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 12:08 P.M.
   B. Roll Call

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

II. REPORT—DIRECTOR OF CLASSIFIED PERSONNEL

   Acting Director Sue Tsuda: I have no unusual business to report today.

III. COMMENTS AND INFORMATIONAL REPORTS

   A. Recognition of Employees – September 2006

      20 Years
      Marni L. Washington, Admin. Assist. III, Academic Affairs
      Saundra Fay Willis, Tutoring Coord-Science, Learning Resource Ctr

      15 Years
10 Years
Jose Luis Martin, Warehouse Deliv. Clerk, Receiving

5 Years
Joel J. Armenta, Bldg. Repair Worker, Maintenance
Timothy C. Brown, Van Driver, Transportation
Pamela C. Carter, Custodian, Operations
Edgar J. Casborn, Custodian, Operations
Bharose Dindial, Parking Security Officer, Campus Police
James A. Harris, Custodian, Operations
Allyn A. Hawes, Skilled Maintenance Worker, Maintenance
Ashward E. Henry, Parking Security Officer, Campus Police
Linda F. Hernandez, Parking Security Officer, Campus Police
Oswaldo Lopez, Custodian, Operations
Edgar L. Montgomery, Instructional Asst. – English, English
Aurora Sealana, Library Assistant III, Library
Audrey E. Steele, Parking Security Officer, Campus Police
Idalia Villegas, Parking Security Officer, Campus Police

B. Comments from District Personnel Officer.  None.

C. Comments from Classified Senate Representative.  None.

D. Comments from CSEA Chapter 36 Representative.

   Leroy Lauer, CSEA Chapter 1st V.P.: Chapter opposes ratification of limited term positions in general.

E. Comments from Management Association President.

   Mona Martin, President-Elect : August recognition of classified employee went to Maria Bonin in the Counseling Department. September recognition, two employees, Warren Cancilla and Cecil Goldbold from Reprographics.

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

AGENDA ITEMS | PAGE
---|---
1 Ratification of Eligibility List | 3
2 Ratification of Limited-Term Positions | 4
3 Advisory of Limited-Term Appointments | 9
4 Approval of Exam Schedule | 12
5 Approval of Hiring of Personnel Commission Staff | 13
6 Approval of Provisional Appointment to Working Out of Class – Ahn Le, Accountant | 15
7 Approval of Provisional Appointment to Working Out of Class – Wendy Liu, System Administrator | 22
8 Transfer Request – Veronica Romo | 28
9 Removal of Moratorium on Classifications and Reclassifications | 32
10 Approval of Extension of Provisional Appointment to Working Out of Class Assignments | 33

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. Promotion of Community College Police Officer Trainee**

<table>
<thead>
<tr>
<th>Class Title</th>
<th>Field of Competition</th>
<th># On List Prom/Total</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Community College Police Officer</td>
<td>Open Competitive</td>
<td>4/4</td>
<td>3/21/07</td>
</tr>
</tbody>
</table>

*Successful completion of the Santa Monica College Police Department Field Training Program and a passing score on the End of Probation Performance Evaluation for Community College Police Officer Trainee are required to promote to the Classification of Community College Police Officer.*
DISPOSITION BY THE COMMISSION

Motion made by: Joseph Metoyer  Seconded by: Dolores Press
Ayes: 3  Nays:
Amendments/Comments: None.

AGENDA REPORT NO. 2

SUBJECT: Ratification of Limited Term Positions

The Personnel Commission is requested to ratify the classification of the following Limited Term position pursuant to Section [7.4.2(C)] of the Rules and Regulations of the Classified Service of the Santa Monica Community College District:

<table>
<thead>
<tr>
<th>Position Classification</th>
<th>Department</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accompanist-Percussion</td>
<td>Music</td>
<td>07/03/06 – 12/19/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accompanist-Voice</td>
<td>Music</td>
<td>07/01/06 – 12/21/06</td>
</tr>
<tr>
<td>(2 part-time positions)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bookstore Clerk Cashier</td>
<td>Bookstore</td>
<td>08/16/06 – 06/30/07</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bookstore Clerk Cashier</td>
<td>Bookstore</td>
<td>08/08/06 – 06/30/07</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Costume Design Technician</td>
<td>Theatre Arts</td>
<td>07/01/06 – 12/22/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Counseling Aide</td>
<td>Trio</td>
<td>08/28/06 – 12/31/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Counseling Aide</td>
<td>Title V</td>
<td>08/28/06 – 12/22/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department Secretary</td>
<td>Personnel Commission</td>
<td>08/28/06 – 12/31/06</td>
</tr>
<tr>
<td>(1 full-time position)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Reference Merit Rule 7.4.2(C):

Procedure for Establishment of Limited Term Positions
Limited term positions shall be classified by the Personnel Director subject to ratification by the Personnel Commission at their next regular meeting.

