

Lompoc Unified School District
Merit System Rules for the Classified Employees

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CHAPTER 30

POSITION CLASSIFICATION PLAN

30.100 The Classified Service

30.100.1 Positions Included

- A. All positions established by the Governing Board which are not exempt from the classified service by law shall be a part of the classified service. All employees serving in classified positions shall be classified employees. The employees and positions shall be known as the classified service.
- B. 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 the classified service.
- C. Positions created by the Governing Board which are specially funded through Federal or State funds and which are not a part of the regular school program shall be a part of the classified service. Persons employed in such positions shall be classified employees and shall enjoy all the rights, burdens and benefits accorded other classified employees. Their selection and retention shall be made on the same basis as that of persons selected for positions which are part of the regular school program. Persons employed in positions properly classified as restricted shall be classified employees for all purposes except:
 - 1. they shall not be accorded employment permanency.
 - 2. they shall not acquire seniority credits.
 - 3. they are not eligible for promotion until they have taken the necessary qualifying examinations.

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30.100.2 Exemption from the Classified Service

Positions required by law to have certification qualifications, part time playground positions, full time day students employed part time, apprentices, and professional experts employed on a temporary basis for a specific project by the Governing Board or by the Commission when so designated by the Commission, shall be exempt from the classified service. School Building Inspectors are considered professional experts.

30.100.3 "Part time" Defined

A part time position, for the purpose indicated in the exemption rule, is one for which the assigned time, when computed on a weekly basis is less than 87.5 percent of the normally assigned time of the majority of employees in the classified service.

30.100.4 Effect of Exemption

Any position or employee lawfully exempted from the classified service shall be excluded from the benefits and burdens imposed by these rules, except as provided by law or the Board of Education.

30.100.5 Professional Expert Assignments

- A. When a professional expert assignment is to be made, the administration shall submit to the Personnel Director for the Personnel Commission 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.
- B. When it is known who is to be appointed as a professional expert, his/her name and data relative to his/her qualifications shall be submitted to the Personnel Director. 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/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.

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30.200 General Classification Rules

30.200.1 General Nature of the Classification Plan

A. The Personnel Commission shall establish and 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.

B. Upon initial employment and upon each classification thereafter, each classified employee shall be furnished two copies of his class specification, salary data, assignment or work location, together with duty hours in the prescribed work week. The salary data shall include the annual, monthly or pay period, daily, hourly, overtime and differential rate of compensation, whichever are applicable. One copy shall be retained by the employee and the other copy shall be signed and dated by the employee and returned to the Personnel Division.

30.200.2 Class Specifications

For each class of positions, as initially established or subsequently approved by the Commission, there shall be established and maintained a class specification, which shall include:

- A. Official class title;
- B. Definition of the class, indicating the type of duties and responsibilities and placement within the organizational scheme;
- C. Examples of duties to be performed by persons holding positions allocated to the class including the identifying essential duties as required by ADA (Americans with Disabilities Act);
- D. Minimum qualifications for service in the class. The qualifications may include education, experience, knowledge, skills, abilities, and personal and physical traits and characteristics;

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- E. Distinguishing characteristics which differentiates the class from other related or similar classes; and
- F. License or other special requirements for employment or service in the class.

30.200.3 Interpretation of Class Specifications

The class specifications and their various parts are declared to have the following force and effect:

A. The definition and examples of duties are descriptive and explanatory only and not restrictive. They indicate 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. 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 Personnel Commission.

B. In determining the class to which any position shall be allocated, the specification for each class is considered as a whole. Consideration is given, not to isolated clauses, phrases, or words, apart from their context and from illustrative information in other parts of the specifications, but to the general duties, responsibilities, specific tasks, and qualification requirements as affording a picture of the positions that the class includes.

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

D. Qualifications commonly required of all positions and incumbents within the District, such as good physical condition, citizenship or other legal right of employment in this Country, honesty, sobriety, freedom from drug addiction, and personal injury, freedom from disabling defects which prevent an incumbent from performing the essential functions of the job, are included as part of the minimum qualifications requirements in the specifications even though they are not specifically listed therein.

E. The statement of qualification requirements, when considered with other parts of the specification, is to be used as a guide in the announcement

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and preparation of tests and in the evaluation of the qualification of candidates seeking appointment to positions allocated to the class, but does not require a particular form or content of test or testing procedure.

30.200.4 Allocation of Positions to Classes

All positions substantially similar as to the duties performed and the responsibilities exercised by the incumbents of such positions and as to their qualification requirements shall be allocated to the same class.

30.200.5 Changes in Duties of Positions

Any substantial changes in the duties of existing positions shall be promptly reported in writing by the appointing authority to the Personnel Director who shall determine whether the positions should be allocated to different classes.

30.200.6 Working Out of Classification

Each classified employee shall be required to perform the duties approved by the Board and classified by the Commission for the class to which the employee is assigned. A classified employee shall not be required to perform duties which are not fixed and prescribed for the position by the Governing Board unless the duties reasonably relate to those fixed for the position by the Board, for any period of time which exceeds two (2) working days within a fifteen (15) calendar day period except as authorized herein. An Employee may be worked beyond the scope of the duties normally assigned to the employee's position provided that the employee's salary is adjusted as follows:

- A. When a regular employee in the classified service works in a higher classification for a period of time which exceeds two (2) working days within a fifteen (15) calendar day period, the salary of the employee shall be adjusted upward for the entire period of working out of classification.
- B. Request for differential pay for working out of class shall be submitted to the Personnel Director for the Personnel Commission as soon as possible after the assignment has been made.
- C. Whenever a full-time employee works temporarily out of his/her regular classification in a lower classification on a full-time basis, the employee shall not receive less than his/her regular base pay.
- D. Working out of class assignments are designed for temporary situations and

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shall not be used to place an employee in a long-term 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.

