

522 CLASS TITLES AND DESCRIPTIONS

Education Code Sections

88009. Governing boards shall fix and prescribe the duties to be performed by all persons in the classified service and other nonacademic positions of the community college district, except those persons employed as a part of a personnel commission staff as provided in Article 3 (commencing with Section 88060) of this chapter.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.

88076. (a) The commission shall classify all employees and positions within the jurisdiction of the governing board of the community college district or of the commission, except those that 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) Full-time students employed part time.
- (3) Part-time students employed part time in a college work-study program or in a work experience education program conducted by a community college that is financed by state or federal funds.
- (4) Apprentice positions.
- (5) Positions established for the employment of professional experts on a temporary basis for a specific project by the governing board of a community college district or by the commission when so designated by the commission.

(c) Employment of either full-time or part-time students in a 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.

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(d) 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.

(e) A 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 not be employed outside the classified service.

(f) 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.

(g) An employee employed by a community college district in a part-time playground position as of the effective date of the laws placing part-time playground positions into the classified service shall be deemed a permanent employee of the community college district without placement on an eligibility list under Section 88091 or examination under Section 88092.

88080. (a) The commission shall prescribe and, amend, and interpret subject to this article, such rules as may be necessary to insure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness. The rules shall not apply to bargaining unit members if the subject matter is within the scope of representation, as defined in Section 3543.2 of the Government Code, and is included in a negotiated agreement between the governing board and that unit. The rules shall be binding upon the governing board, but shall not restrict the authority of the governing board provided pursuant to other sections of this code.

(b) No rule or amendment which would affect classified employees who are represented by a certified or recognized exclusive bargaining representative shall be adopted by the commission until the exclusive bargaining representative and the community college employer of the classified employees who would be affected have been given reasonable notice of the proposal.

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88081. (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.

88095. The governing board shall fix the duties of all positions a part of the classified service as required by Section 88009. The board may recommend the minimum educational and work experience requirements for classified positions to the personnel commission. Minimum qualification requirements shall be subject to approval of the commission.

In approving minimum educational and work experience requirements for classified positions, the commission shall insure that such requirements reasonably relate to the duties of the position, as established by the governing board, and that they will admit an adequate field of competition. No requirements may be approved which unduly or unreasonably restrict the field of competition.

The position duties shall be prescribed by the board and qualification requirements for the position class shall be prepared and approved by the commission, as required by this section, prior to issuance of an announcement calling for a competitive examination to fill position vacancies.

88104.5. No position classification or reclassification plan which would affect classified employees who are represented by a certified or recognized exclusive bargaining representative shall be adopted by the commission until the exclusive bargaining representative and the community college employer of the classified employees who would be affected have been given reasonable notice of the proposed classifications or reclassifications.

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- A. The Personnel Commission establishes the titles of classes in the classified service to be used in the District's annual budget, personnel records, the rules of the Personnel Commission and the rules and regulations of the Board of Trustees, and in the official correspondence of the District.
- B. There shall be a written class description for each class in the classified service. The class description will contain, but will not be limited to, the class title, typical duties, and a section which will set forth the minimum qualifications for the class.
- C. The Personnel Commission reserves the right to amend the descriptions established for each class. The Personnel Commission staff and appropriate representatives of the administration shall cooperate in the development of entrance qualifications. The minimum qualifications shall be prepared by the Personnel Commission staff and shall be subject to approval by the Personnel Commission.
- D. The typical duties listed in the Personnel Commission's class descriptions are a general, not exhaustive list of the duties that can be assigned to a class. A class description does not prescribe what the specific duties of any single position within the class shall be and does not restrict the administration from assigning other duties and responsibilities not mentioned in the description but of a similar kind and/or level.
- E. An employee does not have the right to refuse to perform any duty they are assigned by an authorized supervisor, provided the performance of that duty will not endanger the employee's health or safety or that of others. Questions concerning the performance of duties that are not identified in the employee's class description and seem to be inconsistent with the class concept should be referred to the Personnel Commission for evaluation and resolution using procedures outlined in Rule 545, CLASSIFICATION STUDIES or Rule 550, PAYMENT FOR INCONSISTENT DUTIES: TEMPORARY WORK OUT OF CLASSIFICATION.
- F. In placing positions into job classifications, the description for each class shall be considered as a whole rather than as a collection of isolated clauses, phrases, or words apart from the context. Each class description shall be construed in its proper relationship to other descriptions, particularly those of classes in the same group and series of classes.
- G. It shall be the policy of the Personnel Commission to provide advance notice to all recognized exclusive bargaining representatives and the District administration of any proposed classification or reclassification actions. When a proposed classification or reclassification action could affect a recognized exclusive bargaining representative or its members, the proposed action shall be consulted with the bargaining representative in accordance with the established consultation process adopted by the Personnel Commission.
- H. A routine review and update of class descriptions shall be conducted by the Personnel Commission staff, insofar as possible, approximately every five years or earlier when deemed necessary. If the routine review does not result in any changes to a class description, the Personnel Director may authorize to reissue the class description. An informative report will be provided to the Personnel Commission on an annual basis that summarizes class descriptions for which staff has not recommended any changes after following the customary review process.