
Chapter 3

Position Classification Plan

Rules and Regulations of the Classified Service

3.1 THE CLASSIFIED SERVICE

3.1.1 POSITIONS INCLUDED: All positions established by the Board of Education, which are not exempt from the classified service by law shall be a part of the classified service of the District. All employees serving in the District's classified positions shall be classified school employees. The employees and positions shall be known as the Classified Service.

No person whose contribution consists solely in the rendition of individual personal services and whose employment does not come within the scope of the exemptions established in the law shall be employed outside of the classified service.

REFERENCE: Education Code Section 45256

3.1.2 EXEMPTION FROM THE CLASSIFIED SERVICE: Positions required by law to have certification qualifications, part-time playground positions, full-time day students employed part-time, part-time students employed part-time in any college work-study program or in a legally authorized work experience program conducted by a community college district, apprentices, community representatives (as provided by law), and professional experts employed on a temporary basis for a specific project by the Board of Education or by the Personnel Commission when so designated by the Personnel Commission shall be exempt from the classified service.

3.1.2.1 If the governing board establishes positions and restricts initial appointment of new employees to mentally, physically, or developmentally disabled persons, then such positions shall, in addition to regular class title be classified as Restricted.

3.1.2.2 Employment may also be restricted to persons in low income groups, from designated impoverished areas, or any other criteria which precludes employment through the normal competitive process, in which case the position shall, in addition to the assigned title, be designated as Restricted.

3.1.2.3 Persons employed in Restricted positions shall be

considered Classified employees for all purposes except that they may not attain permanent status, shall not be accorded seniority rights, may not be given provisional appointments concurrent with status in a restricted position and are not eligible to compete in promotional examinations in the regular classified service.

REFERENCE: Education Code Sections 45256, 45259, 45299

3.1.3 **"PART-TIME" DEFINED:** A part-time position for the purpose of exemption under Personnel Commission Rule 3.1.2 is a temporary position for which the assigned time, when computed on an hourly, daily, weekly or monthly basis is less than eighty-seven and a half percent (87.5%) time of the normally assigned time for the majority of employees in the classification to which assigned, or the majority of the employees in the classified service, whichever amount of time is the lesser.

REFERENCE: Education Code Sections 45256 and 45260

3.1.4 **EFFECT OF EXEMPTION:** Any position or employee totally exempted from the classified service by law shall be excluded from the benefits and burdens imposed by these Rules and Regulations, except as otherwise provided by law, the Board of Education, or these Rules and Regulations.

REFERENCE: Education Code Section 44065

3.1.5 **PROFESSIONAL EXPERT ASSIGNMENTS - INDEPENDENT CONTRACTORS:** When a professional expert assignment is to be made, the administration shall submit to the Director of Classified Personnel a description of the project, its duration, and the duties to be performed. Professional expert assignments shall not be made to avoid payment of overtime to the assigned employee, nor shall a limited-term position be filled by a professional expert assignment if the duties and responsibilities fit an existing class for which a re-employment or eligibility list exists. When the person is known who is to be appointed as a professional expert, his or her name and data relative to their qualifications shall be submitted to the Director of Classified Personnel. In order to be exempted from the classified service as a professional expert, an individual must be recognized as such by reputable members of his or her own profession. Evidence of professional qualifications must be presented to the Commission at the time the written request for temporary appointment is made. Authorization for service as a professional expert shall not exceed six months. Additional required service shall be submitted to the Commission for approval.

3.1.6 **GENERAL DEFINITION:** An Independent Contractor is an

individual, company or corporation engaged in an independent business of its own; a separate enterprise or business that performs services on a fee or contractual basis. Individual Independent Contractors must be recognized as professionals requiring advanced degrees and membership in a professional society or professional organization, or persons that have special skills such as artists, musicians, entertainers, persons with professional recognition such as Staff Development Presenter, etc. A person with an employer-employee relationship with the District shall not be an Independent Contractor.

