

CHAPTER 170

COMPENSATION AND PAY PRACTICES

170.1 DETERMINATION OF SALARY SCHEDULES/PAY RATES

170.1.1 FIXING ANNUAL SALARY SCHEDULES: The Board of Trustees shall fix the annual salaries for all classified employees and other employees not requiring certification qualifications employed by the District unless otherwise prescribed by law. The fixing of annual salaries shall mean that the Board shall adopt a salary schedule or matrix with specific dollar amounts for each range and step.

170.1.1.1 The Board of Trustees may increase the salary schedule for classified employees at any time during the fiscal year and shall adopt increases and/or decreases resulting from the classification or reclassification of positions approved by the Commission.

170.1.1.2 Any action taken by the Board of Trustees pursuant to this rule must be in compliance with the Personnel Commission's Rules and Regulations, and employees belonging to a bargaining unit, the Board of Trustees must comply with any legal duty to meet and negotiate on the salary schedule as provided in the Government Code.

REFERENCE: Education Code Section 45160, 45162, 45260, 45261, 45262, and 45267

170.1.2 INCREASES/DECREASES TO SCHEDULE MUST BE PERCENTAGE: The Board of Trustees shall increase or decrease the salary schedule or matrix by a percentage amount. A flat dollar amount increase or decrease to the salary schedule is prohibited as it would disturb the reasonable percentage relationship between classifications as determined by the Personnel Commission.

REFERENCE: Education Code Section 45256, 45260, 45261

170.1.3 BOARD MAY NOT DISMISS EMPLOYEE DUE TO RECLASSIFICATION: The provisions of these rules shall not be construed to permit the Board of Trustees to demote or dismiss an employee due to the reclassification of a

position or class of positions unless otherwise authorized by law or these Rules.

REFERENCE: Education Code Section 45162, 45260, 45261

170.1.4 BOARD MAY DELAY ADOPTION OF SALARY SCHEDULE: If the Board is unable to comply with the provisions of Rule 170.1.1 due to bargaining negotiations or because a salary study is being conducted, the Board may, prior to final adoption of the district's budget either reserve the right to adjust salaries upon completion of the study and/or negotiations or adopt an interim salary which schedule shall be the same schedule as for the preceding year.

REFERENCE: Education Code Section 45163, 45260, 45261

170.1.5 BOARD MUST EMPLOY/PAY IN ACCORDANCE WITH MERIT SYSTEM: The Board of Trustees shall employ, pay and otherwise control the services of classified employees only in accordance with the provisions of Title 2, Division 3, Chapter 5, Article 6 (Merit System) of the State of California Education Code and these Rules.

REFERENCE: Education Code Section 45241, 45260, 45261

170.1.6 COMMISSION SHALL RECOMMEND SALARY SCHEDULES TO BOARD: The Director of Classified Personnel Services shall prepare recommendations for the allocation of classes to salary ranges for approval by the Personnel Commission. The commission's recommended salary schedule may take into account the following factors:

170.1.6.1 The wages and salaries paid for similar work in private industry in the recruitment area.

170.1.6.2 The wages and salaries paid by other governmental agencies in the recruitment area.

170.1.6.3 The principle of like pay for like work within the classified services.

170.1.6.4 Appropriate differentials between related classes to reflect differences in duties and responsibilities as established in the classification plan.

170.1.6.5 Such other information as the Commission may require.

REFERENCE: Education Code Section 45256, 45260, 45261, 45268

170.1.7 SALARY STUDIES: The Director of Classified Personnel Services shall conduct or, with the approval of the Commission, cause to be conducted a salary study when a new class is established or when directed by the Commission.

170.1.8 BOARD'S ACTION ON SALARY SCHEDULES:

RECOMMENDATION: The Board of Trustees may approve, amend, or reject the salary schedule recommendations of the Personnel Commission, but may not alter the percentage relationships among classes as established by the Personnel Commission. No amendment shall be adopted until the Commission is first given a reasonable opportunity to comment on the effect the amendment will have on the principle of like pay for like work.

REFERENCE: Education Code Section 45256, 45260, 45261, and 45268

170.1.9 COMMISSION SHALL DETERMINE SALARY RANGE PLACEMENT: The Personnel Commission shall determine the salary range placement of all positions and classifications within the Classified Service of the District, pursuant to its obligation to set reasonable relationships among the various classifications. The Commission may make modifications to the range placement as part of its statutory obligations.