DISCUSSION:

Carl Gettleman: I’m a computing instructional specialist, with the college for 15 years. We would like to talk to the Commission about the limited term employees and the revolving door that the District seems to now have established as a practice here at the college, and express the way we think things could go better, an improvement to this process. It’s our basic contention that the District has always been negotiating with CSEA in terms of filling positions, that there should be a collegial and collaborative relationship between the District and classified employees. The way the District is going at this point, expanding its campus out here, outsourcing as much as possible, sub-contracting as much as possible, relying on limited term employees as much as possible – I believe, and I think most classified believe, and I think most students, if they understood the situation would also see, that this is deleterious to post-secondary education. The whole theory and the whole idea of having a community college it to have a work force that has continuity and experience doing what they’re doing over the long term. That allows you to lower your managerial overhead, it allows the college to function, and I think it’s the basic concept of civil service altogether – the idea that there is a tradeoff in civil service; that you forego the kinds of money and prestige that you may get in private sector, and you work in public service in return for continuity in your job, in return for pension and benefits. I think this is the bargain that the public wants to make when they have a community college. The whole theory of this place is that we are going to take young people primarily from the Los Angeles area, and we’ve expanded from taking them all over the planet, and we’re going to give them an opportunity that they perhaps didn’t get when they were coming up in their early education, because public education has been largely failing to even provide the minimal literacy and numeracy and other skill sets that people need to enter the work
force. So we provide this enormously important service of giving these young people a chance to get a good education. To do that you need faculty that's accessible, that work here full-time with office hours so people can ask them questions; you need a great deal of instructional support, which has primarily been a function of classified staff, you need many other things. But what you mainly need is a functioning, harmonious environment for them to come to work. It’s my contention, and when the last accreditation evaluation report came out, we wrote an addendum, which I’d be more than happy to give to the Personnel Commission, which was “Does the Community College System Need Classified Staff?”

If you take the logical extension of where the District is going at this point, the only people who would work at Santa Monica College would be managers. Everybody else would be adjunct faculty. I’ve heard this many times from senior staff and former interim president Donner, that he didn’t believe that he should be paying the kinds of salaries that he pays out to tenured faculty when he can get people on an hourly basis to teach these classes. And he doesn’t believe he should be paying out classified staff the kinds of salaries and benefits that he’s paying out when he can get this labor more cheaply elsewhere and out-source it or limited term employees. This has an enormous negative impact on the student body at the college. People who are not fundamentally employed by this organization but are employed by other organizations or virtually self-employed and working here as basically a subcontractor, be it adjunct faculty, consulting, or whatnot, their primary affiliation and goal is not necessarily the good of Santa Monica College; it’s the good of retaining their continued employment. And they may be employed at other organizations as well. When you retain a great deal of subcontractors and whatnot, you really don’t know what the background checks are of these people, their suitability to even be working in an organization. You want people in your own house. I don’t believe that it serves the purpose of this organization well to have an organization that simply is managers, with everybody else basically being limited term employee or some of subcontractor, consultant, not affiliated, whose primary loyalty is not to this organization. I think we’re going down a path that hides the true cost of education, and frees that money up for things that we don’t know about, how it’s being used or how appropriate it is. I also want to point out that the classified staff at Santa Monica College is the only group that has ever called for line item or forensic audit of the budget to gauge not whether the revenues that have come into the college match the expenses that are paid out, but the appropriateness of that spending to the mission of the college, where you try to gauge that. We called for that a number of years ago when we were having the difficulties during the last budget crisis with Dr. Robertson at the helm of the college. We also called for a structural study of the college to see if the structural organization chart, which has not been updated, incidentally, for years and no longer reflects the actual structure if you go on the web site – but to see if that was appropriate and the best way that the college could be managed in the most cost efficient way. Classified staff called for that – we asked the Board for that.

I feel like these bad practices – this Personnel Commission, which is a voluntary organization, people who volunteer, and we appreciate that, as union representatives because we’re also volunteers; our work for the union is not compensated – so we value having a Personnel Commission here, and we’ve fought very hard to retain a
Personnel Commission here. And we feel the District has unfairly characterized you as being obstructionist in the hiring process, which we don't feel is really your fault but because the District has not been terribly cooperative with the idea of keeping a merit system at this college. This merit system has served this school for nearly 70 years. It became an institution of pursuing higher education of the highest acclaim of almost any community college in the work, under a merit system, and there is no reason for the District or managers to be questioning that system and its appropriateness at Santa Monica College.

So the basic thrust of this is that we feel the best way this college could be is if the real cost of education is factored in by giving classified staff jobs that are basically permanent and those tasks that are intermittent or would be better handled by subcontractors, like HazMat or other things where you really wouldn't want somebody in-house doing that – I don't think there would be objections from the union to out-source or using limited term employees, in their place, in an appropriate fashion, as negotiated between the District and CSEA.

So thank you for your time.

Dolores Press: I just have one question, and it has to do with your last statement. Have the issues, as you have enumerated them here before us today, been raised in negotiations past? And, if so, what was the result of that conversation?

Carl Gettleman: I'm really not in a position – I'm not on the negotiating team. I don't know what happens specifically in negotiations. Generally I know that our negotiations have pretty much revolved around the people who are in the union and the contractual issues they have had. I don't know. We have not really had a lot of protests – most of our negotiations have been very difficult, drawn out and acrimonious and, consequently because they've gone on as long as they have -- the last round was three years for us, I believe over two years for the faculty – what generally happens is retroactivity of pay and other benefits becomes a bargaining chip and these things tend to get lost in the shuffle. The ones who would know that are members of the negotiating team who actually know what went on in those sessions. We only know what's presented to us by the negotiating team in general session.

Dolores Press: I'm just trying to investigate whether he's coming to us with this issue today because of ... I'm just wondering if that has been raised already in the past with the Board as an issue.

Karen Bancroft: [Intermittent microphone pickup – unintelligible]

Joseph Metoyer: I think you stated it well, Karen. If we allow ... if we were not to take action and approve this ratification of limited term positions, we would become the “chock in the wheel” the cog that stops the college from moving forward and operating normally. However, at such a time, I believe the union would come to an agreement with Dr. Tsang and the college, and this becomes then an issue that we could go on
and we could take such action. But I think we would be used as a pawn in a game of what negotiations in all about.

