SANTA MONICA COMMUNITY COLLEGE DISTRICT  
PERSONNEL COMMISSION MINUTES  
SPECIAL PUBLIC MEETING – August 30, 2006 – BUSINESS BLDG. 111

WEDNESDAY August 30, 2006  
Business Building Room 111 – 12 P.M.

Any individual or group may address the Personnel Commission during the Comments—Public Forum segment of the meeting regarding any item that is within the Commission’s subject matter jurisdiction. However, the Commission will not take action on any item that is not on this agenda.

Any individual may appear at the Commission meeting to respectfully testify in support of or opposition to any item being presented to the Commissioners for consideration. Individuals wishing to address items to the Commissioners should complete a Request to Address the Personnel Commission card (green form) prior to the start of the meeting.

PUBLIC SESSION: 12:00 P.M.

I. ORGANIZATIONAL FUNCTIONS

A. Call to Order  Meeting called to order 12:07 p.m.

B. Roll Call

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>Present</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karen Bancroft</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Dolores Press</td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Joseph Metoyer</td>
<td>x</td>
<td></td>
</tr>
</tbody>
</table>

C. Approval of Minutes:  
Minutes of the Meeting of Wednesday, August 9, 2006

Disposition by the Commission: Motion to approve minutes as presented

Motion made by: Joseph Metoyer  Seconded by: Dolores Press

Ayes: 3  Nayes:  Abstain:  Absent:

Amendments/Comments:

II. REPORT—DIRECTOR OF CLASSIFIED PERSONNEL

Sue Tsuda: I’ve talked with Donna Peter, she’s going to come on board on Tuesday.

III. COMMENTS AND INFORMATIONAL REPORTS
B. Comments from District Personnel Officer. None.

C. Comments from Classified Senate Representative. None.

D. Comments from CSEA Chapter 36 Representative. None.

E. Comments from Management Association President. None.

F. Comments from Personnel Commission Staff. None.

IV. COMMENTS—PUBLIC FORUM (non-actionable comments from those in attendance) None.

V. COMMENTS BY PERSONNEL COMMISSIONERS None.

VI. AGENDA REPORTS

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<thead>
<tr>
<th>AGENDA ITEMS</th>
<th>PAGE</th>
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</thead>
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<tr>
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<td>2 Advisory – Examination Schedule</td>
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<td>3 Ratification of Reinstatement Lists</td>
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<td>4 Approval of Provisional Appointments to Working Out of Class Assignments</td>
<td>6</td>
</tr>
</tbody>
</table>

AGENDA REPORT NO. 1

SUBJECT: Ratification of Eligibility Lists

The Personnel Commission presents the following Eligibility Lists for approval: Recommendations for the establishment, extension, and addition of names to the eligibility lists in accordance with Education Code Section 88091, to be effective for the period as listed.

A. Addition of Names – Open Continuous List

<table>
<thead>
<tr>
<th>Class Title</th>
<th>Field of Competition</th>
<th># of Additions Prom/Total</th>
<th># on List Promo/Total</th>
<th>Expiration Date of Additions</th>
</tr>
</thead>
<tbody>
<tr>
<td>COUNSELING AIDE</td>
<td>Open Competitive</td>
<td>0/7</td>
<td>0/34</td>
<td>08/31/2007</td>
</tr>
</tbody>
</table>
DISPOSITION BY THE COMMISSION: Motion to approve item as presented.

Motion made by: Joseph Metoyer Seconded by: Dolores Press

Ayes: 3 Nays:

Amendments/Comments:

AGENDA REPORT NO. 2

SUBJECT: Examination Schedule

It is recommended that the Personnel Commission approve the following Examination Schedule:

A. Examination Schedule

<table>
<thead>
<tr>
<th>Class Title</th>
<th>Field of Competition</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director of Classified Personnel</td>
<td>Promotional and Open Competitive</td>
<td>6 weeks</td>
</tr>
</tbody>
</table>

Merit Rule 5.1 It is the policy of the Personnel Commission to afford all qualified candidates an opportunity to apply for positions in the classified service. Examinations shall be conducted fairly and impartially to afford all candidates to demonstrate the skills, knowledge, abilities and personal characteristics required to qualify for the class.

