

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

745 VOLUNTARY DEMOTION OR REDUCTION IN STATUS OR ASSIGNED TIME

Education Code Section 88081

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 ... demotions, transfers, ... reemployment,

b. ...

Education Code Section 88091

88091. Vacancies in Classified Service; Promotional Applicants. All vacancies in the classified service shall be filled pursuant to this article and the rules of the commission, ... or appointments may be made by means of transfer, demotion, reinstatement, and reemployment in accordance with the rules of the commission

- A. A voluntary demotion is an action initiated by an employee with regular status in the classified service resulting in assignment to a class with a lower maximum salary. Reduction in status is an action initiated by a regular employee which changes his/her status to substitute or relief. (Rule 740, Paragraph C., outlines rights of employees who have taken voluntary demotion, voluntary reduction in status, or voluntary reduction to part-time status in lieu of layoff, Rule 771 covers reinstatement after resignation).
- B. A permanent employee who has taken a voluntary demotion or a reduction in status may be considered for assignment without competitive procedures to a vacancy in any class to which he/she was regularly appointed. The employee may also be considered for appointment in any class which is not higher than a class in which he/she had acquired probationary or permanent status. The following conditions shall be considered.
1. The class to which assignment is proposed is within the same group of classes, as set forth in the Class Titles and Salary Schedules book, as the class upon which eligibility for the assignment is based.

CHANGES:

No change in text.

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2. The class to which assignment is proposed is one in which the employee has not served and is not within the same Group of classes as the class upon which eligibility for the assignment is based, comparison of the employee's former class and the class to which assignment is proposed must indicate:
 - a. Similarity of duties.
 - b. Similarity of entrance qualifications.
 - c. Similarity of fields of potential promotional candidates.
 - d. Similarity of examination content.
 3. The class to which assignment is proposed is a related class on the same or a lower salary level to one in which the employee has served and upon which eligibility for assignment is based, comparison of the employee's former class and the class to which assignment is proposed must indicate:
 - a. Completion of probationary period in higher class.
 - b. Conditions a. through d. under 2. above.
 - c. Relatedness and recency of experience in former class to the class requested for assignment.
- C. The extent to which the tests of similarity must be met varies. In general, more latitude may be allowed in any of the following circumstances:
1. As the employee's length of service with the District increases.
 2. When the request is based on layoff, reclassification, or reasons of health.
 3. When there is no eligibility list for the class to which assignment is proposed.

CHANGES:

Adds Paragraph 3., which provides guidelines to be followed in determining an employee's eligibility to appointed to a class based on service in a higher class. Amends Paragraph C. to clarify the circumstances for applying the tests of similarity.

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If the employee's name appears on a current eligibility list or a list which previously established eligibility within the last four years for the class for which the employee is being considered, the criteria in B.2. or 3. above may be waived.

- D. Any proposed assignment under this rule must have the recommendation of the employing division head or college president.
- E. Any proposed assignment to a class in which the employee has not served shall be submitted to the Personnel Commission accompanied by:
 - 1. A recommendation of appointment by the employing college or division.
 - 2. Information regarding the tests of similarity set forth in Paragraphs B.2., and C. above, as applicable.

If any objections or requests for deferral of approval are made, the Personnel Commission shall defer action for one week. Any basis for objections must be submitted to the Personnel Commission in writing at the meeting following the deferral of action. The Personnel Commission's approval or disapproval of such a proposed assignment shall be given not later than the first Personnel Commission meeting following submission of the written bases for objections.

- F. An employee who has probationary status only and takes a voluntary demotion or a voluntary reduction in status shall have his/her name restored to the eligibility list from which he/she was appointed if that list has not expired and he/she has filed a written request to restore his/her name to the eligibility list with the Division of Human Resources.
- G. The benefits of this rule shall be available for a period of 10 years following the date upon which the voluntary demotion or voluntary reduction in status took place. Extensions beyond this period may be made on a case by case basis. The benefits of this rule shall not be available to any employee who was an unsuccessful candidate in any examination given within the last two years for the class to which assignment is proposed.

CHANGES:

Modifies Paragraph G. by deleting reference to 30 month limitation for returning to former class and adds new provisions that allows up to 10 years for an employee to request return to former class following a voluntary demotion action.

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- H. No appointment under this rule shall operate to defeat the reemployment rights of persons laid off for lack of work or lack of funds, but persons who have accepted demotions or reductions in status in lieu of layoff shall be held not to have forfeited their reemployment rights.
- I. The above provisions apply even in cases where there has been an intervening separation, provided this separation was not for cause. This rule shall not apply in cases where demotion was the result of misconduct or inefficiency.
- J. If service requirements were met in the former class for a salary-step advancement but not previously credited in such a class, salary-step advancement shall be allowed in making the assignment.
- K. Refusal of three offered opportunities cancels the privilege accorded by this rule.

CHANGES:

No change in text.

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