****

Carl Gettlemen: Is there any place in the Merit Rules where ...

Sue Tsuda: If you come and talk to me, Carl, I’ll show you where it is.

****

Lee Peterson: What I wanted to clarify is – some of these limited term employees are actually regular employees of the college, employed 11 months of the year. They’re basically being called back to work 4 days early to handle the beginning of the Fall Semester. Specifically, the parking security

***

What I realized is, we might be misclassifying them, and it turns out we’ve been historically misclassifying them as limited term employees. It turns out that on page 136 of the Merit Rules, Rule 7.3.4, titled Summer Session Assignment, it says, “Assignments at times other than the regular academic year September through June shall be offered to regular employees of the District. Appointments shall be made on the basis of seniority among all employees of the class.” I skipped a couple of parenthesized sections for clarity there. One constructive way for the Commission to get a better handle on what the District is claiming is limited term work that’s not going to be continuing would be to take the regular employees who are being employed at irregular times, like summer, and put them on a different agenda report item under Merit Rule 7.3.4. Then this listing of Limited Term Employees would be much shorter, and it would only be the ones that the District is claiming are only needed for a “special project.” One of the more common special projects is when we have a deaf student and we have to hire an extra hearing interpreter. That, obviously, is a legitimate use of the limited term employees. For example, you’ll see a lot of Admission & Records Clerks, and anyone who claims that Admission & Records work lasts less than 6 months of the academic year and then terminates as if the project is no longer going on, is obviously not telling the truth. I’m just suggesting that we use Merit Rule 7.3.4 in future for summer session assignments to segregate them out.

Also, I do know some of the negotiations history. CSEA receives a quarterly report listing limited term employees when the union asks for it. The District is supposed to provide it, by contract, but we basically always have to file an informal grievance process in order to get the quarterly report. It tells us what the start date and the end date are, and the District puts all limited term employees in as, essentially, 6-month employees. You’ll see Reg. Clerks Jan 1 – June 30, and then a new batch of Reg. Clerks July 1 – Dec. 31. So you can see how the game works.

***

A lot of these employees are current employees represented by our bargaining unit who have been given extra days, I want them to get paid, so I believe that section needs to get approved.
DISPOSITION BY THE COMMISSION

Motion made by: Joseph Metoyer  Seconded by: Dolores Press
Ayes: 3  Nays:

Amendments/Comments: Dolores Press: I will second the motion, but I'm concerned about the issues.

AGENDA REPORT NO. 3

SUBJECT: Advisory Item - Appointments to Limited Term Positions

The Personnel Commission is advised that the following persons have been appointed to the following limited term positions from currently certified eligibility lists pursuant to Section [7.4.3(A)] of the Rules and Regulations of the Classified Service of the Santa Monica Community College District:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Position</th>
<th>Department</th>
<th>Duration</th>
<th>Elig. List Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christopher Luthi</td>
<td>Accompanist-Percussion</td>
<td>Music</td>
<td>07/03/06 – 12/19/06</td>
<td>08/21/02</td>
</tr>
<tr>
<td>Robert Remstein</td>
<td>Accompanist-Voice</td>
<td>Music</td>
<td>07/01/06 – 12/21/06</td>
<td>08/21/02</td>
</tr>
<tr>
<td>Thomas Gerhold</td>
<td>Accompanist-Voice</td>
<td>Music</td>
<td>07/01/06 – 12/21/06</td>
<td>08/08/01</td>
</tr>
<tr>
<td>Jackie Preston</td>
<td>Bookstore Clerk Cashier</td>
<td>Bookstore</td>
<td>08/16/06 – 06/30/07</td>
<td>03/25/98</td>
</tr>
<tr>
<td>Leonid Libman</td>
<td>Bookstore Clerk Cashier</td>
<td>Bookstore</td>
<td>08/08/06 – 06/30/07</td>
<td>06/12/00</td>
</tr>
<tr>
<td>Donna Fontana</td>
<td>Costume Design Technician</td>
<td>Theatre Arts</td>
<td>07/01/06 – 12/22/06</td>
<td>Retiree</td>
</tr>
<tr>
<td>Sheila Bedworth</td>
<td>Counseling Aide</td>
<td>Trio</td>
<td>08/28/06 – 12/31/06</td>
<td>01/18/05</td>
</tr>
<tr>
<td>Veronica Gutierrez</td>
<td>Counseling Aide</td>
<td>Title V</td>
<td>08/28/06 – 12/22/06</td>
<td>03/14/01</td>
</tr>
<tr>
<td>Karen Baker</td>
<td>Department Secretary II</td>
<td>Personnel Commission</td>
<td>08/28/06 – 12/31/06</td>
<td>04/19/06</td>
</tr>
<tr>
<td>Ed Mangus</td>
<td>Lab Asst-Photography</td>
<td>Community Service</td>
<td>07/01/06 – 12/19/06</td>
<td>10/16/96</td>
</tr>
<tr>
<td>Ashward Henry</td>
<td>Parking Security Officer</td>
<td>Campus Police</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Audrey Steele</td>
<td>Parking Security Officer</td>
<td>Campus Police</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Bharose Dindial</td>
<td>Parking Security Officer</td>
<td>Campus Police</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
</tbody>
</table>
AGENDA REPORT NO. 3 (cont.)

