

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

517

LAW AND RULES

March 20, 2003

517 POSITIONS EXEMPTED FROM THE CLASSIFIED SERVICES AS "PROFESSIONAL EXPERTS" AND "COMMUNITY REPRESENTATIVES"

Education Code Section 88076

88076. Establishment of Classified Service; Positions Excluded. (a) The commission shall classify all employees and positions within the jurisdiction of the governing board or of the commission, except those which are exempt from the classified service, as specified in subdivision (b). The employees and positions shall be known as the classified service. "To classify" shall include, but not be limited to, allocating positions to appropriate classes, arranging classes into occupational hierarchies, determining reasonable relationships within occupational hierarchies, and preparing written class specifications.

(b) The following positions and employees are exempt from the classified service:

- (1) Academic positions.
- (2) Part-time playground positions.
- (3) Full-time students employed part time.
- (4) Part-time students employed part time in any college work-study program or in a work experience education program conducted by a community college which is financed by state or federal funds.
- (5) Apprentice positions.
- (6) Positions established for the employment of professional experts on a temporary basis for a specific project by the governing board or by the commission when so designated by the commission.

Employment of either full-time or part-time students in any college work-study program, or in a work experience education program shall not result in the displacement of classified personnel or impair existing contracts for services.

However, nothing in this section shall prevent an employee, who has attained regular status in a full-time position, from taking a voluntary reduction in time and retaining his or her regular status under the provisions of this law.

CHANGES:

No changes to text.

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No person whose contribution consists solely in the rendition of individual personal services and whose employment does not come within the scope of the exceptions listed above shall be employed outside the classified service.

A part-time position is one 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.

Education Code Section 88077

88077. Temporary Positions Excluded from Classified Service. Nothing contained in Section 88076 shall be interpreted to exclude the employment of architectural and engineering firms employed on a temporary basis for a specific project by a governing board or the commission when so designated by the commission.

Education Code Section 88078

88078. Exemptions from Classified Service; Community Representatives in Advisory or Consulting Capacities. In addition to the exemptions authorized in Section 88076, there shall be exempt from the classified service positions established for the employment of community representatives in advisory or consulting capacities for not more than 90 working days in a fiscal year, provided that:

- (1) The authorized duties are not those normally assigned to a class of positions in the classified service,
- (2) The authorized duties are approved by the personnel commission in advance of employment, and
- (3) A regular classified employee of the community college district shall not receive a concurrent appointment to such a position.

CHANGES:

No changes to text.

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A. Professional Experts and Community Representatives.

1. Positions may be exempted from the classified service which meet the criteria for exemption as professional expert or community representative positions. Professional experts may be hired on a temporary basis for the duration of a specific project. The employment of the community representatives in advisory or consulting capacities is limited to not more than 90 working days in a fiscal year. Proposed assignments to such positions shall be approved by the Personnel Commission staff prior to the employment of persons in such positions.
2. Assignment documents for professional expert or community representative positions shall be furnished to the Commission with the following information upon which it shall base its designation of exemption for the classified service:
 - a. a description of the specific project to which the individual is to be assigned;
 - b. the duration of the project;
 - c. a description of the duties assigned to the position; and
 - d. evidence that the individual to be assigned to the position possesses qualifications which are recognized as both professional and expert in the case of professional expert services or, in the case of community representative services, the special qualifications of the individual to serve in an advisory or consulting capacity.

B. Architectural or Engineering Firms

1. An architectural or an engineering firm may be employed to perform specialized services over and above those which can be reasonably performed by the District's staff. If the duration of a contract comes into question, it shall be reviewed by the Commission for conformance with the provisions of the Education Code and Personnel Commission Laws and Rules.

CHANGES:

Definitions of Professional Expert and Community Representative were further expanded. New paragraph B was added.

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