTE EMPLOYEE: An employee temporarily occupying a regular position during the absence of the incumbent.

SUPERVISORY CLASS: As set out in Section 3540.1(m) of the Educational Employment Relations Act, "'Supervisory employee' means any employee, regardless of job description, having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to assign work and direct them, or to adjust their grievances, or effectively recommend such action, if, in connection with the foregoing functions, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment."

SUSPENSION: The temporary removal of an employee from a position for cause without pay.

CHANGES:

Adds or revises definitions for Special Limited-Term Assignment, Starred Rate, Status, Substitute Assignment, Supervisory Class, and Suspension.

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TEMPORARY: Employment on basis other than permanent or probationary; i.e., in a limited-term status. Also used to denote a provisional employee.

TEMPORARY MILITARY LEAVE: Ordered military leave of not more than 180 calendar days, including travel time.

TERMINATION: The ending of an incumbent's assignment in a specific class without ending his/her continuing status in another class.

TRANSFER: The reassignment of an employee without examination from one position to a position in a related class with the same salary schedule or hourly rate.

UNCLASSIFIED SERVICE: Part-time playground positions, full-time day students employed part-time, apprentices and professional experts employed on a temporary basis for a specific project.

UNSATISFACTORY SERVICE: The performance of assigned duties and responsibilities in a manner which is detrimental to the good of the service, or the failure to perform assigned duties adequately; or the performance of actions detrimental to the good of the service while on duty.

VETERANS' CREDIT: Five or ten additional points, added to a passing score in open examinations, for military or related service rendered during time of war or national emergency.

VOLUNTARY DEMOTION: An action, pursuant to the employee's request, which may be in lieu of layoff or reclassification and which results in a change in the assignment of the employee from a position in one class to a position in another class that is allocated to a lower maximum salary rate.

WAIVER: The voluntary relinquishment by an eligible of a right to be considered for appointment from an employment list in one or more positions, locations, or for a specific or unlimited period of time.

WORKDAY: That part of a 24-hour period during which an employee is scheduled to work in accordance with his/her specific assignment.

CHANGES:

Adds definition for Voluntary Demotion.

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WORK OUT OF CLASSIFICATION: The performance of assigned duties which are not fixed and prescribed for the class and are evaluated as being at a higher level of difficulty and responsibility than those of the employee's regular class. (See Rule 550)

WORKING DAY: Any day for which an individual employee received compensation, regardless of the number of hours in a day for which compensation is received, with the following two exceptions:

1. A workshift that begins in one day and ends in the succeeding day shall be considered one working day.
2. A calendar day for which only overtime compensation is received shall not be considered a working day.

WORKWEEK: Forty hours, usually served in five consecutive days within a seven-day cycle, is the regular workweek for the majority of the District's classified employees.

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