REFERENCE: Education Code Section 45162, 45256, 45260, and 45261

170.2 APPLICATION OF SALARY SCHEDULES

170.2.1 INITIAL SALARY PLACEMENT: All new regular classified employees shall be paid in accordance with the salary range established for the class to which assigned. The hiring rate will normally be the first step of the salary range. However, a new employee may be provided with advanced step placement by the Personnel Commission based upon such factors as:

170.2.1.1 Additional qualifying experience beyond that required for entry into the class.

170.2.1.2 Additional education at the college level when related to the position, but beyond the educational requirements established for entry into the class.

170.2.1.3 Difficulty experienced in the recruitment of candidates to meet the vacancy needs in the class.

170.2.1.4 The additional skills or qualifications of the candidate that make him/her especially qualified for the position.

REFERENCE: Education Code Section 45260, 45261

170.2.2 EVALUATION OF STEP PLACEMENT: The Director of Classified Personnel Services shall evaluate the qualifications of all candidates recommended for employment into the classified service in accordance with the provisions of Rule 170.2.1, and make a recommendation to the Personnel Commission regarding appropriate step placement. The Commission may accept, amend, or reject the Director of Classified Personnel Services' recommendations. The decision of the Personnel Commission shall be final.

REFERENCE: Education Code Section 45260, 45261

170.2.3 SALARY PLACEMENT OF TEMPORARY EMPLOYEES: Salary placement, except for regular employees of the District, of temporary, substitute, and limited term employees will be at the first step of the appropriate salary range as follows:

170.2.3.1 Former employees who accept a limited term or substitute assignment in their previous class shall be placed on the step of the salary schedule closest to their last regular rate of pay. Former employees who accept a limited term or substitute

assignment to positions in other classifications shall be placed on the substitute salary adopted by the Board of Trustees.

170.2.3.2 All other limited term employees shall be paid at the substitute rate for regular appointments in the class.

REFERENCE: Education Code Sections 45260, 45261, 45286 through 45290, and 45309

170.2.4 STEP ADVANCEMENT: Employees placed on Step A of a range will advance to Step B in accordance with the VVUHSD/CSEA Contract or Rule 170.2.4.2 below. Employees placed on Step B of a range will advance to Step C on the first of the month following completion of twelve months of service. Each succeeding step will be attained one year from the preceding step. New employees placed above Step A of any range will advance on one-year intervals until the maximum step has been achieved.

170.2.4.1 STEP INCREMENTS: Each "step" on the salary scheduled represents a period of time an employee has served the District. For each period of time, represented herein, the employee shall be advanced to the next higher salary step as provided below:

Step A: Date of Employment

Step B: July 1st of the next fiscal year if date of employment is prior to April 1st. For all employees hired on or after April 1st, advancement to step B shall occur July 1st of the second fiscal year after date of employment.

Step C-E: Annual advancements shall be July 1st of each subsequent fiscal year.

For the purpose of this rule, an appointment made between the first and the tenth day of the pay period (month) shall be considered as effective on the first day. Later appointments shall be considered as effective at the beginning of the next pay period (month).

170.2.4.2 Management, Confidential and Supervisory employees placed on Step A will advance to Step B on the next July 1st. However, to advance, the employee must serve at least 75% of scheduled workdays within the fiscal year appointed. Subsequent advancements will be July 1st of each year until the maximum step has been achieved.

REFERENCE: Education Code Section 45260, 45261

170.2.5 SALARY RANGE CHANGES: Unless otherwise provided by special resolution of the Personnel Commission, whenever the salary range for a class is changed upward, the salary of each incumbent in the class on the date the change was effective shall be adjusted to the higher range with the same step of the lower range at a step equal to or higher, but not less than his/her existing salary. Whenever the salary range for a class is changed downward, the salary of each incumbent in the class on the date the change was effective shall be adjusted to the lower range and then to that step of the lower range that provides a base hourly rate as close to the former higher salary without exceeding the former higher salary. The employee's original Anniversary Date will remain unchanged unless so ordered by the Commission.

REFERENCE: Education Code Section 45260, 45261

170.2.6 "Y" RATING INCUMBENTS: By special resolution of the Personnel Commission, the effects of downward range adjustments may be mitigated by a policy of "Y" rating the impacted incumbents' current hourly salary until the new lower salary range hourly rate catches up to the incumbents'. The impact of this policy would mean that an incumbent so "Y" rated would receive no general cost of living or normally entitled salary step increase until his/her old higher hourly rate was matched and/or exceeded by the new lower salary range hourly rate.