DISPOSITION BY THE COMMISSION: Advisory agenda item; no action required.

Motion made by: Seconded by:

Ayes: Nays:

Amendments/Comments:
AGENDA REPORT NO. 3

SUBJECT: Approval of Reinstatement

Former employee Michelle Bowen has requested reinstatement to her previously held position of Personnel Specialist I. The specific documents obtained and that qualify for this position include:

A. A letter requesting reinstatement to her former position.
B. Copies of her application and informal transcripts that indicate that the individual possesses a degree from an accredited university.

Reference: Rules and Regulations of Classified Service, Merit Rule 6.1.4 and 6.3.2

3.1.5 REINSTATEMENT (Education Code Section 88128)

A. All Qualified permanent former employees who request reinstatement to their former class, or a lower related class in the same occupational group, shall be placed on a reinstatement list and shall be certified for interview in accordance with 6.3.2.4.

6.3.2 ORDER OF PREFERENCE IN THE USE OF LISTS (Education Code Section 88091)

4. Reinstatement List – Shall be certified along with eligibles from the appropriate eligibility list.

Recommendation:

It is recommended that the Personnel Commission place Michelle Bowen on the reinstatement list to be certified for the Personnel Specialist assignment.

<table>
<thead>
<tr>
<th>Name</th>
<th>Class Title</th>
<th>Effective Dates</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michelle Bowen</td>
<td>Personnel Specialist</td>
<td>07/14/06 – 09/14/09</td>
<td>28</td>
</tr>
</tbody>
</table>

The Personnel Specialist will report to the Director of Classified Personnel.

DISPOSITION BY THE COMMISSION: Motion to approve item as presented.

Motion made by: Dolores Press  Seconded by: Joseph Metoyer

Ayes: 3  Nays:  Abstain:

Amendments/Comments: Absolutely delighted she has agreed to come back and work for the Personnel Commission.
AGENDA REPORT NO. 3 (cont’d)

SUBJECT: Approval of Reinstatement

Former employee Debora Wolf has requested reinstatement to her previously-held position of Financial Aid Technician. The specific documents obtained and that qualify for this position include:

C. A letter requesting reinstatement to her former position.
D. Copies of her previous application that indicate that the individual possesses the minimum qualifications.

Reference: Rules and Regulations of Classified Service, Merit Rule 6.1.4 and 6.3.2

3.1.5 REINSTATEMENT (Education Code Section 88128)

A. All Qualified permanent former employees who request reinstatement to their former class, or a lower related class in the same occupational group, shall be placed on a reinstatement list and shall be certified for interview in accordance with 6.3.2.4.

6.3.2 ORDER OF PREFERENCE IN THE USE OF LISTS (Education Code Section 88091)

4. Reinstatement List – Shall be certified along with eligibles from the appropriate eligibility list.

Recommendation:

It is recommended that the Personnel Commission restore Debora Wolf to the reinstatement list to be certified for the Financial Aid Technician assignment.

<table>
<thead>
<tr>
<th>Name</th>
<th>Class Title</th>
<th>Effective Dates</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debora Wolf</td>
<td>Financial Aid Technician</td>
<td>09/02/05 – 12/02/08</td>
<td>32</td>
</tr>
</tbody>
</table>

The Financial Aid Technician will report to the Director, Financial Aid.

DISPOSITION BY THE COMMISSION: Motion to approve item as presented.

Motion made by: Joseph Metoyer Seconded by: Dolores Press

Ayes: 3 Nays: Abstain:
AGENDA REPORT NO. 4

SUBJECT: Approval of Provisional Appointments to Working Out of Class Assignments

It is recommended that the Personnel Commission approve the following provisional appointments to the Working Out of Class assignments at 100% of the job duties, as provided in the Director's Audit Report.

<table>
<thead>
<tr>
<th>Name</th>
<th>Assignment</th>
<th>Length of Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brant C. Looney</td>
<td>Entertainment Services Manager</td>
<td>07/01/06 – 11/09/06</td>
</tr>
</tbody>
</table>

Working Out of Classification
Audit Report

Employee: Brant C. Looney

Current Class: Systems Administrator
Requested Class: Entertainment Services Mgr.