SUBJECT: Advisory Item - Appointments to Limited Term Positions

The Personnel Commission is advised that the following persons have been appointed to the following limited term positions from currently certified eligibility lists pursuant to Section [7.4.3(A)] of the Rules and Regulations of the Classified Service of the Santa Monica Community College District:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>Position</th>
<th>Department</th>
<th>Duration</th>
<th>Elig. List Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael Burgueno</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Morris Griffiths</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Raymond Glaser</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Robert Negron</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Roland Valdez</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Roy Osterhout</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Shirstan Pekerol</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Steve Blom</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
<tr>
<td>Thomas Adshade</td>
<td>Parking Officer</td>
<td>Security</td>
<td>08/28/06 – 08/31/06</td>
<td>11-month employee</td>
</tr>
</tbody>
</table>
Wayne Burrel  Parking Officer  Security  Campus Police  08/28/06 – 08/31/06
11-month employee

William Kagan  Parking Officer  Security  Campus Police  08/28/06 – 08/31/06
11-month employee

Jesse Jackson  Registration Info. Clerk  Admission Records &  07/03/06 – 12/29/06
08/18/05

Merit Rule 7.4.3  ELIGIBILITY FOR APPOINTMENT

A. Limited term appointments shall be made from eligibility lists and employment lists in accordance with procedures for regular appointments.

Note: Agenda Item No. 3 is “Advisory” only. No action was taken by the Commission.

Karen Bancroft: Staff suggests 3 motions.

The first is to amend Agenda Report No. 4 to add Assessment Specialist to the Examination Schedule.

And another (second) addition is the subject of added Staff Report No. 10, extension of Working Out of Class for Josh Casillas.

The third item is to add a matter to the closed session agenda regarding an appeal from a disciplinary action.

DISPOSITION BY THE COMMISSION

Motion to approve amending the agenda to add the necessary items to Agenda Report No. 4 and also add Agenda Report No. 10, and add the matter to the Closed Session Agenda.

Motion made by: Joseph Metoyer  Seconded by: Dolores Press

Ayes: 3  Nays:

Amendments/Comments: Dolores Press: Add word “emergency” to motion.
AGENDA REPORT NO. 4

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>Systems Administrator</td>
<td>Promotional and Open Competitive</td>
<td>3 weeks</td>
</tr>
<tr>
<td>Pipe Fitter – Sprinkler Systems</td>
<td>Promotional and Open Competitive</td>
<td>4 weeks</td>
</tr>
<tr>
<td>Lead Custodian</td>
<td>Promotional</td>
<td>3 weeks</td>
</tr>
<tr>
<td>Financial Aide Technician</td>
<td>Promotional and Open Competitive</td>
<td>3 weeks</td>
</tr>
<tr>
<td>Financial Aide Customer Service Clerk</td>
<td>Promotional and Open Competitive</td>
<td>3 weeks</td>
</tr>
<tr>
<td>Cash Receipts Coordinator</td>
<td>Promotional and Open Competitive</td>
<td>3 weeks</td>
</tr>
<tr>
<td>Associate Vice President – Fiscal Services</td>
<td>Promotional and Open Competitive</td>
<td>4 weeks</td>
</tr>
<tr>
<td>Assessment Specialist</td>
<td>Promotional and Open</td>
<td>3 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, knowledges, abilities, and personal characteristics required to qualify for the class.

Comment: This examination schedule and subsequent recruitment is pending authorization by the District to fill these positions.

DISPOSITION BY THE COMMISSION

Motion made by: Dolores Press     Seconded by: Joseph Montoyer

Ayes: 3  Nays: 0

Amendments/Comments:
AGENDA REPORT NO. 5

SUBJECT: Approval of Hiring of Personnel Commission Staff

It is recommended that the Personnel Commission welcome and approve the hiring of the following permanent Personnel Commission staff members:

Permanent

<table>
<thead>
<tr>
<th>Name</th>
<th>Class Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michelle Bowen</td>
<td>Personnel Specialist</td>
<td>September 25, 2006</td>
</tr>
</tbody>
</table>

Provisional

<table>
<thead>
<tr>
<th>Name</th>
<th>Class Title</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donna Peter</td>
<td>Director of Classified Personnel</td>
<td>September 5, 2006</td>
</tr>
</tbody>
</table>

1 MERIT RULE 2.3.1 AND EDUCATION CODE 88084: Under the provisions of Merit Rules 2.3.1, the Personnel Director and other persons required to carry out the responsibilities of the Commission shall be appointed by and be responsible to the Personnel Commission. However, they shall be considered part of the classified service, and the rules, procedures, benefits, and burdens pertinent to the classified service of the Santa Monica Community College District shall apply to Commission employees. Education Code 88084 provides that “....the Commission shall appoint all employees paid from funds budgeted for support of the Commission and shall supervise the activities of these employees that are performed as part of the functions of the Commission...”
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.

DISPOSITION BY THE COMMISSION:

Motion made by: Joseph Montoyer Seconded by: Dolores Press

Ayes: 3 Nays:

Abstain:

Amendments/Comments: Dolores Press: Hooray! Particular thanks to Michelle Bowen, who has returned to the fold where she belongs, and is a wonderful employee and made a great sacrifice. She had a wonderful job offer that she turned down to return to us. That is very special.
AGENDA REPORT NO. 6

SUBJECT: Approval of Provisional Appointment 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>Ahn Le</td>
<td>Accountant</td>
<td>August 28 – November 28, 2006</td>
</tr>
</tbody>
</table>

Santa Monica Community College District
Personnel Commission

Working Out of Classification
Audit Report

Employee: Ahn Le
Current Class: Accounting Specialist II
Requested Class: Accountant
Location: Fiscal Services
Supervisor / Title: Christopher Bonvenuto
Acting Associate Vice President, Fiscal Services

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 Accountant 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 Accountant position reports to the Acting Associate Vice President, Fiscal Services. The Acting Associate Vice President, Fiscal Services reports to the Executive Vice President who reports to the Superintendent/President. Both the Acting Associate Vice President, Fiscal Services and the Executive Vice 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 accounting class specification are:

**Definition:**
Under general supervision, performs professional accounting duties involved in maintaining and auditing accounting records, performing reconciliations, reviewing and preparing transactions, initiating reports and assisting with the year end budget closing; and performs other related duties as required.