REFERENCE: Education Code Section 45256

3.1.7 EMPLOYMENT OF COLLEGE STUDENTS UNDER CERTAIN PROGRAMS: Full-time students employed part-time and part-time students employed part-time in any college work-study program, or in a work experience education program conducted by a community college district pursuant to Education Code Sections 51760-51770, and which is financed by state or federal funds, shall not be part of the classified service. The District may employ such students pursuant to the Education Code. Employment of either full-time or part-time students in any 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.

REFERENCE: Education Code Sections 45256, 45260, 45261, 51760-51770

3.2 GENERAL CLASSIFICATION RULES

3.2.1 ASSIGNMENT OF DUTIES: The Board shall prescribe the duties and responsibilities of all positions in the classified service except those in the Commission staff. When the duties being performed by an employee are found to be inconsistent with the duties officially assigned to a specific position, the Director of Classified Personnel shall report the facts to the responsible administrator in order that appropriate action may be taken.

REFERENCE: Education Code Sections 45109, 45241, 45264, and 45276

3.2.2 GENERAL CLASSIFICATION PLAN: The Commission shall classify all employees and positions within the jurisdiction of the Board or the Commission, except those positions which the Commission determines are exempt from the Classified Service pursuant to Chapter 3.1.2. The Commission shall maintain a classification plan for all positions. The employees and positions shall be known as the Classified Service. To

classify shall include, but not be limited to:

3.2.2.1 Allocation of all positions to appropriate classes.

3.2.2.2 Arrangement of classes into occupational hierarchies (job families).

3.2.2.3 Determination of reasonable percentage relationships between classes within the occupational hierarchies.

3.2.2.4 Determination of reasonable percentage relationships between occupational hierarchies.

3.2.2.5 Preparation of written class specifications.

The Personnel Commission shall maintain a plan of classification for all positions in the classified service. Classes will be placed in groups according to general occupational nature and, within groups, shall be listed in series by specific occupation. The plan shall indicate the class(es) in each series which are usually filled by open competitive examination. Those classes not so designated shall be considered as “promotional classes,” provided that the Personnel Commission shall decide, when it orders an examination, whether the examination shall be open, promotional, or a combination thereof. The list of classes shall contain designation of the salary rate or range applicable to each class.

REFERENCE: Education Code Sections 45104, 45105, 45109, 45256

3.2.3 CLASS SPECIFICATIONS: All class specifications shall be considered by reference as a part of these Rules and a Class Series List is included in Appendix A of these Rules. For each class, the Personnel Commission shall establish and maintain a class specification which shall include:

3.2.3.1 The class title.

3.2.3.2 A definition of the class, indicating the type of duties and responsibilities, as assigned by the District, and placement within the organizational scheme.

3.2.3.3 A statement of distinguishing characteristics which differentiates the class from other related or similar classes.

3.2.3.4 A statement of the examples of duties to be performed by

persons holding positions allocated to the class. The Commission shall develop this statement from the list of duties presented to it by the Board of Education.

3.2.3.5 A statement of the minimum qualifications for service in the particular class. The minimum qualifications may include education, experience, knowledge, skills, abilities, personal and physical traits and characteristics.

3.2.3.6 A statement about any license, certificates, or other special requirements for employment or service in the particular class.

3.2.3.7 A statement about any physical requirements required of positions in the class.

3.2.3.8 A statement about any additional qualifications considered to be so desirable that any person applying for employment who possesses such qualifications may be given additional credit in the evaluation of his/her qualifications, even though such additional qualifications were not listed as a prerequisite.

3.2.3.9 Minimum qualifications shall not require a teaching, administrative, or other credential, nor may they require work experience which would restrict applicants to credential holders. Titles may not be assigned that would restrict competition to holders of credentials.

3.2.3.10 The title of the class shall be used as the title of all positions in the class on payrolls submitted to the Commission for auditing and in the records and correspondence of the Commission and the Board of Education.