Location: Academy of Entertainment & Technology

Subject

This working out of class assignment is requested to assist in the heavy workload due to a long-term vacancy in the position of Entertainment Services Manager in the Academy of Entertainment and Technology. An audit of the job and the requestor's qualifications to perform the work as described in the class specification has been conducted to determine if a working out of classification assignment can be granted.

Background

The Entertainment Services Manager reports to the Dean of External Programs. The Dean of External Programs reports to the Vice President of Academic Affairs who reports to the Superintendent/President, who reports to the Board of Trustees. They agree that there is an immediate need to assign working out of class to an employee in the department who qualifies to do so in accordance with the Merit Rules.

Research

The summary of duties and minimum qualifications that are currently defined by the Theater class specification are:

Definition:

Manages, oversees and participates in all aspects of entertainment technology services and systems at the Academy of Entertainment & Technology including the integration, implementation, installation,
maintenance and upgrading of the servers and multimedia server systems, multiple hardware platforms and software packages in the computer classrooms and computer laboratories, green screen and render farm facilities, and the multimedia systems in the multipurpose room; assists in the preparation of the equipment and technology budget for the Academy; manages the integration of information systems, server systems, and post production systems at the Academy, server tuning and optimization, database administration, software installation and interface, security configuration, disaster and recovery procedures; supervises, trains and evaluates technical staff; researches and confers with main campus technology staff and Academy staff to optimize technology used in teaching and to insure system integrity and availability with main campus; interfaces with entertainment industry vendors to keep abreast of industry issues and equipment; and performs related duties as required.

Examples of duties:

1. Manages and oversees the integration and implementation of multiple platform hardware/software upgrades and conversions, and the render farm supporting Academy programs; manages the maintenance and repair of multiple platform hardware and ancillary equipment such as printers and scanners, and installation of multi-platform software;

2. Oversees the installation and maintenance of networked video post production including rendering, compiling, mastering to tape, video decks and routers; video editing and sound engineering systems; satellite system, web, license and streaming video servers, and sound, film and video projection systems;

3. Assists in the preparation of the equipment and technology budget for the Academy and prepares recommendations for the inclusion into the District’s technology plan.

4. Determines software and hardware needs for the Academy and oversees security servers; plans for disaster recovery, maintains configuration and procedural manual; oversees the configuration and installation of new software/hardware; oversees the maintenance and repair of hardware including computers, scanners and printers;

5. Supervises technical staff, assigns projects and works with staff to monitor progress; provides work supervision, orientation and training to Academy technical staff;

6. Coordinates technical support for speakers and small scale events; coordinates with Events department for larger events; serves as onsite resource for building systems, including fire alarm and security systems;

7. Coordinates with main campus Telecommunications and Information Resource Management to insure compatibility of systems and inclusion of Academy needs to college-wide technology planning; oversees the strategic working relationship between the Academy and other technical functions within the College;

8. Participates with Academy management and faculty in the development and implementation of policies, procedures and standards and prioritization of technical support objectives and schedules;

9. Implements and maintains security; tunes and optimizes operating systems for maximum performance and availability; plans for installations and conversions of new systems and programs;
10. Stays abreast of current technologies and recommends upgrades and acquisitions to support Academy programs by interfacing and maintaining working relationships with entertainment industry personnel; attends trade shows, conventions and seminars to maintain up-to-date information on technology;

11. Interacts with vendors to secure optimum pricing and equipment donations; prepares equipment requests and status reports for individual projects; and performs related duties as required.

Training and Experience:

Any combination of training and experience which would provide the required knowledge and ability is qualifying. A typical way to obtain these would be:

Bachelor of Science degree in computer science, engineering, management information systems, telecommunications, or related field, and three years of progressively responsible experience managing and coordinating entertainment technology services including the installation, maintenance, upgrading and systems integration of advanced computer graphics, including 3D, involving rendering and audio & video post production equipment and technologies.

Review of the application materials submitted for consideration and findings:

Upon review of the application materials provided by Mr. Looney, he notes that he has worked as a Systems Administrator for 3 years, and as a Lab Tech/Consultant for 19 months at Santa Monica College. Mr. Looney’s experience directly relates to the duties of the Entertainment Services Manager.