170.2.6.1 Whenever the Personnel Commission gives authorization to "Y" rate an incumbent, the rate will be discontinued when the employee receiving the rate is promoted and the salary is equal to or higher than the current rate, separates from the service, or refuses appointment to a higher class with an equal or higher salary. It will also be discontinued whenever the salary range for the class is increased so that it encompasses the employee's present rate, in which event the employee's salary rate will be adjusted to the nearest highest amount in the new range.

REFERENCE: Education Code Section 45260, 45261

170.2.7 PROMOTIONAL SALARY RATE: An employee who receives a promotion to a class allocated to a higher salary range shall be placed on the step of the salary range that is next above the rate the employee received in the previous class with at least a five percent (5%) increase. Additional advancement will be, regardless of step placement, thereafter until the maximum is achieved in accordance with Rule 170.2.4. For the purpose of this rule, appointment of

an employee to a class with a salary equal to or below his current range shall not be considered a promotion and shall not warrant a salary increase.

170.2.8 PLACEMENT AFTER UNPAID LEAVE OF ABSENCE: Upon return from an unpaid leave of absence, an employee shall be placed on the same step of the range for the class which he had achieved prior to taking the leave, including any change(s) in rate or range applicable to the employee's class; except that step advancement within the range shall be granted under the following conditions:

170.2.8.1 When the returning employee's paid status credit combined with any previous service time earned prior to the unpaid leave but after the last anniversary date increase, add up to the equivalent of one year's service credit. Upon return from an unpaid leave of absence, the Director Classified Personnel Services shall recalculate any changes necessary in the employee's anniversary date in order to comply with this rule.

170.2.8.2 The law and/or these rules provided that credit for advancement shall accrue during such leave(s) of absence.

170.2.8.3 Credit for step advancement shall accrue during leaves of absence for military service, to serve in limited-term positions within the District, and any paid leaves of absence (e.g. illness, vacation, industrial accident/illness, etc.).

REFERENCE: Education Code Section 45260, 45261, 45309

170.2.9 SALARY PLACEMENT UPON DEMOTION: An employee who selects voluntary demotion or is involuntarily demoted shall be placed on the step of the range of the lower class which is closest to the rate the employee earned in the higher class; provided that the employee shall not receive a salary increase thereby. The demoted employee shall retain the anniversary date established in the higher class.

REFERENCE: Education Code Section 45260, 45261, 45309

170.2.10 PLACEMENT WHEN RE-EMPLOYED OR REINSTATED: When an employee is re-employed or reinstated following a resignation, layoff, or other separation from employment, the employee shall be placed on the same step of the range for the class which he had achieved prior to the separation, including any change(s) in rate or range applicable to the employee's class;

except that step advancement within the range shall be granted under the following conditions:

170.2.10.1 When the employee's paid status credit since returning when combined with any previous service time earned prior to the employment separation but after the last anniversary date increase, add up to the equivalent of one year's service credit for purposes of step advancement. Upon re-employment or reinstatement, the Director of Classified Personnel Services shall recalculate any changes necessary in the employee's anniversary date in order to comply with this rule.

REFERENCE: Education Code Section 45260, 45261, 45309

170.2.11 SUMMER/RECESS PERIOD SALARY PLACEMENT: A classified employee shall, for services performed during summer or any other recess period, receive, on a pro-rata basis, not less than the compensation and benefits which are applicable to the classification during the regular academic year.

REFERENCE: Education Code Section 45102, 45260, 45261

170.2.12 PLACEMENT WHEN ASSIGNED SUBSTITUTE OR TEMPORARY POSITION: Regular probationary or permanent employees of the District who work in a higher classification shall be compensated for working out of classification as required by Rule 30.2.8.

REFERENCE: Education Code Section 45110, 45256, 45260, 45261, 45268, 45285, and 45285.5

170.2.13 RECLASSIFICATION SALARY PLACEMENT: An employee who is awarded by the Commission the right to be reclassified with his class or position in accordance with Education Code Section 45285 shall be placed on the step of the salary range that is next above the rate the employee(s) received in the previous class that provides a five percent (5%) increase. Additional advancement will be at one-year intervals thereafter on July 1st of the following fiscal year.

