

CHAPTER 9

EMPLOYMENT STATUS

9.1 CERTIFICAION OF EMPLOYEE ASSIGNMENTS

9.1.1 **CERTIFICATION OF EMPLOYEE ASSIGNMENTS:**

No person shall be appointed to a position in the Classified Service unless the assignment order is certified by the Director Human Resources-Classified. The Director Human Resources-Classified shall certify that the assignment has been made in accordance with these rules and the provisions of the Education Code.

9.1.1.1 The Director Human Resources-Classified may make a periodic review of the classified payroll rosters; the roster shall include names, titles, periods for which payments are to be made, and rates of pay. If, upon review of a payroll report, it is found that any person named thereon has been employed in violation of any provisions of the Merit System Education Codes or these Rules and Regulations, he/she shall immediately notify the Superintendent of any irregularities and attempt to resolve these problems.

Reference: EC§ 45169, 45160, 45310 and 49311

9.1.2 **NONCOMPLIANCE WITH ORDER OF DIRECTOR HUMAN RESOURCES-CLASSIFIED:**

If any irregularities are unsolved with a reasonable time period, the Director Human Resources-Classified shall have the authority to submit a notice of withdrawal of his/her certification to both the District and County Superintendent of Schools and order that payment be stopped. Notice of such violation shall also be made upon such payroll, and such notice shall serve as an official notification to the Board of Education 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 office of the County or the school district for payment of salary or other compensation to such person named is unlawful.

Reference: EC§ 45169, 45260, 45261, 45310, and 45311

9.2 **EMPLOYEE ASSIGNMENT:**

9.2.1 **ASSIGNMENT DATA:**

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

9.2.1.1 The employee's class specification.

9.2.1.2 Notice of salary data, including pay period and the hourly, daily, monthly, annual, and overtime and differential rate of pay, whichever are applicable.

Merit System Rules
CHAPTER 9

- 9.2.1.3 Work location, duty hours, prescribed work week and work year.
- 9.2.1.4 The terms and conditions of the probationary period, including performance evaluation procedures.

Reference: EC§ 45169, 45260, and 45261

9.3 PROBATIONARY STATUS:

9.3.1 INITIAL PROBATIONARY PERIOD:

Each new employee appointed from an eligibility list shall serve an initial probationary period of six months or 130 days, whichever is longer, of paid service in one classification in the classified service excluding days absent while on leave. For positions designated by the Personnel Commission as executive, administrative, or supervisor, the probationary period shall be 260 days of paid regular service in one classification in the classified service, excluding days absent while on leave.

- 9.3.1.1 Credit toward completion of probation shall be granted only for service in a regular position in a class after appointment from an eligibility list.

Reference: EC§ 45301

9.3.2 COMPLETION OF INITIAL PROBATION:

Each probationary classified employee shall be evaluated during the probationary period as required in these rules.

- 9.3.2.1 An employee shall be given written notice when disqualified from probationary status prior to the date on which the probationary period ends.
- 9.3.2.2 An employee may be suspended and dismissed at any time for cause as stated in these rules.
- 9.3.2.3 An employee may be disqualified from probationary status for unsatisfactory work performance as stated in these rules.
- 9.3.2.4 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 action.
- 9.3.2.5 A new employee who is suspended or dismissed during the initial probationary period shall be notified in writing by the Director Human Resources-Classified of the action taken and the reasons therefore. The employee shall not have the right of appeal.
- 9.3.2.6 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/her part before completion of the probationary period, the person's name shall be restored to the eligibility list and the time served in the defunct position shall be credited towards

completion of the probationary period in any subsequent position to which appointed in that same classification.

Reference: EC§ 45256, 45260, 45261, 45269, 45270, 45272, 45281, 45302 and 45305

9.3.3 SUBSEQUENT PROBATION FOR PERMANENT EMPLOYEES:

A permanent classified employee who has been promoted, or laterally transferred to a related class shall serve a new probationary period in the class before attaining permanency in that class.

Reference: EC§ 45256, 45260, 45261, 45269, 45270, 45272, 45281, 45301, 45302, and 45305

9.4 PERMANENCY

9.4.1 PERMANENT STATUS:

Upon successful completion of the prescribed initial probationary period outlined in these rules, a classified employee shall be deemed to be a part of the permanent classified service.

Reference: EC§ 45256, 45260, 45261, 45269, 45270, 45272, 45281, 45301, 45302, and 45305

9.4.2 RIGHTS/BENEFITS/BURDENS OF PERMANENT EMPLOYEES:

Every permanent classified employee shall be entitled to all rights, benefits, and burdens conferred by law, the Personnel Commission's Rules and Regulations, or by action of the Board of Education for classified employees in the same or like classification. A permanent classified employee may only be removed for cause or as a result of layoff because of lack of work or lack of funds.

Reference: EC§ 45256, 45260, 45261, 45269, 45270, 45272, 45281, 45301, 45302, and 45305