Mr. Looney indicates he has a Bachelor’s degree in Telecommunications from Mount Sierra College. His computer skills include Windows XP, Windows 2003 server, Active Directory, Symantec Ghost, Frontpage II, OSX server, PhotoShop, Windows 98 and 2000, Html, Faronics Deep Freeze, Smedge, Deadline and MS Office.

His work experience, including almost 10 years with Santa Monica College, has included implementation and support of windows, systems integration computing solutions and supervision of projects in which the systems specialist and other staff participate. He oversees the daily operation of the campus computer server infrastructure. His total experience far exceeds the required 3 years. His supervisors have confidence in his ability to coordinate and direct staff in the installation and maintenance of hardware and software, and to identify diagrams and resolve hardware and software problems. I find that Mr. Looney would qualify to perform 100% of the duties assigned to the Entertainment Services Manager position as described in the class specifications and as required by Merit Rule 7.2.2.A.

According to CSEA MOU

Article 11.7.3 – Compensation (for working out of class)

a. In the event that an employee is assigned duties at a higher classification as defined (in 11.7.1 and 11.7.2) and those duties make up at least fifty percent (50%) of the employee’s daily assignments, the employee salary shall be adjusted a set forth in Section 11.4.1.
b. If those duties make up less than fifty percent (50%) of the employee's daily assignment, the District shall pay the employee equal to one half (1/2) of the stipend that would have been paid under subdivision (a) above.

**Pertinent Merit Rules as the basis for my findings for this request**

Rule 3.2.9 WORKING OUT OF CLASS (Education Code Section 88010)

B. When an employee is assigned to perform work beyond that indicated in the definition of the class to which he/she is assigned for a full work week of four (10 hour) days, five (8 hour) days, or equivalent within a fifteen calendar day period, he/she shall be compensated as follows:

1. If the work assignment is to be to a position in an existing class, the work assignment shall be processed as a limited-term assignment or provisional assignment under the provisions of Rule 7.4 or 7.2, upon the approval of the Personnel Director.

C. Requests for differential pay for working out of class shall be submitted to the Personnel Director. The request must contain a list of the newly assigned duties and must be approved by the supervisor and department head. Requests submitted by the immediate supervisor shall be made no later than five (5) working days after the start of the assignment. If, after consultation with his/her immediate supervisor, the employee feels that he/she has been assigned duties which are at a higher level for a substantial part of his/her assignment, the employee shall notify the Personnel Director, in writing, no later than five (5) working days after the start of the assignment. Any request submitted after the timelines listed above and approved for differential pay shall take effect only from the date of receipt in the Personnel Commission Office. Differential pay for working out of class shall be limited to 90 working days in one fiscal year for an employee.

D. The Personnel Director shall conduct a review of the newly assigned duties and shall determine whether the duties are at a higher level. He/she shall prepare a report of the findings which shall include the recommended pay differential, if any.

E. The findings and recommendations shall be presented to the Personnel Commission for approval at the next meeting.

Because no eligibility list exists for this position, this would be processed as a provisional assignment in accordance with Merit Rule 7.2.

Rule 7.2 PROVISIONAL APPOINTMENT (Education Code Sections 88106-88108)

Rule 7.2.1 GENERAL PROVISIONS

A. The appointment authority may make a provisional appointment only when the Personnel Director certifies that:

1. No eligibility list exists for the class, ...

RULE 7.2.2 QUALIFICATIONS OF PROVISIONAL APPOINTEES

A. Insofar as possible, provisional appointees shall be required to meet the qualifications for the class of the appointment as stated in the class descriptions. The determination of the appropriateness of qualifications shall be made by the Personnel Director prior to appointment.
CHAPTER 13: SENIORITY, LAYOFF, DISPLACEMENT AND REEMPLOYMENT

RULE 13.1 SENIORITY PROVISIONS (Education Code Section 88127)

RULE 13.1.1 SENIORITY DEFINED

A. Seniority shall be defined as the length of time which a permanent classified employee has served in his/her class plus higher related classes.

RULE 13.1.2 COMPUTATION OF SENIORITY

A. Computation of seniority in the class shall include hours in paid status up to a maximum of 40 hours per week.

B. Computation of seniority shall not include:

1. Hours served or compensated for in a limited-term (substitute or temporary) or provisional assignment prior to entering into the classified service as a probationary employee.

