

741 LEAVE OF ABSENCE PRIOR TO LAYOFF

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.

LOS ANGELES COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION

741

LAW AND RULES

September 11, 2019

- A. When a layoff because of lack of funds or lack of work is about to occur, the Human Resources Division shall determine the classes which will be affected. A list of such classes shall be furnished to the Personnel Commission in a timely manner.
- B. Any regular employee who has received notice of impending layoff may be granted a leave of absence at the discretion of their division head or college president from the date of such notice until the effective date of layoff. No salary will be paid by the District for the period of the leave; however, employees may elect to use any accrued vacation or compensatory time they have earned. Seniority credit shall be accumulated during the leave of absence.
- C. Rescission of the notice of impending layoff shall cancel all leaves granted under this rule. Employees in executive, administrative, or supervisory classes shall be allowed 1 month in which to return to employment; employees in other classes shall be allowed 14 calendar days in which to return to employment.
- D. This rule shall have no force and effect upon employees of any collective bargaining unit to the extent that the provisions of this rule are negotiable.