170.3 DIFFERENTIAL/LONGEVITY PAY PRACTICES

170.3.1 DIFFERENTIAL COMPENSATION: The Personnel Commission shall, insofar as it is possible to do so, determine the practices relating to the morning and night shift salary differentials in the private employment fields and surrounding public agencies in which it must compete for employees for its classified staff, and shall consider the advisability of providing comparable salary differentials for its classified staff.

170.3.1.1 The District may provide differential compensation to those classified employees who perform duties of a distasteful, dangerous, or unique nature, when, in the opinion of the Board of Trustees, such compensation is reasonably justified. Any differential compensation provided by the Board of Trustees shall be based upon findings and recommendations of the Personnel Commission, and shall not be applied in a manner contrary to the principle of like pay for like service.

170.3.1.2 No employee assigned to work in a position entitled to differential compensation shall be demoted in class or grade as a result of such an assignment.

REFERENCE: Education Code Section 45181, 45182, 45184, 45260, and 45261

170.3.2 TEMPORARY ASSIGNMENT: An employee receiving differential compensation pursuant to these rules shall not lose such compensation if the employee is temporarily, for twenty (20) working days or less, assigned to a position not entitled to such compensation.

REFERENCE: Education Code Section 45185, 45260, 45261

170.3.3 NIGHT WORK DIFFERENTIAL: All positions, the regularly assigned time of which requires the incumbents to work four (4) hours or more between the hours of 4:00 P.M. and 6:00 A.M., shall be paid their base pay plus five percent (5%).

170.3.3.1 Employees assigned to night work on a continuous basis who are ordered to temporary daytime work for periods not to exceed twenty (20) working days each shall suffer no reduction in compensation by reason of the change. On the twenty-first day, the employee shall revert to the daytime rate.

170.3.3.2 Assignment to positions with shift differential shall be done pursuant to Rule 60.2.13.

REFERENCE: Education Code Section 45180 - 45186, 45260, 45261

170.3.4 LONGEVITY PAY PLAN:

Longevity is additional compensation for the number of years worked with the District based on the employees hire date or adjusted hire date. For Regular and Confidential employees, longevity pay is calculated on a set percentage of the employees base salary as specified below. Management and Supervisory employees are ineligible for the Longevity pay.

170.3.4.1 LONGEVITY COMPENSATION - REGULAR EMPLOYEES:

The District shall provide regular employees with the following longevity pay on July 1st:

Upon completion of five (5) years: two percent (2%) per month.

Upon completion of eight (8) years: three percent (3%) per month.

Upon completion of eleven (11) years: four percent (4%) per month.

Upon completion of fourteen (14) years: six percent (6%) per month.

Upon completion of seventeen (17) years: seven percent (7%) per month.

Upon completion of twenty (20) years: ten percent (10%) per month.

170.3.4.2 LONGEVITY COMPENSATION - CONFIDENTIAL EMPLOYEES:

The District shall provide confidential employees with the following longevity pay on July 1st:

Upon completion of five (5) years: three percent (3%) per month.

Upon completion of ten (10) years: six percent (6%) per month.

Upon completion of fifteen (15) years: nine percent (9%) per month.

Upon completion of twenty (20) years: twelve percent (12%) per month.

170.3.5 **COMPUTATION OF REGULAR PAY:** When computing the regular pay for a classified employee the calculation shall be in the following order:

170.3.6.1 The employee's appropriate salary range and step shall be considered the employee's base salary.

170.3.6.2 Added to the base salary shall be any longevity the employee may be entitled to pursuant to Rule 170.3.4.

170.3.6.3 Any shift differential the employee may be entitled to pursuant to Rule 170.3.3.

REFERENCE: Education Code Section 45180 - 45186, 45260, 45261

170.4 SPECIAL PAY PRACTICES

170.4.1 PAYROLL ERRORS: Any payroll error resulting in insufficient payment for a classified employee shall be corrected, and a supplemental check issued, not later than five (5) working days after the employee provides notice to the District Payroll department. An equitable arrangement will be made for repayment when the employee has been over paid.

REFERENCE: Education Code Sections 45167, 45260 and 45261

170.4.2 MILEAGE: Employees who are required to use their own automobiles in performance of their duties shall be reimbursed for all such travel at the current rate of reimbursement as determined by the Internal Revenue Service (IRS) for all driving done between arrival at the first location at the beginning of their workday, and the location at the completion of their workday. Employees who are assigned to more than one (1) site per day shall receive a monthly mileage allowance as determined by the District.

REFERENCE: Education Code Sections 44032, 45260 and 45261