

CHAPTER 30

POSITION CLASSIFICATION PLAN

30.1 THE CLASSIFIED SERVICE

30.1.1 POSITIONS INCLUDED: All positions established by the Board of Trustees which are not exempt from the classified service by law shall be a part of the classified service of the Victor Valley Union High School 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.

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

REFERENCE: Education Code Sections 44065, 44066, 44068, 44069, 45103, 45104, 45105, 45105.1, 45106, 45108, 45256, 45256.5, and 45259

30.1.2 EXEMPTION FROM THE CLASSIFIED SERVICE: Positions required by law to have certification qualifications, part-time play ground 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 and professional experts employed on a temporary basis for a specific project by the Board of Trustees or by the Personnel Commission provided that the Commission has agreed to designate such persons as professional experts, shall be exempt from the classified service.

REFERENCE: Education Code Sections 44065, 44066, 44068, 44069, 44814, 44815, 45103, 45104, 45105, 45105.1, 45106, 45108, 45256, 45256.5, 45257, 45258, 45259, 51760, 51760.3, and 51764

30.1.3 PART-TIME DEFINED: A part-time position for the purpose of exemption under Personnel Commission Rule 30.2 is one for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis is less than eighty-seven and one-half percent (87.5%) of the normally assigned time for the majority of employees classified service.

REFERENCE: Education Code Sections 45256 and 45260

30.1.4 EFFECT OF EXEMPTION: Any position or employee law exempted from the classified service shall be excluded from the benefits and burdens imposed by these rules and regulations, except as otherwise provided by law, the Board of Trustees or these rules and regulations.

REFERENCE: Education Code Sections 44065, 45103, 45105.1, 45106, 45256, 45257, 45258, and 45260

30.1.5 PROFESSIONAL EXPERT ASSIGNMENTS: Whenever the use of a professional expert assignment is being contemplated, the administration shall submit to the Director of Classified Personnel Services 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 employee so assigned, nor shall a limited-term position be filled by the assignment of a professional expert if the duties and responsibilities to be performed by the person fit an existing class.

30.1.5.1 When the person is known who is to be employed as a professional expert, his name as well as the data relative to his qualifications shall be submitted to the Director of Classified Personnel Services. 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 own profession. Evidence of professional qualifications must be presented to the Personnel Commission at the time that the written request for such temporary appointment is made. The duration of the authorization for a person to serve as a professional expert shall be determined by the Commission, based upon the request of the Board of Trustees. However, authorization for service as a professional expert shall not exceed six (6) months. Under extraordinary circumstances, the Commission may approve an extension of the assignment, with the total period of the original assignment and extension not to exceed twelve (12) months.

REFERENCE: Education Code 45256 and 45260

30.1.6 "RESTRICTED POSITIONS": If specially-funded programs of the District are required, as a part of such program, to employ persons of low-income groups, from designated impoverished areas and such other criteria that limits the privilege of all citizens to compete for employment in such positions, those positions shall, in addition to the regular class title, be classified as restricted. Similarly, the Board of Trustees may establish positions and restrict initial appointment of new employees to mentally, physically, or developmentally

disabled persons. The selection and retention of employees in such positions shall be made on the same basis as that of persons selected and retained in positions that are a part of the regular school program, except that persons employed in the following restricted classifications need not participate in the same type of selection processes as other similar non-restricted positions: 1) The position of Instructional Aide (Restricted), and 2) Any other position involving personal contact with pupils or parents established to assist regular school personnel that responsible for school-community relations, educational support services, or prevention of behavioral problems.

30.1.6.1 **Exempt From Certain Rights:** Persons employed in Restricted positions shall be classified employees for all purposes except:

30.1.6.1.1 They shall not attain permanent status.

30.1.6.1.2 They shall not be accorded seniority rights event of layoff.

30.1.6.1.3 They shall not be eligible for promotions within the classified service until they have complied with the provisions of Personnel Commission Rule 30.1.6.2.

30.1.6.2 **Provided Rights:** Employees serving in restricted positions may, after completion of six (6) months of satisfactory service, be given the opportunity to take the next appropriate competitive examination being given for the class in which they are serving. Should such persons successfully complete the examination process for placement on the eligibility list, as a result thereof, and regardless of the employee's numerical standing the eligibility list, the employee shall become a member of the regular classified service of the District, even though such person may discontinue to serve in the restricted position. Employees who have attained regular permanent status with the District under the provisions of this rule shall be accorded the full rights, benefits, and burdens of a regular permanent classified employee including, but not limited to, seniority rights from the date of the employee's original employment with the District in a restricted position.