RULE 13.1.3 GENERAL PROVISIONS

D. When an employee is reclassified with his/her position to an already existing class, seniority shall be computed from the effective date the position is reclassified.

E. When an employee is transferred from one class to another, seniority in the new class shall begin on the effective date of the transfer.

Definition of Working Out of Class:

The Personnel Commission in past practice defines an employee as working out of classification when two threshold criteria have been met: (1) The newly assigned duties being performed by the employee comprise 80% of what he or she has been assigned to do; and, (2) The duties are being performed on a full-time basis.

However, the agreement between the District and Classified Service ratified August 1, 2005 in Article 11.7.3 notes that there are two thresholds by which working out of class compensation will be paid.

(1) In the event that an employee is assigned duties at a higher classification ... and those duties make up at least fifty percent (50%) of the employee’s daily assignments, the employee salary shall be adjusted as set forth in Section 11.4.1 (e.g., he/she shall receive the next higher dollar amount above his/her present rate of pay, but not less than the minimum of the new salary range. If that amount is less than a one step (5%) increase, the employee shall be placed at the next higher step over that authorized above.

(2) If those duties made up less than fifty percent (50%) of the employee’s daily assignment, the District shall pay the employee equal to one-half (1/2) of the stipend that would have been paid under subdivision (a) above.

Merit System Rule 3.2.9 (B) states that when an employee performs work outside his or her current classification for a full work week of four 10-hour days or five 8-hour days, or equivalent within a fifteen calendar day period, the employee is working out of class and must be compensated accordingly.

The Merit System Rule defines Working Out of Classification as the performance of duties that can be defined by a classification other than the one in which the incumbent's current position resides, on a full-time basis for a full work week of four 10-hour days or five 8-hour days, or equivalent, within a fifteen calendar day period.
Conclusion and Recommendation:

The submission of an application form and supplemental information provided by the employee and the supervisor meets the minimum qualifications and he has substantially performed some of the same or similar duties in his current employment. Therefore, I recommend that Mr. Looney should be offered 100% working out of class duties as announced by the department and applied for by Mr. Looney per the department’s stipulation.

DISPOSITION BY THE COMMISSION: Motion to approve item as presented.

Motion made by: Dolores Press Seconded by: Joe Metoyer

Ayes: 3 Nays: Abstain: Absent:

Amendments/Comments:

AGENDA REPORT NO. 4 (cont’d)

SUBJECT: Approval of Provisional Appointments to Working Out of Class Assignments

It is recommended that the Personnel Commission approve the following provisional appointments to the working out of class assignments at 65% of the job duties, as provided in the Director’s Audit Report.

<table>
<thead>
<tr>
<th>Name</th>
<th>Assignment</th>
<th>Length of Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher Bonvenuto</td>
<td>Associate Vice President-Fiscal Services</td>
<td>08/01/06 – 12/15/06</td>
</tr>
</tbody>
</table>

Santa Monica Community College District
Personnel Commission

Employee: Christopher M. Bonvenuto
Current Class: Accounting Manager Requested Class: Assoc. VP-Fiscal Services
Location: Fiscal Services Supervisor/Title: Randal Larson, Exec. VP

Subject
This working out of class assignment is requested to assist in the heavy workload due to a long-term vacancy in the position of Associate Vice President in the Fiscal Services Department. An audit of the job and the requestor’s qualifications to perform the work as described in the class specification has been conducted to determine if a working out of classification assignment can be granted.

Background

The Associate Vice President position reports to the Executive Vice President, Randal Lawson. The Executive Vice President reports to the Superintendent/President, Chui Tsang, who reports to the Board of Trustees. The Executive Vice President and the Superintendent/President agree that there is an immediate need to assign working out of class to an employee in the department who qualifies to do so in accordance with the Merit Rules.