REFERENCE: Education Code Sections 45256, 45260, 45276, and 45277

3.2.4 INTERPRETATION OF CLASS SPECIFICATIONS: The class specifications and their various parts have the following force and effect:

3.2.4.1 The definition and typical tasks are descriptive and explanatory only and not restrictive, indicating the kinds of positions that should be allocated to the respective classes as determined by their duties, responsibilities, and qualification requirements and do not prescribe what these details shall be in respect to any position.

3.2.4.2 The use of a particular expression or illustration as to

duties, responsibilities, qualification requirements or other attributes is typical or descriptive of the class and does not exclude others not mentioned but of similar kind and/or quality as determined by the Commission.

3.2.4.3 The specification for each class is considered as a whole in determining the class to which any position shall be allocated, giving consideration not to isolated clauses, phrases or words, but to the general duties, responsibilities, specific tasks and qualification requirements as affording a picture of the positions that the class includes.

3.2.4.4 Each class specification is construed in its proper relationship to other specifications, particularly those of classes in the same series in such manner as to maintain a proper relationship in the series in which the class is located and proper differentiation within the group of classes.

3.2.4.5 The following personal qualification requirements apply to all classes even though not necessarily specifically mentioned in the specification: freedom from communicable diseases; freedom from physical or mental impairment to perform the full range duties of the class with or without reasonable accommodation and without presenting a direct and imminent threat to the health and safety of others; dependability; good judgment; good moral character and reputation; loyalty; ability to work cooperatively with others; and willingness and ability to assume the responsibilities and to conform to the conditions or work characteristics of the particular position.

3.2.4.6 The statement of qualification requirements, when considered with other parts of the specification, is to be used as a guide in the announcement and preparation of tests and in the evaluation of the qualifications of candidates seeking appointment, but does not require a particular form or content of test or testing procedure.

REFERENCE: Education Code Sections 45256, 45260, and 45276

3.2.5 CREATION OF NEW POSITIONS: When the Board of Education creates a new position or approves a reorganization that modifies the duties and/or responsibilities of a classification or position, it shall submit the duties officially assigned to the classification/position, in writing, to the Director of Classified Personnel. The Board may recommend minimum educational and work experience requirements for the

classification/position. The Director of Classified Personnel shall present recommendations to the Commission for action. The Commission shall:

3.2.5.1 Determine if the new position shall be a part of the Classified Service or exempt under Rule 3.1.2.

3.2.5.2 Classify the position and determine whether the position should be allocated to an existing class or whether a new class should be established.

3.2.5.3 If a new class is recommended, the Director of Classified Personnel shall set forth a proposed class specification setting out the title, duties as established by the Board of Education, qualifications, and other requirements of a class specification. The qualifications approved by the Commission must reasonably relate to the duties assigned to the position by the Board of Education.

3.2.5.4 The Commission shall recommend the proper salary placement on the appropriate classified salary schedule.

3.2.5.5 The Director of Classified Personnel shall notify the Board of the Commission's action.

REFERENCE: Education Code Sections 45109 and 45256

3.2.6 ALLOCATION OF POSITIONS TO EXISTING CLASSES: All positions which substantially consist of comparable duties, responsibilities, and qualifications shall be allocated to the same class.

REFERENCE: Education Code Section 45256

3.2.7 CHANGES IN DUTIES OF POSITIONS: Any substantial change in the duties of existing positions shall be promptly reported in writing to the Director of Classified Personnel, who shall conduct a review to determine whether the position should be allocated to a new or different class. Should a change in classification be warranted or necessary, the Director of Classified Personnel shall submit recommendations to the Personnel Commission for action.

REFERENCE: Education Code Sections 45256 and 45285

3.2.8 WORKING OUT OF CLASSIFICATION: Each classified employee should be required to perform the duties approved by the Board and classified by the Commission for the class to which the employee is assigned. Classified employees shall not be required to perform duties and

responsibilities which are not fixed and prescribed for their positions unless reasonably related to the fixed duties for any period of time which exceeds five (5) working days within a fifteen (15) calendar pay period, except as provided by this Rule. An employee may be assigned to work beyond the scope of the duties normally assigned to the employee's position or reasonably related thereto provided that the employee's salary is adjusted as follows:

3.2.8.1 When a regular employee in the classified service works in a higher classification for a period of time which exceeds five (5) working days within a fifteen (15) calendar day period, the salary of the employee shall be adjusted upward to the entire period of working out of classification.