30.1.6.3 **Prohibited Uses:** Funds derived from the Federal Emergency Employment Act or any similar law enacted to provide transitional employment in public service positions for unemployed or under employed persons shall not be expended for work that:

A. Would otherwise have been performed at federal, state, or local expense;

- B. Would result in a decrease in the employment which would otherwise be available;
- C. Would result in the displacement of members of the classified service, including partial displacement, such as reduction in the hours of non-overtime work or wages or employment benefits or;
- D. Would impair the existing rights of probationary permanent members of the classified service.

REFERENCE: Education Code Sections 45105, 45105.1, 45108, 45259, 45260, and 45261

30.2 GENERAL CLASSIFICATION RULES

30.2.1 ASSIGNMENT OF DUTIES: The Board shall prescribe the duties and responsibilities of all positions in the classified service except those on 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 Services shall report the facts to the responsible administrator in order that appropriate action may be taken.

REFERENCE: Education Code Section 45100, 45104, 45105, 45105.1, 45109, 45240, 45241, 45264, and 45266

30.2.2 THE 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 Rule 30.1.2. The Commission shall maintain a classification plan for all positions in the Classified Service, organized by class series and occupational hierarchy or job family. The Commission shall review the classification plan on a continuous, recurring basis with at least one-third (1/3) of all classifications reviewed yearly. This review shall be accomplished by occupational hierarchies or job families. The list of classes shall contain designation of the salary rate or range applicable to each class. For purposes of this rule, classification shall include, but not be limited to:

30.2.2.1 Allocation of all positions to appropriate classes.

30.2.2.2 Arrangement of classes into occupational hierarchies or job families.

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

30.2.2.4 Determination of reasonable percentage relationships between occupational hierarchies.

30.2.2.5 Preparing written class specifications.

REFERENCE: Education Code Section 45100, 45104, 45105, 45105.1, 45109, 45241, 45256

30.2.3 CLASS SPECIFICATIONS: For each class, the Personnel Commission shall establish and maintain a class specification which may include:

- 30.2.3.1** The class title.
- 30.2.3.2** A definition of the class, indicating the type of duties and responsibilities and placement within the organizational scheme.
- 30.2.3.3** A statement of distinguishing characteristics which differentiates the class from other related or similar classes.
- 30.2.3.4** A statement of the examples of duties to be performed by persons holding positions allocated to the class.
- 30.2.3.5** 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.
- 30.2.3.6** A statement about any license, certificates, or other special requirements for employment or service in the particular class.
- 30.2.3.7** A statement about any physical requirements required of positions in the class.
- 30.2.3.8** 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.
- 30.2.3.9** 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.
- 30.2.3.10** The title of the class shall be used as the title of all positions or the class, and all correspondence concerning the positions.

REFERENCE: Education Code Section 45256, 45260, 45273, 45276, 45277, 45285, and 45285.5

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

- 30.2.4.1** 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.

- 30.2.4.2** 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. Each class specification shall contain a listing of those duties and responsibilities, which in the judgement of the Director, Classified Personnel Services, after consultation with District Administration, are essential to successful accomplishment of the job.
- 30.2.4.3** 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.
- 30.2.4.4** 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.
- 30.2.4.5** The following personal qualification requirements apply to all classes even though not necessarily specifically mentioned in the specification: good health and freedom from work related disabling defects and communicable diseases; good physical condition and agility and strength commensurate with the duties of the class; integrity; sobriety; industriousness; initiative; resourcefulness; 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 of work characteristics of the particular position.
- 30.2.4.6** 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, 45273, 45276, 45277, 45285, and 45285.5

30.2.5 CREATION OF NEW POSITIONS: When the Board of Trustees creates a new position it shall submit the duties officially assigned to the position, in writing, to the Director of Classified Personnel Services. The Board may recommend minimum educational and work experience requirements for the position. The Director of Classified Personnel Services shall present recommendations to the Commission for action. The Commission shall:

30.2.5.1 Determine if the new position shall be a part of the Classified Service or exempt under Rule 30.1.2.

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

30.2.5.3 If a new class is recommended, the Director of Classified Personnel Services shall set forth a proposed class specification setting out the title, duties, specification. The qualifications approved by the Commission must reasonably relate to the duties assigned to the position by the Board of Trustees.

30.2.5.4 The Commission shall designate the proper salary placement on the appropriate classified salary schedule.

30.2.5.5 The Commission shall direct the Director of Classified Personnel to notify the Board of the Commission's action.

REFERENCE: Education Code Sections 45104, 45105, 45105.1, 45109, 45241, and 45256

30.2.6 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 Sections 45256, 45260, 45273, 45276, 45277, 45285, and 45285.5

30.2.7 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 Services, who shall conduct a review to determine whether the position should be allocated to a new or existing class. Should a change in classification be warranted or necessary, the Director of Classified Personnel Services shall submit his recommendation to the Personnel Commission for action.