- E. This rule shall not be construed as permitting an employee to refuse to perform duties legally assigned by an authorized supervisor or administrator.

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30.200.7 Review of Positions

The Personnel Director for the Personnel Commission shall cause a review of the duties and responsibilities of all positions to determine their proper classification once every five years. If the Personnel Director for the Personnel Commission 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 positions or if the duties are not revised to fit within the current classification, the Personnel Director for the Personnel Commission shall report his/her findings and recommendations to the Commission. He/she shall also report his/her findings in cases where his/her review indicates that no change in classification is necessary.

30.200.8 Creation of New Positions

When the Board creates a new position, it shall submit to the Personnel Director, in writing, the duties to be performed by the position. The Personnel Director for the Personnel Commission shall present recommendations to the Commission which shall:

- A. Classify the position and determine whether the position should be allocated to an existing class or to a new class.
- B. Recommend the proper salary placement of a new class.
- C. Notify the Board of its action.

30.200.9 Positions Requiring Multiple Languages

- A. The Board of Education may, with the approval of the Commission, designate positions within a class which require the holder of the position to speak, read and/or write a language in addition to English.
- B. The Board must clearly set forth valid reasons for placing language requirements on a position.
- C. Announcement calling for an examination for a class with positions containing language requirements will contain appropriate information and will indicate that successful candidates possessing the language requirement will be given preference over other successful candidates as authorized in Rule 50.200.4B, but only as to those specific positions.

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D. When a vacancy occurs in a position which has approved language requirements, the Board will notify the Commission that the need for language requirements continues to be part of the position.

E. If a request from the Board to designate a position for language requirements is challenged, the Commission shall cause a proper investigation to be made and shall consider the findings and all other pertinent data presented by any concerned and responsible source prior to taking final action on the request.

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30.300 Reclassification

30.300.1 Requests for Study

Requests for classification study of existing positions shall be presented to the Personnel Director for the Personnel Commission together with a statement of the reasons for requesting study. Requests for study may be initiated by the administration, or by employees or employee organizations. Requests initiated by the administration shall be accompanied by a statement of the current authorized duties of the position(s) and any prospective changes. Positions will be studied periodically, at least every five years, and as necessary.

30.300.2 Effective Date of Reclassification

Reclassification of a position shall become effective on the date prescribed by the Commission and shall not have retroactive effect. Effective dates may be set sufficiently in the future to allow time for examinations to be completed, but for not more than three months.

30.300.3 Effects on Incumbents

- A. For an employee to be reclassified upward with his/her position the reclassification must have been occasioned by a gradual accretion of duties and not a sudden change resulting from reorganization or duty changes by the Board. The Commission shall decide at the time the reclassification occurs as to whether the reclassification meets this rule.
- B. When all the positions in a class are reclassified upward, those incumbents with 3 or more years' service in the class may be automatically reclassified with the positions.
- C. When a portion of the positions in a class are reclassified upward, those incumbents with 3 or more years' service in one or more of the positions being reclassified may be reclassified with their position(s). The Commission may require evidence of qualification.
- D. An employee who has been reclassified upward shall be ineligible to again be reclassified upward until at least 3 years has elapsed from the last upward reclassification.

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- E. When a position or group of positions is reclassified to a class with an equal or lower wage or salary range, an incumbent shall have the following rights:
1. The right 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;
 2. The right to bump the employee with the least seniority in any equal or lower class in which the incumbent formerly served, provided that he/she had greater seniority in that class.
 3. The right to be demoted or to transfer, without examination, to the class to which his/her position is reclassified.
 4. The employee may choose to transfer, demote, or exercise bumping rights at his/her option, and his/her choice shall not affect his/her right under Rule 30.300.4, below.

30.300.4 Re-employment List for Displaced Incumbents

- A. 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 re-employment list will be established in accordance with these rules.
- B. This rule shall be followed in all instances of reclassification whether it results in upgrading, downgrading, lateral class movement, bumping, or complete displacement of incumbents.

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30.400 Miscellaneous Related Rules

30.400.1 Increases in Assigned Time

- A. When a class contains permanent positions of varying hours of work per day, week, or month, or year preference in assignment to vacant positions shall be based on seniority in the class. When an existing position is assigned increased hours, the increased position shall be considered "vacant" for the purpose of this rule.
- B. A seniority list shall be maintained for the purpose of this rule. Employees may waive their opportunities for increased hours of work; however, once proper assignment is made, it shall not be revoked or revised because of withdrawal of waivers.

30.400.2 Decreases in Assigned Time

- A. When a permanent position is to be reduced in assigned time per day, week, month, or year, the incumbent shall have the right to transfer into any vacant position in the class which is not greater in assigned time than his/her former position. If a vacant, permanent position of equal time is not available, the incumbent may bump the incumbent of a position with equal time who has the least seniority in the class, provided that he/she has greater seniority. If no such option is available, he/she may bump the employee with the least seniority among those occupying positions of less time than the original position and greater time than the reduced position, provided that he/she has greater seniority. An employee so bumped shall have similar bumping rights.
- B. When an employee is faced with a reduction in assigned time, the rules on transfer and demotion shall be given a liberal interpretation in order to relieve the effect of such reduction.