Research

The summary of duties and minimum qualifications that are currently defined by the fiscal class specification are:

**Definition:** Under the general administrative direction of the Executive Vice President for Business and Administration, this position provides vision and leadership for the development and implementation of the fiscal and administrative support services of the Fiscal Services Auxiliary Services, Purchasing, Warehousing/Mail Services and Risk Management operations of Santa Monica Community College District. This position recommends business policies, regulations and procedures and is responsible for coordinating business-related decisions with District Policies, law and sound business practices; strategizes, formulates and recommends policies, procedures and control systems to provide accurate, efficient and timely allocation of use of District resources based on management priorities; directs the fiscal operations of the District, including budget preparation and administration, accounting, payroll, risk management, purchasing, investments and Auxiliary operations; plans, organizes, prepares and presents periodic financial statements and reports that provide information and data on District resources and expenditures and fiscal services activities; monitors the fiscal analysis process, audit responses, product and service assessments, preliminary budget estimates, forecasts and projections; confers with external auditors regarding fiscal operational audits and alerts appropriate management personnel to issues, findings and concerns; establishes and reviews performance standards of personnel who report directly to him, and serves as secondary reviewer of performance plans and evaluations of subordinate staff within each of the four divisions of Fiscal Services.

**Example of Duties:** Directs the operation of the Purchasing, Warehouse, Bookstore and Auxiliary Services departments; coordinates and meets with staff to plan, develop and implement effective and efficient programs, processes and procedures for their assigned areas of responsibility; plans, organizes and directs the District’s accounting and budgeting systems, prepares detailed income and expenditure budget and develops and implements accounting controls to regulate financial stability; provides leadership within Business Services and the District in the interpretation of and implementation with staff of the college’s strategic plan; collaborates on development of departmental goals and objectives in support of the College Mission and Vision; conducts financial research studies, analyzes results, prepares forecasts and recommends planning the implementation strategies; establishes practices and controls for safe and efficient handling of funds, establishes reporting procedures of financial transactions and directs the preparation and maintenance of a variety of narrative and statistical reports, records and files; reviews related financial and statistical reports;

Prepares, recommends and administers the annual budget for all areas of Business Services; analyzes and reviews budgetary and financial data; monitors, controls and authorizes expenditures of funds in accordance with established fiscal guidelines; recommends, assesses functionality and directs installation of state-of-the-art computer accounting, finance, purchasing, payroll and human resources computer software applications for use in the various divisions within Business Services; provides application, preparation, analysis, procurement, implementation and reimbursement for specially funded programs and formulates related policies and plans for new and revised programs;

Provides direction for the college Risk Management and Environmental Compliance programs; tracks all mandated cost expenses; represents the College at institutional, county and
state-wide meetings; serves on various College committees; attends and conducts a variety of meetings; represents the District with outside organizations and agencies, including regulatory, local, state and federal governments; directly supervises subordinate division managers.

Training and Experience

**Education:** Bachelor’s degree from an accredited college or university in Business or Public Administration, Accounting, Finance, or a closely-related field

**Substitution:** Four years of progressively responsible professional work experience in accounting, finance, economics or a closely-related field will substitute for the education on a year-for-year basis.

**Experience:** Six (6) years of progressively responsible general professional-level business management experience which included two (2) years of recent experience in an administrative or supervisory position over two or more of the following business operational areas: accounting, budgeting, purchasing, bookstore and auxiliary services, risk management, warehousing and mailroom operations.

**Preferred Experience:** Three of the six required years of experience will have included working in a progressively responsible management position in the business administrative operations of a public community college system, which included experience with educational institutions operations interpretations of laws and regulations governing community colleges business and collaborative governance processes, educational and governmental accounting and auditing standards and practices.

**Substitution:** Master’s degree in Business or Public Administration, Accounting, Finance, Education Administration, or a closely-related field will substitute for two years of the **general experience requirement**, but not for the two years of administrative or supervisory experience.

**Review of the Application Materials Submitted for Consideration and Findings**

Upon review of the application materials provided by Mr. Bonvenuto, he notes that he has worked as an Accounting Manager for more than 2 years, and as a Senior Accountant for 8 months at Santa Monica College, as a Financial Consultant for an outside agency for 20 months, and as a Bookkeeper for more than 4 years prior to permanent employment at SMC. Mr. Bonvenuto’s experience directly relates to the duties of the Associate Vice President’s position.

Mr. Bonvenuto has a Bachelor’s degree in Accounting, Summa Cum Laude, from National University, with course work in Accounting, Finance, Management, Human Resources, Economics, International Accounting, Advanced Accounting and Corporate Taxation.