REFERENCE: Education Code Sections 45256, 45260, 45273, 45276, 45277, 45285, and 45285

30.2.8 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 he is assigned. Classified employees shall not be required to perform duties and responsibilities which are not fixed and prescribed for their positions by the Board of Trustees for any period of time, except as provided by this rule. An employee may be required to perform work which is not reasonably related to their required or normal duties provided that in such case, an employee who performs duties in a higher (salary ranged) classification shall receive as payment an upward adjusted salary for each day worked outside of their normal position as follows:

30.2.8.1 When a regular employee in the classified service works in a higher classification for a minimum of two hours, the salary of the employee shall be adjusted upward for each day worked. *Note: This conforms to VVUHSD/CSEA Agreement, 7.6.

30.2.8.2 Whenever an employee is allowed to assume or is required to perform all or the majority of the functions and duties of a higher classification, the employee shall be paid five percent (5%) above his normal salary or Step A of the higher range, whichever is greater.

30.2.8.3 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 Services in writing so that a review may be conducted to determine the appropriate pay differential for the temporary assignment.

30.2.8.4 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) working days in one fiscal year or for more than one assignment with out 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. No working out of class assignment shall exceed ninety (90) days without the specific approval of the Commission.

- 30.2.8.5** A claim for working out of class may be submitted by the employee or the supervisor on the designated form within thirty (30) days of assignment. The Director of Classified Personnel Services will notify the supervisor upon receipt of a claim submitted by an employee.
- 30.2.8.6** The Director of Classified Personnel Services shall review the duties assigned to the position and shall determine if the assigned duties are at a higher level satisfying the requirements of Rule 30.2.8 and shall recommend an appropriate pay differential consistent with these rules to the Commission for approval.
- 30.2.8.7** If the Director of Classified Personnel Services's review determines that the assigned duties are not at a higher level, the Director shall notify the employee and the appropriate supervisor and present the findings to the Commission at the next regular meeting.
- 30.2.8.8** These rules shall not be construed as permitting employee to refuse to perform duties legally assigned by competent authority.

REFERENCE: Education Code Sections 45110, 45256, 45260, 45285, and 45285.5

30.2.9 REVIEW OF POSITIONS: The Director of Classified Personnel Services shall review the duties and responsibilities of positions as necessary to determine their proper classification and shall cause all positions to be reviewed periodically. If the Director finds that a position or positions should be reclassified, he shall advise the Administration of his 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 findings to the Personnel Commission for appropriate action. The Director of Classified Personnel Services shall also report the findings in cases where the review indicates that a change of classification is not warranted.

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

30.2.10 POSITIONS REQUIRING SPECIAL LANGUAGE OR SKILLS: The Board of Trustees may request that the Personnel Commission designate certain positions within a class or classes to require the holder of the position to possess a special skill, license, or language. The Board of Education must clearly set forth valid reasons for requesting such special requirements. The duties of the position must be the same as those for all other positions within the classification, except for this special requirement.

- 30.2.10.1** The Commission shall have the right to designate a differential salary rate to compensate incumbents in such special positions for their special skills. Such differential rates shall correspond to the salary schedule percentages between ranges.
- 30.2.10.2** An announcement calling for an examination for a class with position(s) containing special requirements will contain appropriate information and will indicate that successful candidates possessing the special skill will be given preference over other successful candidates.
- 30.2.10.3** When a vacancy occurs in a position which has approved special skill requirements, the position shall revert back to the standard requirements unless the Board of Trustees states that the position should still possess the special requirements and the Personnel Commission concurs.
- 30.2.10.4** If a request to designate a position in a class as requiring a special skill is challenged, the Personnel 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.

REFERENCE: Education Code Sections 45104, 45105, 45105.1, 45109, 45241, 45256, and 45277

30.3 RECLASSIFICATION

30.3.1 RECLASSIFICATION POLICY: The Commission shall maintain a system whereby classification review will be continuous. The Commission will conduct studies as it deems necessary to review classifications and maintain internal alignment in the Classified Service.

30.3.1.1 The only basis for reclassification of a position shall be the gradual accretion or growth of duties, not a sudden change occasioned by a reorganization or the assignment of completely new duties and responsibilities. Recommendations as to gradual accretion will be made by the Director of Classified Personnel Services. The Commission shall be the final approving authority.

30.3.1.2 Requests for a reclassification study of an existing position shall be presented in writing to the Director of Classified Personnel Services, together with a statement setting forth the reasons for the request. Requests for the reclassification study of a position may be initiated by an employee or the District Administration. Requests initiated by an employee shall include a listing of duties and a statement indicating the reasons the employee feels a reclassification is justified. Requests initiated by the District include the above information as well as a statement by the employee's supervisor verifying the authorized duties of the position.