3.2.8.2 If an employee is required to perform duties which are not allocated to an existing class, the assignment shall be reported to the Director of Classified Personnel in writing so that a review may be conducted to determine the appropriate pay differential for the temporary assignment.

3.2.8.3 Request for differential pay for working out of class shall be submitted to the Director of Classified Personnel as soon as possible after the assignment has been made.

3.2.8.4 Working out of class assignments are designed for temporary situations and shall not be used to place an employee in a long-term or permanent assignment in a higher or different classification. No employee shall be assigned to work out of class for more than ninety (90) days in one fiscal year or for more than one assignment without the approval of the Personnel Commission. An example of the kind of exemption allowed by the Commission would be the temporary replacement of an employee on a long-term illness leave where the employee is assigned to work out of class for the duration of the absent employee's leave.

3.2.8.9 These Rules shall not be construed as permitting an employee to refuse to perform duties legally assigned by authority.

REFERENCE: Education Code Section 45110

3.2.9 **REVIEW OF POSITIONS:** The Director of Classified Personnel shall review the duties and responsibilities of positions as necessary to determine their proper classification and shall cause all positions to be reviewed at least once every three (3) years. If the Director finds that a position or positions should be reclassified, he/she shall advise the

Administration of his/her findings. If the Administration verifies the duties of the position, or if the duties are not revised to fit within the current classification, the Director shall report his/her findings to the Personnel Commission for appropriate action. The Director of Classified Personnel shall also report the findings in cases where the review indicates that a change of classification is unwarranted.

REFERENCE: Education Code Sections 45256 and 45285

3.3 RECLASSIFICATION

3.3.1 REQUESTS FOR CLASSIFICATION STUDY: Requests for classification study of existing positions shall be presented to the Director of Classified Personnel together with a statement of the reasons for the requested study. Requests for study may be initiated by the administration with the approval of the Superintendent, or by the employees or employee organizations. Requests initiated by the administration shall be accompanied by a statement of the current authorized duties of the position and any prospective changes.

3.3.2 EFFECTIVE DATE OF RECLASSIFICATION: Reclassification of a position or positions shall become effective on the date prescribed by the Personnel Commission, but shall not have retroactive effect. Changes in classification and salary resulting from the permanent reclassification of a position(s) shall be effective on the date established by the Personnel Commission.

REFERENCE: Education Code Sections 45285 and 45285.5

3.3.3 NOTIFICATION OF RECLASSIFICATION: Notification of a recommendation for the classification or reclassification of a position or employee shall be given to the employee(s) affected, their exclusive representative, the employee's supervisor, and the District Administration before the classification proposal is adopted.

REFERENCE: Education Code Sections 45256, 45260, 45268, 45285, 45285.5

3.3.4 RECLASSIFICATION OF VACANT POSITION: If a reclassification occurs to a vacant position, the position shall be filled through normal selection procedures.

3.3.5 EFFECTS OF RECLASSIFICATION ON INCUMBENTS: Whenever a position or entire classes of positions are reclassified the rights of incumbents will be determined in accordance with these Rules and

Regulations.

3.3.5.1 Reclassification Upward: When all of the positions in a class are reclassified to a higher class, the incumbents of the positions who have been in the class for three (3) or more years may be reclassified by the Commission to the higher class.

3.3.5.1.1 When one or more within a class, but not all of the positions within that class, are reclassified upward, the incumbent(s) in the position who has a continuous employment record of two (2) or more years in one or more of the positions being reclassified may be reclassified by the Personnel Commission with the position.

