

PERSONNEL COMMISSION

SANTA MONICA COLLEGE

MERIT RULES

CHAPTER VIII

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Approved by the Personnel Commission on January 15, 1992.

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Approved by the Personnel Commission on June 21, 2017.

CHAPTER
VIII
EMPLOYEE
CLEARANCES

(EDUCATION CODE SECTIONS 87408.6, 88006, 88021, 88024)

Rule 8.1 PHYSICAL EXAMINATIONS
(EDUCATION CODE SECTIONS 87408.6, 8802.1)

8.1.1 INITIAL EMPLOYMENT

- A. Prior to employment, every person hired in a classified position must undergo a tuberculosis risk assessment or medical examination as required by law. For exceptions to this Rule, see Education Code Section 87408.6.

8.1.2 AFTER EMPLOYMENT

- A. Employees who are skin test negative, or were not tested because of lack of risk factors, must undergo a tuberculosis risk assessment or medical examination as required by law, at least once every four years. The District shall provide the approved tuberculin skin test at no cost to the employee.

The District shall maintain adequate records on each employee which indicates compliance with these rules. For exceptions to this Rule, see Education Code Section 87408.6.

- B. An employee may be required to undergo a medical examination at any time as permitted by law.

TRANSPORTATION STAFF

- A. Pre-employment and random drug and alcohol screening will be carried out according to the procedures set forth in the District's Administrative Regulations.

8.1.3

MEDICAL REVIEW

- A. Rejection for medical reasons of an eligible, or of an employee who has applied for return from leave of absence, may be appealed to the Personnel Commission.
- B. The Personnel Commission may employ outside medical experts to give a medical advisory opinion. The applicant, eligible or employee may at his/her own expense submit additional medical information to be considered by the Personnel Commission.
- C. The Personnel Commission, based on evidence submitted and the advice of medical experts to the Personnel Commission, shall determine whether or not the denial of appointment or return from leave shall be sustained.

Rule 8.2

CRIMINAL RECORDS CHECK
(EDUCATION CODE SECTION 88024)

8.2.1

FINGERPRINTING

- A. A criminal records check shall be done for each person at the time of his/her acceptance of initial employment. The District shall notify each prospective employee where and when to report for fingerprinting, prior to first day of employment. Any person who fails to report for fingerprinting at the day and time appointed by the District shall forfeit eligibility for employment.

Rev. approved by the Personnel Commission on 4/19/17.

8.2.2

REVIEW OF CRIMINAL RECORDS

- A. All criminal record reports shall be confidential. Any employee charged with receiving and/or reviewing these records who divulges information contained therein to an unauthorized person may be subject to disciplinary action.
- B. Criminal records shall be evaluated on the following basis:
 - 1. Nature, seriousness, recency, and circumstance(s) of the offense(s).
 - 2. Age of the person at the time of the offense.
 - 3. Number of convictions.
 - 4. Relationship of the offense(s) to the position applied for.
 - 5. Evidence of rehabilitation and maturation, including employment record with respect to job responsibility and duration.
 - 6. Truthfulness in admitting to the offense(s) during the hiring process.
- C. Criminal record information shall be evaluated as follows:
 - 1. Prior to an offer of employment, the Director of Classified Personnel shall review the criminal record information to determine if the person is eligible for employment.

2. After the person commences employment, Human Resources shall review the criminal record report from the California Department of Justice and/or the Federal Bureau of Investigation to determine continued eligibility for employment.
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- D. If a probationary employee is to be dismissed because of information disclosed on the criminal record report or if the appointing authority desires that an eligible be removed from an eligibility list because of such information, the Director of Classified Personnel shall be notified of the reasons and recommended actions.
 - E. An eligible candidate who cannot be hired or an employee who is to be dismissed because of information disclosed on the Criminal Records Report may be removed from all current eligibility lists, (See also Section 4.2.1.A.5).

Rev. approved by the Personnel Commission on 6/21/17.