**Examples of duties:**
1. Performs a wide range of professional-level accounting, financial analysis, and auditing work involving the District’s primary and auxiliary accounting systems.
2. Analyzes, prepares and implements financial controls and reporting procedures involving budgeting, allocating, receiving, disbursing, accounting and reporting of funds;
3. Prepares regular and special financial and statistical analyses, reports, statements and summaries involving District and special project funds;
4. Analyses accounting and reporting requirements of State, Federal and privately funded programs and establishes appropriate monitoring procedures and accounting methods; analyzes and monitors changes to programs in conformance with budget and fiscal guidelines;
5. Prepares journal vouchers and makes adjustments and closing entries; reviews trial balances and prepares statements and reports; reconciles open accounts receivable with the general ledger on a periodic basis; and reviews and audits disbursements and payroll deductions;
6. Screens, evaluates, and corrects the coding of financial instruments such as payroll documents, contract documents, and purchasing documents for account distribution according to fund, object, program and organizational unit; advises program/project managers as to recordkeeping requirements;
7. Maintains accounting controls over documents processed by Los Angeles County PBAS and HR Systems data processing, verifies the accuracy of output documents, and resolves discrepancies, assists in the processing of budget input documents.
8. Compiles, reviews, audits and maintains a variety of financial and accounting records for various State and Federal government funds accounts;
9. Reconciles Payroll Clearance Fund for the correct payment of deductions and contributions to appropriate agencies and firms; records and prepares reports of District and Associated Student Body investments;

10. Provides technical information and assistance to District personnel regarding financial, accounting and statistical recordkeeping procedures, assists District personnel in resolving discrepancies in departmental accounts; analyzes charges to programs for conformance with budget, fiscal and program guidelines.

11. Participates in year-end closing activities by working with State, County, and District administrators and auditors in the preparation of the annual year-end audit; completes and files reports and claims with funding agencies; prepares financial statements as necessary; and performs other related duties as required;

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

Possession of a Bachelors degree with a major in accounting, business administration, economics, finance, public administration, or a closely related field, including completion of 24 semester units of accounting coursework or a valid license to practice as a Certified Public Accountant and two years of experience performing professional level accounting work.

or

Possession of an Associate of Arts Degree with a major in accounting, business administration, economics or a closely related field, including completion of 24 units of accounting and four years of experience performing a full range of technical accounting duties in the class of Accounting Specialist I and Accounting Specialist II.

**Review of the application materials submitted for consideration and findings:**

Upon review of the application materials provided by Ahn Le, she notes that she has worked as a Accounting Specialist II for one year at Santa Monica College, and as a Accounting Assistant and Accounting Clerk for an outside agency for more than five years prior to employment at SMC. She notes that she has experience while working as an Accounting Specialist for Santa Monica College doing accounting and auditing duties related to health and welfare benefits and payroll. She also has reconciled financial reports related to payroll and salary matters and has worked on the budget process. In her previous positions with outside agencies, she did accounting for payroll, inventory and benefits and has worked in accounts payable and receivable.

She exhibits evidence that she has work experience involved with a significant portion of the job content and her education includes graduation with an AA degree in Business
from Los Angeles Community College and a BS in Accounting from California State University, Los Angeles.

Ms. Le possesses the work experience in the areas noted above and in the class specifications and qualifies to perform 100% of the duties assigned to the Accountant position as required by Merit Rule 7.2.2.A. The Personnel Department staff is recruiting for this position and there is no current eligibility list.

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 as 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 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 including:

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 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 sub division 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 positions 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:

As Ms. Le qualifies for a full appointment to the Accounting position according to Merit Rule 7.2.2.A. above, and given that the department requests that employees who were requested to apply for working out-of-class to perform all of the work included in the position for more than five (5) working days within a fifteen-calendar day period, I would approve working out-of-class for 100% of the Accountant daily assignment as the daily work performed can be compensated as such under CSEA’s MOU for working out-of-class.

The submission of an application form and supplemental information provided by the employee and the supervisor, and as discussed with Christopher Bonvenuto indicate that Ahn Le meets the minimum qualifications and has substantially performed some of
the same or similar duties in her current employment. Therefore, Ms. Le should be offered 100% (one hundred percent) working out-of-class duties as announced by the department and applied for by Ms. Le per the department's stipulation.

