

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

582

LAW AND RULES

December 18, 2019

582 ALLOCATION TO APPROPRIATE SALARY STEP

Education Code Sections

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.

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.

- A. An appointment to a class on a salary range with more than one step shall be at the lowest step, except as provided in Rules 585, COMPENSATION FOR EMPLOYEES IN LIMITED-TERM ASSIGNMENTS, 583, RATING-IN OF CLASSIFIED EMPLOYEES, and as set forth below.
- B. Regular employees, including those who take a voluntary reduction in status and are subject to the provisions of Rule 710, VOLUNTARY REDUCTION TO SUBSTITUTE OR RELIEF STATUS, who are to be appointed to a position in another class shall suffer no reduction in salary by reason of this Rule unless:
1. Payment of highest step of the applicable salary range would entail a reduction, or
 2. Appointment results from an involuntary demotion.

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- C. Upon promotion, an employee shall be paid as follows:
1. The flat rate of the higher class, if applicable, or
 2. The salary step that provides an increase of at least five percent (5%) over the employee's current schedule and step or the maximum step of the schedule of the higher class, whichever applies. If upon promotion an employee will not continue receiving one or more differentials and the 5% calculation results in a step placement below their current rate of total compensation (including the differentials), they shall have the differential(s) included in making the 5% calculation. Temporary salary differentials referred to in Rules 587, SALARY DIFFERENTIAL FOR INTERMITTENT LEAD ASSIGNMENTS, 588, SALARY DIFFERENTIAL FOR EMPLOYEES USING BILINGUAL SKILLS, and 595, SALARY DIFFERENTIAL FOR MULTIPLE COLLEGE RESPONSIBILITY, are excluded.

The new step placement shall not exceed the maximum rate of pay established by the salary range of the higher class. A rate paid for a limited-term assignment shall not be included when selecting the rate upon promotion.

- D. Except as provided by Rules 578, SALARY STEP ADVANCEMENT WITHIN CLASS FOR REGULAR EMPLOYEES, 591, SALARY ALLOCATION AT RECLASSIFICATION OR REALLOCATION, and 740, LAYOFF AND REEMPLOYMENT no salary advantage shall accrue from occupancy of a higher class for voluntary or involuntary demotions unless the probationary term in that class has been completed; if permanent status has not been acquired in any class at the time of voluntary demotion, the employee shall be paid the initial step of the range of the lower class to which he/she is demoted.
- E. An employee who is demoted as a result of a disciplinary action shall be placed on a step of the salary range that results in a decrease in salary rate, or if applicable, on the flat rate of the lower class. The Human Resources Division shall determine the employee's step placement if it is to be below the step that results in the minimum reduction rate, subject to appeal to the Personnel Commission.
- Other types of involuntary demotions such as in lieu of layoff or failure to qualify for placement in a reclassified position shall result in step placement that provides the minimum reduction in salary rate.
- F. An employee who accepts voluntary demotion shall be placed on the flat rate of the lower class, if applicable. If the lower class is on a salary range, the employee shall be placed on the rate that provides the least reduction from the rate achieved in the class in which permanent status has most recently been acquired.
- G. Transfers shall be made without salary change. No salary change shall be deemed to occur if the transfer results in termination of a differential.

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- H. Any employee who receives a starred rate pursuant to the provisions of Paragraph C.4. of Rule 591, SALARY ALLOCATION AT RECLASSIFICATION OR REALLOCATION, shall have their salary rate adjusted to the maximum basic rate of pay of the class to which assigned at such time as that rate equals or exceeds the starred rate.
- I. Any classified employee returning to active duty from disability retirement or appointed from a reemployment list shall be paid the step of the schedule of the class to which he/she would have been entitled had they remained in service provided that:
1. no credit shall be allowed toward step advancement for the period of disability retirement or for the period the employee was not employed in the classified service during the period of layoff, and
 2. the maximum step for any class to which he/she may be assigned is not exceeded.
- J. After an investigation and a finding of critical shortage of qualified applicants which seriously affects the recruitment and retention of qualified persons, the Personnel Commission may, with the concurrence of the Board of Trustees, authorize an accelerated hiring step or shortened range for a class.
1. The bases for a finding of critical shortage of qualified applicants shall be as follows:
 - a. A study, indicating evidence of either:
 - (1) An insufficient number of applications or eligibles as a result of an extensive recruitment effort including paid advertisements offering employment at a specific step of the salary range of the class, or
 - (2) An insufficient number of eligibles who are "ready and willing" (as defined in Rule 635, APPOINTMENTS FROM ELIGIBILITY LISTS) to accept employment at the current hiring rate, or
 - (3) An anticipated shortage of qualified applicants as indicated by the difficulty experienced by other local jurisdictions in recruiting for similar positions, or
 - (4) An anticipated shortage of qualified applicants because of special qualifications required by the class.
 - b. A special salary survey by the Personnel Commission staff of recent hiring rates paid to qualified and immediately available candidates in comparable positions.

