

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

771 REINSTATEMENT

Education Code 88128

88128. Reinstatement of permanent classified employees after resignation.

Any permanent classified employee of a community college district who voluntarily resigns from his permanent classified position may be reinstated or reemployed by the governing board of the district, within 39 months after his last day of paid service and without further competitive examination, to a position in his 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 as, and restore to him all of the rights, benefits and burdens of a permanent employee in the class to which he is reinstated or reemployed.

- A. A permanent employee in the classified service who has resigned while in good standing may, upon the recommendation of the head of the division in which he/she last served and on the request of an appointing officer, be reinstated as a permanent or limited-term employee 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, provided all appointment rights of any person on the reemployment list, as a result of layoff, for that class have first been met.

A permanent employee in the classified service who has resigned while in good standing in the classes of SFP Program Director, SFP Program Specialist, SFP Program Technician and SFP Program Office Assistant may, upon the recommendation of the head of the division in which he/she last served and on the request of an appointing officer, be reinstated as a permanent or limited-term employee in a related equal or lower SFP job classification.

CHANGES:

Add new paragraph under A to incorporate provisions for SFP classes.

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

771

LAW AND RULES

September 27, 2001

- B. Except for any earned step advancement, 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
 - b. The step of the schedule, the rate of which is equal to or next below the rate he/she would be entitled to if reinstated in the class from which he/she resigned, 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.

- C. A person reinstated as a permanent employee under this rule shall be entitled to the privileges extended in Rule 745, VOLUNTARY DEMOTION OR REDUCTION IN STATUS OR ASSIGNED TIME.
- D. 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, provided that paid leave of absence caused solely by illness of the absent employee shall not operate to curtail the privilege of reinstatement and shall not be counted as part of the 39-month period.
- E. A person reinstated as a limited-term employee shall be granted the rights and privileges extended in Rule 710, VOLUNTARY REDUCTION IN STATUS.

CHANGES:

No change in text.

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

771

LAW AND RULES

September 27, 2001

- F. A person reinstated as a limited-term employee does not relinquish his privilege of returning to permanent employment within the 39-month period, but this privilege expires 39 months after the last day for which salary was received as a permanent employee.
- G. Whenever any former employee of the Los Angeles Community College District who, at the time of his/her resignation, was classified as permanent, is reinstated as a permanent employee without further competitive examination within 39 months after the last day for which salary was received, or after paid leave of absence caused solely by illness, the governing board of the District shall disregard the break in service of said employee and classify him/her as, and restore to him/her all the rights, benefits, and burdens of a permanent employee.
- H. A former employee reinstated and assigned in accordance with this rule shall have his name restored for certification purposes to its place according to score on any promotional eligibility list which is still current.

CHANGES:

No change in text.

Remove, March 30, 1978
REINSTATEMENT

Add: September 27, 2001, Page 3 of 3

771
Page 3 of 3