

**715 TRANSFER AND CHANGE IN OFFICE LOCATION**

**Education Code Sections**

**88080.** (a) The commission shall prescribe, 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.

**88091.** All vacancies in the classified service shall be filled pursuant to this article and the rules of the commission, from applicants on eligibility lists which, wherever practicable, as determined by the commission, shall be made up from promotional examinations, or appointments may be made by means of transfer, demotion, reinstatement, and reemployment in accordance with the rules of the commission. All applicants for promotional examinations shall have the required amount of service in classes designated by the commission or meet the minimum qualifications of education, training, experience, and length of service, which shall be determined by the commission to be appropriate for the class for which they have applied. Any promotional applicant who has served

LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION

715  
July 6, 2022

LAW AND RULES

---

the required amount of time in a designated class or who meets the minimum qualifications for admission to a promotional examination shall be admitted to the examination. Applicants shall be placed on the eligibility lists in the order of their relative merit as determined by competitive examinations. The final scores of candidates shall be rounded to the nearest whole percent for all eligibles. All eligibles with the same percentage score will be considered as having the same rank. Appointments shall be made from the eligibles having the first three ranks on the list who are ready and willing to accept the position.

(b) (1) Upon the request of a majority of the members of the governing board of a community college district, the commission may exempt two executive secretarial positions from the requirements of this section. Exemptions authorized under this subdivision shall be limited to one executive secretary position reporting directly to members of the governing board, and one executive secretary position reporting directly to the chancellor. (2) Any person employed in an exempt executive secretarial position shall continue to be afforded all of the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, except he or she shall not attain permanent status in an executive secretarial position. Positions of executive secretary shall be filled from an unranked list of eligible employees who have been found to be qualified for the positions as determined by the district chancellor or superintendent and determined by the personnel commission. Any person whose services in an executive secretarial position are discontinued for a cause other than a cause for disciplinary action specified in this code or in a rule of the commission shall have the right to return to a position in a classification he or she previously occupied or, if that classification no longer exists, in a similar classification, as determined by the commission. This subdivision shall apply only to the employees hired on or after January 1, 1988. (c) (1) Upon the request of a majority of the members of the governing board of a community college district, the personnel commission may exempt designated senior classified administrative positions from the requirements of this section. A "senior classified administrative employee" means a classified employee who acts as the chief business, fiscal, facilities, or information technology adviser or administrator for the district chancellor or superintendent or a college president, as determined by the governing board and certified by the personnel commission. (2) Any person employed in an administrative position exempted under this subdivision shall continue to be afforded all of the rights, benefits, and burdens of any other classified employee serving in the regular service of the district, except that he or she shall not attain permanent status in that administrative position. A vacancy in an administrative position that is exempted under this subdivision shall be filled from an unranked list of eligible persons who have been found to be qualified for the positions as determined by the district chancellor or superintendent and the personnel commission. Any person whose services in an administrative position exempted under this subdivision are discontinued

LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION

715

July 6, 2022

LAW AND RULES

---

for any reason other than for cause as specified in this code or in a rule of the personnel commission shall have the right to return to a position in a classification he or she previously occupied or, if that classification no longer exists, in a similar classification, as determined by the commission. (3) This subdivision shall apply only to employees hired on or after January 1, 2001. (d) Nothing contained in this section shall authorize the selection of eligible candidates in circumvention of the affirmative action programs of any community college district.

**88097.** Written notices concerning tests, vacancies, and transfer opportunities and other selections of shifts, positions, assignments, classifications, or locations shall be posted at all work locations of employees who may be affected not later than 15 working days prior to the closing date of filing appropriate applications, together with the normal use of newspapers and bulletins for public notice for open or promotional vacancies. Whenever the subject of these notices may affect a probationary or permanent classified employee who will not be reporting at his or her work location during periods when the employee is not normally required to work, such as Christmas, Easter, summer recesses, and other paid or unpaid leaves of absences, including vacations, and who has previously requested notification, the notices shall be mailed to the employee. However, the failure of an employee to receive a notice shall not invalidate any procedure, if, in fact, the notice was placed in the mail and postage paid. This section shall not apply to any community college district that publishes and distributes to all work locations examination bulletins at least once each month, provided that records of employee requests for transfer and change of location are maintained and that the names of all candidates for transfer and change of location to a vacancy are certified to the appointing authority along with names of appropriate applicants from employment lists. The personnel commission shall establish procedures for the maintenance of employee requests for transfer, change of location, change of shift, and notification of forthcoming examinations.

- A. A transfer is the assignment of an employee from one location to another location, in the same job classification, within the District. Satellite or other auxiliary locations assigned to a college or the District Office shall be considered part of that location.
- B. A change in office location is the reassignment of an employee from one position to another position in the same job classification between administrative units at the same location. Satellite or other auxiliary locations assigned to a college or the District Office shall be considered part of that location.
- C. A regular employee who has attained permanent status in their job classification shall be eligible to submit a transfer or change in office location in-service transaction request. If an employee has not attained permanent status in their job classification, approval of the request by the applicable division head or college president is required to attest that such action will be in the best interest of the District.

LOS ANGELES COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION

715

July 6, 2022

LAW AND RULES

---

- D. Transfer and change in office location in-service transaction requests shall be maintained by the Personnel Commission. The names of employees with approved requests shall be certified to the appointing authority along with names on the applicable eligibility and/or other employment lists as vacancies occur. The appointing authority does not have an obligation to prefer a transfer or change in office location request to other means of filling a vacancy.
- E. An employee who requests a priority shift transfer shall not be eligible for such a transfer if they have a record of less than fully satisfactory service with the District within the past two years. A record of less than fully satisfactory service for this purpose means a notice of unsatisfactory service or a performance evaluation indicating a below work performance standard rating on any of the factors.
- F. To request a transfer or change in office location an employee must complete and submit an in-service transaction request. The request shall be processed by the Personnel Commission Office. The Personnel Commission Office shall, upon receipt of the request, provide a timely written notification of the disposition of the request to the employee and applicable division head or college president.
- G. Transfer and change in office location requests are valid for a two-year period from the date of the acknowledgement notice. It is the responsibility of the employee to submit a new request at the expiration of the two-year period.
- H. Accumulated illness leave and vacation privileges shall be assumed by the division or college to which an employee is transferred.
- I. An employee may also be administratively transferred or reassigned on an involuntary basis at the discretion of the District. Under those circumstances, the immediate supervisor shall first discuss the reasons for this action with the employee.
- J. Transfer shall not be used to alter the incidence of an impending layoff or for disciplinary reasons.