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- c. Analysis and evaluation of the following information:
 - (1) The total number of positions in the class, the number of positions vacant and duration of each vacancy, the location of the vacancies, and any unusual working conditions which affect the positions.
 - (2) The availability of those on the latest eligibility list and information regarding the stated reasons for non-availability.
 - (3) The class turnover rate compared to the general turnover rate.
2. The following factors will be taken into consideration in establishing an accelerated hiring step or shortened range for a class:
 - a. The range of rates paid for comparable or similar positions in the community or survey area.
 - b. A special survey of hiring rates paid for comparable or similar positions in the community or survey area.
 - c. The minimum acceptable rates specified by eligibles when recruiting has been conducted on the basis that appointment may be made at any rate in the salary range.
3. The determinations on critical shortage of qualified applicants and the findings to establish an accelerated hiring step or shortened range for a class shall be reviewed:
 - a. Whenever the class is considered for reallocation to another range.
 - b. Upon termination of continuous examination authorization.
 - c. Prior to June 30 each year. All authorized accelerated hiring steps in effect 90 days or more are subject to termination each year as of the last day of the pay period which includes June 30. Those in effect less than 90 days, as of that date, shall be continued throughout the following salary year unless terminated sooner.
4. The basis for extending, modifying, or discontinuing an accelerated hiring step or shortened range for a class shall be a report by the Personnel Commission staff together with the information called for in Paragraph J. 1. b. and c. and 2. above.
5. Employees on a lower step in a class for which an accelerated hiring step or shortened range has been authorized shall advance to the new hiring step on the effective date of acceleration. Thereafter such employees shall advance to higher steps as provided in Rule 578, SALARY STEP ADVANCEMENT WITHIN CLASS FOR REGULAR EMPLOYEES. Upon each reallocation of a class that has an accelerated hiring step or shortened range, the incumbents shall

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be placed on the same numbered step in the new range unless the Personnel Commission specifically finds that the step status shall not apply.

6. When inequities within a class or related classes are caused by the application of an accelerated hiring rate or shortened range, step advancement may be authorized by the Personnel Commission and the Board of Trustees in order to remove any such inequities. Thereafter step advancement shall be granted only as provided in Rule 578, SALARY STEP ADVANCEMENT WITHIN CLASS FOR REGULAR EMPLOYEES.

- K. When step advancement, reallocation, or reclassification of a class, promotion or demotion from or within such class becomes effective on the same date, incumbents affected by more than one action shall receive a salary adjustment for each action in accordance with the following sequence:

1. Step advancement.
2. Increase or decrease based on reallocation or reclassification of the class.
3. Increase or decrease based on promotion or demotion.

- L. A full-time probationary or permanent academic employee of the District who changes to the classified service or returns to the classified service in accordance with Rule 717, CHANGE IN SERVICE ASSIGNMENT, Paragraph A. or B., shall be placed on the step of the applicable salary range that is closest to their last regular salary.

This provision is also applicable for a 39-month period to academic employees who, because of a reduction in staff, have been required to accept assignment in a lower class or have been separated. The last regular salary for this purpose means the salary for the position from which the employee was required to accept assignment in a lower class or from which separated.

- M. Salary differentials shall not be considered as part of an employee's base salary for the purpose of step placement upon demotion, transfer, or any action affecting salary other than promotion.