

CHAPTER 90
EMPLOYMENT STATUS

90.1 CERTIFICATION OF PAYROLLS

90.1.1 CERTIFICATION OF PAYROLLS: No person shall be appointed to a position in the Classified Service unless the assignment order is certified by the Director of Classified Personnel Services. The Director of Classified Personnel Services shall certify that the assignment has been made in accordance with these Rules and the provisions of the Education Code.

90.1.1.1 The Director of Classified Personnel Services shall audit all changes of status for classified employees. The Director shall certify that all changes are in accordance with existing laws and these Rules.

90.1.1.2 All time sheets, payroll reports, or other financial or employment documents shall be made available to the Director of Classified Personnel Services upon request. The Director shall make periodic audits of all payrolls and, if he finds assignments that are not in accordance with existing law or the Rules and Regulations of the Personnel Commission, he shall immediately notify the Superintendent of any irregularities and attempt to resolve these problems.

REFERENCE: Education Code Sections 45169, 45260, 45261, 45310 and 45311

90.1.2 NONCOMPLIANCE WITH ORDER OF DIRECTOR OF CLASSIFIED PERSONNEL SERVICES: If any irregularities are unsolved within a reasonable time period, the Director of Classified Personnel Services shall have the authority to submit a notice of withdrawal of his certification to both the District and the County Superintendent of Schools and order that payment be stopped. Notice of such violation shall also be made upon such payroll or service report, and such notice shall serve as an official notification to the Board of Trustees and the Office of the County Superintendent of Schools that the drawing, signing, or issuing of any warrant on the County Treasurer or other disbursing officer of the County or the school district for payment of salary or other compensation to such person named is unlawful.

REFERENCE: Education Code Sections 45169, 45260, 45261, 45310 and 45311

90.2 EMPLOYEE ASSIGNMENT

90.2.1 ASSIGNMENT DATA: Upon initial employment annually and upon each change in classification thereafter, each classified employee shall be furnished:

1. His class specification.
2. Notice of assignment, including salary data pay period and the hourly, monthly, annual, and overtime and differential rate of pay, whichever are applicable.
3. Work location and the duty hours, prescribed work week and work year.
4. The terms and conditions of the probationary period, including performance evaluation procedures.

90.2.1.1 The original shall be placed in the employee's personnel file, one copy given to the employee, and one copy sent to the employee's immediate supervisor and one copy to the payroll department.

REFERENCE: Education Code Section 45169

90.2.2 ORIENTATION OF NEW EMPLOYEES: Within five (5) working days of assignment, each employee shall be advised by his immediate supervisor of information relating to the employee's position, including specific duty hours, break times and lunch period, work rules and department regulations, procedure for reporting absences, terms and conditions of probation and the procedures for performance evaluation.

90.3 PROBATIONARY STATUS

90.3.1 INITIAL PROBATIONARY PERIOD: Each new employee appointed from an eligibility list shall serve an initial probationary period of 130 days (six months) of paid regular service in one classification before attaining permanency in the classified service. For classes designated by the Commission as executive or administrative, the probationary period shall be 260 days (1 year) of paid regular service in one classification before attaining permanency in the classified service.

90.3.1.1 Credit toward completion of probation shall be granted only for service in a regular position in a class after appointment from an eligibility list. Probationary credit shall not include time when an employee is absent from work (extended sick leave) of twenty (20) or more consecutive work days. Note: Conforms to VVUHSD/CSEA Contract 4.3.1.

REFERENCE: Education Code Section 45301

90.3.2 COMPLETION OF INITIAL PROBATION: Each probationary classified employee shall be evaluated two (2) times during the probationary period.

90.3.2.1 A classified employee shall be given written notice when disqualified from probationary status prior to the date on which the probationary period ends.

90.3.2.2 A probationary employee may be suspended and dismissed at any time for cause as stated in these Rules.

90.3.2.3 An employee may be disqualified from probationary status for unsatisfactory work performance upon presentation of a Notice of Disciplinary Action as stated in these Rules.

90.3.2.4 A probationary employee who is to be disqualified for unsatisfactory work performance may be allowed the opportunity to resign in lieu of disqualification prior to Board of Trustees action.

90.3.2.5 When a probationary employee is to be disqualified, the immediate supervisor shall prepare a recommendation and submit it to the Classified Personnel Services office through the chain of command, and upon approval, shall notify the employee of the action taken and the reason therefore.

90.3.2.6 A probationary employee shall not have the right to appeal disqualification or suspension and dismissal unless the appeal is based on a claim of discrimination because of race, color, national origin, age, marital status, sex, sexual harassment, ancestry, handicapping condition, religion, or protected political or employee organizational activities.

90.3.2.7 A probationary employee who resigns in good standing during the initial probationary period shall, upon request, be restored in proper rank to the eligibility list. Such action shall not extend the life of the list or the period of eligibility of the person.

90.3.2.8 Should the work for which a probationary employee has been appointed prove temporary instead of permanent as certified, and should such person be laid off without fault or delinquency on his part before completion of the probationary period, the person's name shall be restored to the eligibility list.

REFERENCE: Education Code Sections 45256, 45260, 45261, 45269, 45270, 45272, 45281, 45301, 45302, and 45305

90.3.3 SUBSEQUENT PROBATION FOR PERMANENT EMPLOYEES: A permanent classified employee who has been promoted, reclassified, laterally transferred, or who has demoted voluntarily to a new class, shall serve a new probationary period in the class before attaining permanency in that class.

90.3.3.1 A permanent classified employee who has been promoted, reclassified, or transferred may be involuntarily demoted or returned to his former class due to unsatisfactory work performance upon presentation of a Notice of Disciplinary Action. The employee shall not have the right of appeal unless the demotion results in separation from the classified service or is based on discrimination.

90.3.3.2 Suspension of a permanent classified employee serving a probationary period in a new class shall constitute a disciplinary action and the employee shall retain the right to appeal.

REFERENCE: Education Code Sections 45256, 45260, 45261, 45269, 45270, 45272, 45281, 45301, 45302, and 45305

90.4 PERMANENCY

90.4.1 PERMANENT STATUS: Upon successful completion of the prescribed initial probationary period, a classified employee shall be deemed to be a part of the permanent classified service.

REFERENCE: Education Code Section 45301

90.4.2 RIGHTS/BENEFITS/BURDENS OF PERMANENT EMPLOYEE: Every permanent classified employee shall be entitled to all the rights, benefits, and burdens conferred by law, the Personnel Commission's Rules and Regulations, or by action of the Board for classified employees of like classification including a vested right to his position. A permanent classified employee may be removed only for cause or due to layoff.