DISPOSITION BY THE COMMISSION

Motion made by: **Dolores Press**  
Seconded by: **Joseph Metoyer**

Ayes: 3  
Nays: 

Absent:

Amendments/Comments: **Dolores Press**: Sue Tsuda did a particularly good job of preparing the report, including citing the CSEA MOU provision, which is appreciated.
AGENDA REPORT NO. 7

SUBJECT: Approval of Provisional Appointment 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>Wendy Liu</td>
<td>Systems Administrator</td>
<td>September 1 - November 30, 2006</td>
</tr>
</tbody>
</table>

Working Out of Classification Audit Report

Employee: Wendy Liu

Current Class: Database Analyst

Requested Class: System Administrator

Location: Mgmt. Information Systems

Supervisor / Title: Frank Woo

Dean, Information 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 Systems Administrator in the Information Technology 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 Systems Administrator position reports to the Director of Management Information Systems (MIS). The Director of MIS reports to the Dean, Information Technology. The Dean, Information Technology, reports to the Executive Vice President who reports to the Superintendent/President. The Director of MIS, the Dean, Information Technology and the Executive Vice 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 Information Technology class specification are:

**Definition:**
Under general direction, defines information systems requirements: develops procedural and operational improvements; administers database and application computer systems; designs and develops system programs as needed; works with networks specialist to resolve systems integration issues; meets with management and personnel to determine feasibility of proposed systems or problem characteristics; plans and performs analysis of information systems and provides technical, procedural and analytical assistance in identifying and solving problems related to systems administration and in the development of new systems; performs troubleshooting to determine problems with database systems and application software; performs other duties related to systems administration as required.

**Examples of duties:**
Performs operating systems administration that involves maintenance and improvement of systems operation and performance, including system installation, configuration, upgrade, customization, and patching of enterprise mission-critical systems and services;

- Performs systems administration that involves maintenance and improvement of systems operation and performance, including database system installation, configuration, upgrade, customization, and patching of enterprise mission-critical systems and services;

- Performs application server administration tasks, including the configuration, support, and maintenance of internet application server infrastructures, and systems management;

- Ensures system security and integrity, including various levels of systems and applications administration and management of user groups and accounts;

- Develops, implements, and maintains system backup/recovery plans, security standards, and administration tasks for database and application servers;

- Provides problem analysis support to diagnose and remedy problems in operating procedures, system software, network, and application programs;

- Monitors and tunes system service performance utilizing scripts and vendor tools;

- Evaluates present system capacity against projected future needs; plans and recommends system solutions and improvements;

- Analyzes, develops, and codes server and operational systems services related programs and scripts.
Training and Experience:

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

A Bachelor’s Degree in Computer Science or closely related field from an accredited university or college and three years of recent experience in systems and network administration in a complex, large-scale, high availability client/server computing environment. Experience working in a multi-tiers internet/intranet computing environment or Oracle 7 database server environment is desirable.

Review of the application materials submitted for consideration and findings:

Upon review of the application materials provided by Wendy Liu, she notes that she has worked as a Database Analyst for six years and as a Programmer Analyst I for 2 years at Santa Monica College. She has experience while working as a Database Analyst analyzing, designing, implementing and maintaining databases for Santa Monica College. She also has ensured database integration and environment security structures. As a Programmer Analyst I she designed application programs, analyzed and implemented application modules and maintained, enhanced and modified existing applications, answered user calls and provided troubleshooting.

She exhibits evidence that she has work experience involved with a significant portion of the job content and her education includes graduation with a B.A. degree in German from Tongji University in Shanghai, China and M.S. degree in Information Science and M.A. in German from the University of Pittsburgh.

Ms. Liu possesses the work experience in the areas noted above and in the class specifications and qualifies to perform 100% of the duties assigned to the Systems Administrator position as required by Merit Rule 7.2.2.A. The Personnel Department staff is recruiting for this position and there is no current eligibility list.

According to CSEA MOU

Article 11.7.3 - Compensation (for working out of class)

c. 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 as set forth in Section 11.4.1.

d. 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 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 including:

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.

(3) 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.
(4) 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 positions 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:**

As Ms. Liu qualifies for a full appointment to the Systems Administrator position according to Merit Rule 7.2.2.A. above, and given that the department requests that employees who were requested to apply for working out-of-class to perform all of the work included in the position for more than five (5) working days within a fifteen-calendar day period, I would approve working out-of-class for 100% of the Systems Administrator daily assignment as the daily work performed can be compensated as such under CSEA’s MOU for working out-of-class.

The submission of an application form and supplemental information provided by the employee and the supervisor, and as discussed with Jocelyn Chong indicate that Wendy Liu meets the minimum qualifications and has substantially performed some of the same or similar duties in her current employment. Therefore, Ms. Liu should be offered 100% (one hundred percent) working out-of-class duties from September 1 as announced by the department and applied for by Ms. Liu per the department’s stipulation.

**DISPOSITION BY THE COMMISSION**

Motion made by: **Joseph Metoyer**  
Seconded by: **Dolores Press**

Ayes: 3  
Nays:

Absent:

Amendments/Comments: **Joseph Metoyer**: Noted the corrections of Supervisor to Frank Woo and Location to Mgt. Information Systems.
Transfer Request Report No. 8

Santa Monica Community College District
Personnel Commission

Employee: Veronica Romo

Current Class: Cash Receipts Clerk  Requested Class: Financial Aid Customer Svc. Clerk
Location: Financial Aid  Supervisor / Title: Steve Myrow Dir., Financial Aid

Topic:

This request is unusual in that the employee wishes to transfer from a Cash Receipts Clerk to a lower class as a Financial Aid Customer Service Clerk. Ms. Romo is aware the position is a lower class that the one she currently holds, but feels it would be a personal advantage as she is currently an 11 month part-time employee without benefits. The Financial Aid Customer Service Clerk is a 12 month, full-time position. An audit of the job has been conducted to determine if the transfer can be made.

Background:

Ms. Romo has applied for a vacant position as Financial Aid Customer Service Clerk. At the Personnel Commission meeting of August 30 staff submitted a recruitment schedule that included the Financial Aid position. We have also a person in the department who is currently working out of class and initiated a recruitment bulletin to fill that position on Aug. 9. We have not yet initiated the recruitment for the second position and so, have no current eligibility list.