His Work experience, including 3 years with Santa Monica College, has included accounting, budgeting and management, and his total experience exceeds the required 7 years. His supervisors have confidence in his ability to be creative, successful in providing direction and supervision, and with enthusiasm for job performance and intelligent solutions to problems and challenges. I find that Mr. Bonvenuto would qualify to perform 100% of the duties assigned to the Associate Vice President position as described in the class specifications and as required by Merit Rule 7.2.2.A.

**According to CSEA MOU**

**Article 11.7.3 – Compensation (for working out of class)**

a. In the event that an employee is assigned duties at a higher classification as defined (in 11.7.1 and 11.7.2) and those duties made up at least fifty percent (50%) of the employee’s daily assignments, the employee salary shall be adjusted as set forth in Section 11.4.1.
b. If those duties made up less than fifty percent (50%) of the employee’s daily assignment, the District shall pay the employee equal to one-half (1/2) of the stipend that would have been paid under subdivision (a) above.

Pertinent Merit Rules as the Basis for My Findings for This Request

Rule 3.2.9 WORKING OUT OF CLASS (Education Code Section 88010)

B. When an employee is assigned to perform work beyond that indicated in the definition of the class to which he/she is assigned for a full work week of four 10-hour days, five 8-hour days, or equivalent, within a fifteen-calendar-day period, he/she shall be compensated as follows:

1. If the work assignment is to be to a position in an existing class, the work assignment shall be processed as a limited-term assignment or provisional assignment under the provisions of Rule 7.4 or 7.2, upon the approval of the Personnel Director.

C. Requests for differential pay for working out of class shall be submitted to the Personnel director. The request must contain a list of the newly-assigned duties and must be approved by the supervisor and department head. Requests submitted by the immediate supervisor shall be made no later than five (5) working days after the start of the assignment. If, after consultation with his/her immediate supervisor, the employee feels that he/she has been assigned duties which are at a higher level for a substantial part of his/her assignment, the employee shall notify the Personnel Director, in writing, no later than five (5) working days after the start of the assignment. Any request submitted after the timelines listed above and approved for differential pay shall take effect only from the date of receipt in the Personnel Commission Office. Differential pay for working out of class shall be limited to 90 working days in one fiscal year for an employee.

D. The Personnel Director shall conduct a review of the newly-assigned duties and shall determine whether the duties are at a higher level. He/she shall prepare a report of the findings which shall include the recommended pay differential, if any.

E. The findings and recommendations shall be presented to the Personnel Commission for approval at the next meeting.

Because no eligibility list exists for this position, this would be processed as a provisional assignment in accordance with Merit Rule 7.2.

Rule 7.2 PROVISIONAL APPOINTMENT (Education Code Sections 88106-88108)

RULE 7.2.1 GENERAL PROVISIONS

A. The appointing authority may make a provisional appointment only when the Personnel Director certifies that:

1. No eligibility list exists for the class ...

RULE 7.2.2 QUALIFICATIONS OF PROVISIONAL APPOINTEES

A. Insofar as possible, provisional appointees shall be required to meet the qualifications for the class of the appointment as stated in the class descriptions. The determination of the appropriateness of qualifications shall be made by the Personnel Director prior to appointment.

CHAPTER 13: SENIORITY, LAYOFF, DISPLACEMENT AND REEMPLOYMENT

Rule 13.1 SENIORITY PROVISIONS (Education Code Section 88127)
RULE 13.1.1 SENIORITY DEFINED
A. Seniority shall be defined as the length of time which a permanent classified employee has served in his/her class plus higher related classes.

RULE 13.1.2 COMPUTATION OF SENIORITY
A. Computation of seniority in the class shall include hours in paid status up to a maximum of 40 hours per week.
B. Computation of seniority shall not include:
   1. Hours served or compensated for in a limited-term (substitute or temporary) or provisional assignment prior to entering into the classified service as a probationary employee.

RULE 13.1.3 GENERAL PROVISIONS
D. When an employee is reclassified with his/her position to an already existing class, seniority shall be computed from the effective date the position is reclassified.
E. When an employee is transferred from one class to another, seniority in the new class shall begin on the effective date of the transfer.

