

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

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LAW AND RULES

July 5, 2007

591 SALARY ALLOCATION AT RECLASSIFICATION OR REALLOCATION

Education Code Section

88081. Subjects of Rules.

(a) The rules shall provide for the procedures to be followed by the governing board as they pertain to the classified service regarding applications, examinations, eligibility, appointments, promotions, demotions, transfers, dismissals, resignations, layoffs, reemployment, vacations, leaves of absence, compensation within classification, job analyses and specifications, performance evaluations, public advertisement of examinations, rejection of unfit applicants without competition, and any other matters necessary to carry out the provisions and purposes of this article.

(b) With respect to those matters set forth in subdivision (a) which are a subject of negotiation under the provisions of Section 3543.2 of the Government Code, such rules as apply to each bargaining unit shall be in accordance with the negotiated agreement, if any, between the exclusive representative for that unit and the public school employer.

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- A. Whenever the schedule for an entire class is changed, the step of each continuing regular incumbent shall be adjusted to the numbered step in the new schedule that corresponds to his/her numbered step in the previous schedule. A change in an employee's rate resulting solely from a change in the length of his/her pay period or the structure of the salary schedule to which his/her class is allocated shall not affect the employee's eligibility for step advancement, except as provided under Rule 578 and Rule 582, Paragraph K.

In situations where the financial impact of a reallocation or reclassification study jeopardizes the implementation of the study, the District may request that the step of each continuing regular incumbent be adjusted to the numbered step of the new schedule which equals or next exceeds the dollar rate of the employee's current salary step. The dollar rate shall include differentials if the differentials will not continue upon implementation of the reallocation or reclassification action.

- B. When an entire class is reclassified downward, an incumbent in the class shall be allocated to the step of the lower class which corresponds to the dollar rate of the incumbent's current step if that rate is within the schedule of the lower class. If downward reclassification is to a class which does not include the rate of the incumbent's current step on the schedule, he/she shall be placed on that step of the new class which is next lower than the rate attained by the incumbent prior to the reclassification.

CHANGES:

An additional section was added to Paragraph A. Minor changes to text in Paragraph B.

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If the rate prior to reclassification is above the maximum of the lower class, the incumbent shall receive the highest step of the lower class unless specific action is taken by the Personnel Commission in accordance with Paragraph C.4., below.

- C. When a portion only of the positions within a class is reclassified in such a manner that a new salary schedule or hourly rate becomes applicable to that portion, incumbents shall be compensated as follows:
1. In the case of upward revision of a portion only of the positions within a class, incumbents, who achieve their positions through regular promotion procedures, shall be compensated in accordance with Rule 582, ALLOCATION TO APPROPRIATE SALARY STEP. Incumbents whose service and examination records meet the requirements of Rule 545, CLASSIFICATION STUDIES shall, if reclassified by the Personnel Commission, be allocated in the same manner as though they had been appointed from a promotional eligibility list.
 2. By specific action of the Personnel Commission, a temporary salary differential shall be granted to a regular incumbent of a position approved for reclassification when the reclassification of the position is based on duties and responsibilities assigned to and performed by the regular incumbent.

Such temporary salary differential shall be determined in accordance with the provisions of Rule 582, ALLOCATION TO APPROPRIATE SALARY STEP, as if the incumbent has achieved the position in the higher class through promotional procedures.

The temporary salary differential shall begin on the date that the Personnel Commission approves the reclassification of the position. The temporary salary differential shall be applicable to all paid service in the position. The temporary salary differential shall continue until one of the following actions occurs:

- a. the employee is regularly appointed to the position;
- b. the duties and responsibilities upon which the reclassification was based are changed;
or
- c. the employee leaves the position.

CHANGES:

Minor changes to text in Paragraph C.1. and C.2.

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If the incumbent subsequently qualifies by competitive examination procedures and is appointed to his/her reclassified position, his/her seniority in the higher class shall begin with the date that the Personnel Commission approved the reclassification of his/her position

When a position in a nonexempt class is reclassified to a class exempt from overtime payment, all applicable provisions of Rule 596, OVERTIME, and Rule 812, VACATION, shall apply to the incumbent of the position in the same manner as if he/she had been regularly assigned to the exempt class.

3. In case of downward revision of a portion only of the positions within a class, there shall be no change from the rate of the employee's step on the former schedule, except that no incumbent shall be compensated in excess of the maximum for the position as reclassified. If downward revision is to a class which does not include the rate of the incumbent's current step on the schedule, the incumbent shall be placed on that step of the new class which is next lower than the rate of the step he/she had attained prior to reclassification.

Layoff and voluntary demotion procedures to the extent to which they are applicable shall determine the identity of the persons who are to occupy those positions which have been reclassified downward.

4. By specific action of the Personnel Commission in the case of a reallocation to a lower salary level of all or a portion of the positions within a given class where incumbents are currently compensated above the maximum of the new schedule to which the position is allocated, continuing regular incumbents of such positions may be placed on starred rates with no reduction in compensation regardless of the fact that no such rate may exist within the schedule to which their class is reallocated.

Employees who are reassigned to lower-level classes as a result of their positions being abolished due to technological or organization changes may also be placed on starred rates. If the employee initiated the reassignment, he or she shall not be placed on a starred rate.

Any such starred rate shall be maintained only so long as the incumbent remains in the same position and until the starred rate falls within the schedule of the class to which reallocated by virtue of future upward salary movement or for a period equal to the time the employee served in the higher class from which he/she was reassigned, whichever is the shorter period, with the total protected time not to exceed 39 months.

CHANGES:

Minor changes to text in Paragraph C.2.

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At that time, the rate of the incumbent will be adjusted to the highest step of the class to which reallocated. Nothing in this rule shall preclude the authority of the Personnel Commission to make subsequent revisions of starred rates in accordance with general salary changes.

- D. Conversion from flat hourly rates to schedules shall be made by multiplying the hourly rate by 2088 hours and dividing by 12. Once the monthly rate has been thus established, each continuing regular incumbent shall be placed on the numbered step of the new schedule which equals or next exceeds the calculated monthly dollar rate.
- E. When step advancement, reallocation, or reclassification of a class, promotion or demotion from or within such class effective on the same date, incumbents affected by more than one action shall receive salary adjustment for each action in accordance with the following priority;
1. Step advancement.
 2. Increase or decrease due to reallocation or reclassification of the class.
 3. Increase or decrease due to promotion or demotion.

CHANGES:

Formula for conversion from flat hourly rates to salary schedules was redefined. Paragraphs D.1. and D.2. were removed.

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