This position reports to the Financial Aid Director who reports to the Dean of Enrollment Services who reports to the Vice-President of Student Affairs who reports to the Executive Vice President who reports to the Superintendent President.

Research and Findings:

The employee is currently classified as a Cash Receipts Clerk at range 24. The Financial Aid Customer Service Clerk position is at range 20. The salary of range 20 is from $2,586 to $3,144 and range 24 is from $2,851 to $3,466.
Merit Rule 9.5.5 relates to Transfer Procedure (Non-Fiscal Crisis) as follows:

A. Transfer opportunities in vacant positions during periods of non-fiscal crisis, which shall be defined as periods when no layoffs are pending as the result of the passage of a Resolution for Layoff by the Board of Trustees shall be announced to employees by a written bulletin which shall be distributed and posted for ten working days at work locations pursuant to the negotiated agreement between the District and CSEA.

B. A permanent employee may request a transfer by submitting a transfer request to the Personnel Director. A permanent employee may request to be notified of transfer opportunities, which occur during his/her non-work recess or leave period(s) by submitting a written request to the Personnel Director. Notification shall be sent by U.S. mail to the last mailing address listed for the employee in the Personnel Commission Office.

C. The Personnel Director shall certify the names of qualified position transfer applicants to the department supervisor for interview as provided in Rule 6.3.4. The department supervisor shall consider transfer applicants based on specific skills and qualifications, and prior job performance as evidenced by the employee’s most recent job performance evaluation. A selection may be made from the transfer applicants, or the department supervisor may request certification from the appropriate eligibility list.

D. The department supervisor shall notify the Personnel Director of his/her decision within three (3) working days after completion of the interviews. An employee selected for transfer shall be released within 10 working days after the date of selection, unless otherwise agreed to by all parties. The effective date of transfer shall be communicated in writing to all parties by the Personnel Director.

E. A transfer shall not change the employee’s range and step placement on the salary schedule, salary increment date, accumulated leave and vacation credit, nor in any other manner adversely affect his/her rights, as provided in law and these Rules.

The summary of duties and minimum qualifications that are currently defined by the Financial Aid Customer Service Clerk class specification are:

Under supervision, provides quality customer service front counter assistance to financial aid students of the Financial Aid Office; assists students with financial aid applications; supports the financial aid staff by providing information to students and public; performs a variety of clerical tasks involving filing and data
entry and retrieval related to financial aid applications; and performs other related duties as required.

**Employment standards:**

Any combination of training and experience which would provide the required knowledge and abilities is qualifying. A typical way to obtain these would be: One year providing customer service in a student services or retail environment and familiarity with performing data entry and retrieval.

The submission of an application for employment and supplemental information provided by the employee indicates that Ms. Romo meets the minimum qualifications and has substantially performed the same or similar duties in her current and previous employment. There currently is no eligibility list.

**Conclusion:**

Ms. Romo has the qualifications as provided in her application and request to perform the duties of the position.

**Recommendation:**

It is recommended that the Personnel Commission approve the certification of Veronica Romo as a qualified candidate to the Financial Aid Customer Service Clerk position, Range 20 on the Classified Salary Schedule, at the appropriate step pursuant to Merit System Rule 9.5.5(E.), with an effective date of September 21, 2006.

**DISCUSSION:**

Lee Peterson: This is a very unusual request. It actually tripped something in my memory because my very first contractual grievance was about transfers, and it took for than 6 months for the grievance to be resolved. I kind of became an expert on transfers. I’m actually supporting the end result, although I think the method to get there is a little bit different. The reason I think it’s different is that a lateral transfer is proposed in Rule 9.5 as printed in your Agenda packet have to be to a similar or related class with the same salary range. We did do that recently. I believe the very arcane, correct method to get there would be using a career laddering employment list from Merit Rule 6.1.3, page 104 in the Merit Rules compilation – that would generate a career laddering employment list which takes precedence over both promotional eligibility lists and open competitive lists. I did look at the voluntary demotion language in another rule, and that doesn’t seem to apply in this case. So that was Rule 6.1.3 on page 104 of the spiral-bound book but it takes you to the same result when there is no
other eligibility or employment list that would intervene. I think there’s a better way to get there, but I support the end result.

Dolores Press: So the Merit Rules do not specifically use the term “career ladder?”

Lee Peterson: They do. We don’t use it around here very often. I actually have in my files the memo that was written by Richard Moore, the president of the college for 20 years, talking about “career laddering” when they did the layoffs in the early 1990s. I kept it in my layoff notebook when we were going through the trauma of the layoffs a couple of years ago. It’s visually very impressive. It charts every option for dealing with employees. In fact, I probably ought to send you a copy. It’s a nice Merit Rules summary on one page.

Dolores Press: Do you have any other references? Legislature? Some other body?

Lee Peterson: Yes. It’s in the Merit Rules right now. Specifically, what “career laddering” is: “All qualified persons who request an increase or decrease in hours, voluntary demotions or lateral transfer shall be placed on a career laddering list and shall be certified for interview in accordance with ...” That’s from page 104.

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**DISPOSITION BY THE COMMISSION**

Motion made by: **Joseph Metoyer** Seconded by: **Dolores Press**

Ayes: 3

Nays:

Absent:

Amendments/Comments:
AGENDA REPORT NO. 9

SUBJECT: Removal of “Moratorium” of Classifications and Reclassifications

History: On July 17, 2002, the commission approved a temporary cessation on acceptance of requests for the creation of new classifications or reclassification of existing positions or requests for reallocation of positions. Much more time has passed than originally anticipated for completion of the study. You have authorized the hiring of a consultant to help get the Hay classification study processed and adopted. In the meantime, there are people who have asked to be reclassified because they feel they are doing the job of a higher classification. Because staff was not aware of the formal nature of your action, we have submitted new classifications as they were needed to fill necessary positions. Those job descriptions have been approved and are under recruitment.