Definition of Working Out of Class

The Personnel Commission in past practice defines an employee as working out of classification when two threshold criteria have been met: (1) The newly assigned duties being performed by the employee comprise 80% of what he or she has been assigned to do; and (2) The duties are being performed on a full-time basis.

However, the agreement between the District and Classified Service ratified August 1, 2005 in Article 11173 notes that there are two thresholds by which working out of class compensation will be paid.

(1) In the event that an employee is assigned duties at a higher classification ... and those duties make up at least fifty percent (50%) of the employee’s daily assignments, the employee salary shall be adjusted as set forth in Section 11.4.1 (e.g., he/she shall receive the next higher dollar amount above his/her present rate of pay, but not less than the minimum of the new salary range. If that amount is less than a one-step (5%) increase, the employee shall be placed at the next higher step over that authorized above.

(2) If those duties make up less than fifty percent (50%) of the employee’s daily assignment, the District shall pay the employee equal to one-half (1/2) of the stipend that would have been paid under subdivision (a) above.

Merit System Rule 3.2.9 (B) states that when an employee performs work outside his or her current classification for a full work week of four 10-hour days or five 8-hour days, or equivalent within a fifteen calendar day period, the employee is working out of class and must be compensated accordingly.

The Merit System Rule defines Working Out of Classification as the performance of duties that can be defined by a classification other than the one in which the incumbent’s current position resides, on a full-time basis for a full work week of four 10-hour days or five 8-hour days, or equivalent, within a fifteen calendar day period.
Conclusion and Recommendation

The submission of an application form and supplemental information provided by the employee and the supervisor meets the minimum qualifications and he has substantially performed some of the same or similar duties in his current employment. Therefore, I recommend that Mr. Bonvenuto should be offered sixty-five percent (65%) working out of class duties as announced by the department and applied for by Mr. Bonvenuto per the department’s stipulation.

DISPOSITION BY THE COMMISSION:  Motion to approve item as presented.

Motion made by:  Dolores Press  Seconded by:  Joseph Metoyer

Ayes: 3  Nays:  Abstain:  Absent:

Amendments/Comments:

COMMENTS BY COMMISSIONER DOLORES PRESS:

I received a letter from CSEA dated August 18, signed by Bernie Rosenloecher, that discusses the proposed revision of Merit Rule 6.3.8, and I want everyone to know that I’m carefully considering the points that were made.

VII.  NOTE: THE NEXT REGULAR PERSONNEL COMMISSION MEETING IS SCHEDULED FOR 12:00 P.M. (NOON), WEDNESDAY, SEPTEMBER 20, 2006 IN BUSINESS BUILDING, ROOM 111.

VIII.  ADJOURN REGULAR MEETING TO CLOSED SESSION

No action by the Commission is anticipated.

DISPOSITION BY THE COMMISSION:  Motion to adjourn Regular Meeting to Closed Session

Motion made by:  Joseph Metoyer  Seconded by:  Dolores Press

Ayes: 3  Nays:  Abstain:  Absent:

Amendments/Comments:

Adjourned: _____p.m.
DISPOSITION BY THE COMMISSION: Motion to reconvene to Regular Meeting

Motion made by: Joseph Metoyer Seconded by: Dolores Press

Ayes: 3 Nays: Abstain: Absent:

Amendments/Comments: No action was taken in closed session.

VII. ADJOURN REGULAR MEETING

DISPOSITION BY THE COMMISSION: Motion to adjourn the Regular Meeting

Motion made by: Joseph Metoyer Seconded by: Dolores Press

Ayes: 3 Nays: Abstain: Absent:

Amendments/Comments:

Adjourned: 12:55 p.m.

Submitted By: Date:
Sue Tsuda, Acting Director of Classified Personnel & Secretary to the Personnel Commission

The Santa Monica College Personnel Commission does not discriminate against individuals or groups on the basis of disability in the admission or access to, or treatment in, its public meetings, programs, or activities. Requests for assistance or accommodation can be arranged by contacting the Personnel Commission Office in writing to the address below or via phone to (310) 434-4410 or fax to (310) 434-4612 with a minimum 72-hour advance notice.

SANTA MONICA COLLEGE
Personnel Commission
Attn: Sue Tsuda, Acting Director of Classified Personnel
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Santa Monica, CA 90405