30.3.1.3 At least two (2) years after completion of a reclassification study due to accretion of duties must elapse before another request for reclassification will be considered for the same position.

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

30.3.2 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 no later than whichever of the following dates is applicable: 1) The first of the month following the Personnel Commission approval of the reclassification provided the employee is eligible to be reclassified with his position without examination as specified in these Rules; or 2) the first of the month following the date on which the employee becomes fully qualified for the position by successfully completing all parts of the selection procedure.

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

30.3.3 NOTIFICATION OF RECLASSIFICATION: Notification of a recommendation for the classification or reclassification of a position or employee shall be given to the employees 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, and 45285.5

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

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

30.3.5 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.

30.3.5.1 Reclassification Upward: When all of the positions in a class or one or more positions are reclassified to a higher class, the incumbents of the positions who have been in the class for two (2) or more years shall be reclassified by the Commission with their positions.

30.3.5.1.1 When one or more positions within a class are reclassified upward, the incumbents in the position who have a continuous employment record of two (2) or more years in the position being reclassified shall be reclassified by the Personnel Commission with his position.

30.3.5.1.2 In order for an incumbent to be reclassified with his position, 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 duties will be on the basis of the guidelines provided by the rules and regulations of the Personnel Commission.

30.3.5.1.3 An employee who has been reclassified with his position shall be ineligible for subsequent reclassi-

fication with his position for a period of at least two (2) years from the date of the prior reclassification action.

30.3.5.1.4 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.

30.3.5.2 **Reclassification Equal or Lower:** When all of the positions in a class or group of positions is reclassified to a class or one or more positions in a class are reclassified to a lower class, incumbent shall have the following rights:

30.3.5.2.1 The right to bump a less senior employee in the same class pursuant to bumping procedures outlined in the layoff provisions of these rules.

30.3.5.2.2 The right to bump a less senior employee in any equal or lower class in which the incumbent formerly served, pursuant to bumping procedures outlined in the layoff provisions of these rules.

30.3.5.2.3 The right to be demoted or to transfer, without examination to the class to which his position is reclassified.

30.3.5.2.4 The employee may choose to transfer, demote, or exercise bumping rights at his option, and his choice shall not affect his rights under Personnel Commission Rule 30.3.8.

30.3.5.2.5 When an employee is demoted to a position at a lower salary range due to displacement, reclassification, or abolishment of his position, the employee's salary shall be Y-rated.

30.3.5.2.6 The Y-rate shall terminate on the effective date of an annual salary increase which results in the Y-rate falling within the salary range of the lower class or the date an equal vacancy exists in the same class from which the employee was Y-rated if the employee fails to accept the vacancy to remain in the lower class. The Y-rate terminates on the earlier of these dates.

REFERENCE: Education Code Sections 45256, 45260, 45268, 45285, and 45285.1

30.3.6 DEFINITION OF GRADUAL ACCRETION: For purposes of these rules, the gradual accretion or growth of duties must occur over a period of two (2) or more years while the employee is assigned the same position and classification. Determination as to gradual accretion will be based on an analysis of data to be supplied by the employee(s) or school, as well as the Personnel Commission staff, regarding the following factors:

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

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

30.3.6.3 The conditions which led to the association of the added duties and responsibilities with the subject position.

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

REFERENCE: Education Code Sections 45256, 45260, 45268, 45285, and 45285.1

30.3.7 EFFECT ON RE-EMPLOYMENT AND ELIGIBILITY LISTS: The reclassification of all positions in a class automatically reclassifies the re-employment list 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 reclassified. Salary re-allocations of classes shall have no effect on lists unless a specific finding to the contrary is made by the Commission.

REFERENCE: Education Code Sections 45256, 45260, 45268, 45285, and 45285.1

30.3.8 RE-EMPLOYMENT LISTS FOR DISPLACED INCUMBENTS: Any displacement of a regular employee resulting from a reclassification of a position, or a 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.

30.3.8.1 Persons laid off because of a reclassification are eligible for re-employment for a period of thirty-nine (39) months and shall be re-employed in preference to new applicants. In addition, such laid off persons have the right to participate in promotional examinations in the district during the thirty-nine (39) month period.

30.3.8.2 Employees who take voluntary demotions or voluntary reductions in assigned time in lieu of lay off due to a reclassification, or to remain in their present positions rather than be reclassified or reassigned, shall be granted the same rights as persons laid off and shall retain eligibility to be considered for re-employment for an additional period of twenty-four (24) months, provided that the same tests of fitness still apply as determined by the Personnel Commission.

REFERENCE: Education Code Section 45260, 45285, 45298, and 45308