Recommendation: For these reasons, staff is recommending a resumption of acceptance of applications for new classifications and reclassifications. Reallocations really should be tied to completion of the Hay study because there needs to be a compensation plan and that cannot be done position by position. Staff is not proposing to move current employees into positions described in the new classification study, but only using the existing job descriptions which have already been approved as well as the existing compensation plan. It must be made clear also that if the department has no funding for the positions requested or if no vacancy exists, this must be reconciled through the district before the new position can become effective.

DISPOSITION BY THE COMMISSION

Motion made by: Dolores Press Seconded by: Joseph Metoyer

Ayes: 3 Nays:

Absent:

Amendments/Comments: Karen Bancroft: This is a very important item. It is the result of a meeting that the three of us had with Dr. Tsang, and when we first embarked on the Hay Study, it was supposed to take 12-18 months maximum, but as we all know, because of turnover in our director position and in staff, it’s taken much longer. Sue researched and found out that on July 17, 2002, the Commission did approve a temporary cessation on acceptance of requests for the creation of new classifications or reclassification of existing positions or requests for reallocation of positions. We have told Dr. Tsang that we definitely agree with the removal of the moratorium.

Dolores Press: I’m happy to see this on the agenda, because I think it clearly defines the powers of the Personnel Commission vis-a-vis the District.
AGENDA REPORT NO. 10

SUBJECT: Approval of Extension of Provisional Appointment to Working Out of Class Assignments

It is recommended that the Personnel Commission approve the extension of the following provisional appointments to the working out of class assignments listed below.

<table>
<thead>
<tr>
<th>Name</th>
<th>Assignment</th>
<th>Length of Assignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Josh Casillas</td>
<td>Assessment Specialist</td>
<td>Sept. 26 through Nov. 1, 2006</td>
</tr>
</tbody>
</table>

HISTORY: On May 17, 2006, the Personnel Commission approved a Working-Out-of-Class assignment for Josh Casillas to work as an Assessment Specialist in Student Services. (Please see attached staff report). For an unknown reason, that position was among those that were not on the funded position list at the beginning of the fiscal year. However, it has been restored to the eligible list of funded positions. Now it is necessary that we extend his tenure in the position and proceed quickly to fill the position before the incumbent's limited term position expires. If the Commission adds this position to the list on the Examination Schedule, we will publish the transfer bulletin tomorrow and begin the recruitment process.

This is a single class position and if Mr. Casillas is not appointed, there will be no one doing this work at the college.

RULES AND REGULATIONS OF CLASSIFIED SERVICE

7.2.1 (B -C) GENERAL PROVISIONS

B. An employee may receive one or more provisional appointments, which may accumulate to a total of 90 working days in a fiscal year, after which a 90-calendar-day interval shall elapse during which the employee shall be ineligible to serve in any full-time provisional capacity.

C. Notwithstanding the provisions of paragraphs A and B above, the Personnel Commission may extend the 90-working-day provisional appointment for a period not to exceed 36 additional working days provided:

1. An examination for the class was given during the initial 90 working days of the employee's provisional assignment.

2. Satisfactory evidence is presented indicating:
   a. Adequate recruitment effort has been, and is being made;
b. Extension of this provisional assignment is necessary to carry on vital functions of the district;

c. The position cannot satisfactorily be filled by use of the following in priority order:

   1.) the eligibility list for the class

   2.) other employment lists such as reinstatement, or transfer

   3.) other appropriate substitute eligibility lists.

3. No person shall be employed full-time in provisional capacities under a given Governing Board for a total of more than 126 working days in any one fiscal year.

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DISPOSITION BY THE COMMISSION

Motion made by: Joseph Metoyer  Seconded by: Dolores Press

Ayes: 3

Nays:

Absent:

Amendments/Comments:
VII. NOTE: THE NEXT REGULAR PERSONNEL COMMISSION MEETING IS SCHEDULED FOR 12:00 P.M. (NOON), WEDNESDAY, OCTOBER 18, 2006 IN BUSINESS BUILDING, ROOM 111.

VIII. ADJOURN REGULAR MEETING TO CLOSED SESSION

Personnel matters: Discussion of personnel issues which might lead to litigation.

No action by the Commission is anticipated.

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

Motion made by: Dolores Press  Seconded by: Joseph Metoyer

Ayes: 3  Nays:  Abstain: Absent:  

Amendments/Comments:

Adjourned: 12:35 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:
SANTA MONICA COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION MINUTES
REGULAR MEETING – September 20, 2006 – BUSINESS BLDG. 111

IX. REPORT OF ACTION TAKEN DURING CLOSED SESSION

1. Staff directed to write letter to Dr. Tsang describing proposed action on Hay Study.

   Motion made by: Joseph Metoyer    Seconded by: Dolores Press

   Ayes: 3

2. Commission appointed Mr. Michael Prihar as hearing officer in the appeal of Mark Stemock.

   Motion made by: Joseph Metoyer    Seconded by: Dolores Press

   Ayes: 3

Adjourned: 1:15 p.m.

X. 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: 0   Abstain: 0   Absent: 0

   Amendments/Comments:

   Adjourned: 1:20 p.m.

Submitted By: /S/ Sue Tsuda  Date: 09-27-06
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.