3.3.5.1.2 In order for an incumbent to be reclassified to the higher class, the basis for the reclassification of the position must be the gradual accretion of duties and not a sudden change occasioned by a reorganization or the assignment of completely new duties and responsibilities. Determination as to the gradual accretion of duties will be on the basis of the guidelines provided by the Rules and Regulations of the Personnel Commission.

3.3.5.1.3 An employee who has been reclassified shall be ineligible for subsequent reclassification for a period of at least three (3) years from the date of the reclassification.

3.3.5.1.4 Those incumbents not able to be reclassified with their positions shall have an opportunity to compete in the Personnel Commission's selection process for promotion into the higher class.

3.3.5.1.5 Salary eligibility shall be determined when an incumbent has been placed in a higher class, and at which time the rate will be adjusted to the nearest higher amount in a new range; however, the increase shall not be less than an amount equal to a one-step increase in the incumbent's present salary range.

3.3.5.2 Reclassification Equal or Lower: When a position or group of positions is reclassified to a class with an equal or lower wage or salary range, an incumbent is permitted:

3.3.5.2.1 To bump the employee in the same class with the lowest seniority in the class, provided that the

incumbent has greater seniority in the class;

3.3.5.2.2. To bump the employee with the least seniority in any equal or lower class in which the incumbent formerly served, provided that he or she had greater seniority in that class;

3.3.5.2.3. To be demoted or to transfer, with examination, to the class to which his or her position is reclassified.

The employee may choose to transfer, demote or exercise bumping rights at his or her option, and the choice shall not affect his or her right under Rule 3.3.5.3.

REFERENCE: Education Code Section 45285

3.3.5.3 REEMPLOYMENT LIST FOR DISPLACED INCUMBENTS: Any displacement of a regular employee resulting from a reclassification of a position, positions, or class of positions shall be considered a layoff for lack of work, and an appropriate reemployment list will be established in accordance with these rules.

3.3.6 DEFINITION OF GRADUAL ACCRETION: For purposes of these guidelines, three (3) or more years of regular service shall be interpreted to mean assignment for at least three (3) complete years within the class or position. Determination as to gradual accretion (over a period of not less than one year) will be based on an analysis of data to be supplied by the division or school, as well as the Personnel Commission staff, regarding the following guideline factors:

3.3.6.1 The nature and scope of each identified change in duties and responsibilities.

3.3.6.2 The exact or approximate date the incumbent began the performance of the newly acquired duties and responsibilities.

3.3.6.3 The conditions which led to the association of the added duties and responsibilities with the subject position(s).

3.3.6.4 Evidence of the employee's satisfactory performance of the added duties and responsibilities.

REFERENCE: Education Code Section 45285

3.3.7 EFFECT OF REEMPLOYMENT AND ELIGIBILITY LISTS:
The reclassification of all positions in a class automatically changes the mandatory reemployment list (if any) for that class. The Personnel Commission shall also review the appropriateness of the current eligibility list for the class to determine whether or not it should be changed. Salary reallocations of classes shall have no effect on lists unless a specific finding to the contrary is made by the Commission.

3.3.8 SENIORITY OF RECLASSIFIED EMPLOYEES

3.3.8.1 Any employee who is reclassified transfers their seniority into the new classification.

3.4 OCCUPATIONAL HIERARCHIES

3.4.1 The Personnel Commission hereby establishes the following:

3.4.1.1 That the Classified Service is hereby divided into occupational hierarchies.

3.4.1.2 That hierarchies are, in turn, subdivided into class series. Class series are developed by vertically separating closely related classes into multiple levels. The number of levels in a series is dependent upon class definitions. The number of levels within a class series should reflect substantive differences between jobs, which can be specifically defined.

3.4.1.3 Changes in salary schedules should not be made in such a manner that the salary for a subordinate position could exceed the amount paid that position's supervisor or to so compact the salary schedule as to make promotions undesirable. Classification decisions, including salary placement, must be made with consideration given to the Classified Service as a whole; not just the impact on one classification or one occupational series.