SANTA MONICA COMMUNITY COLLEGE DISTRICT
PERSONNEL COMMISSION MINUTES
REGULAR MEETING – October 25, 2006 – BUSINESS BLDG. 111

MINUTES OF MEETING OF WEDNESDAY OCTOBER 25, 2006
BUSINESS BUILDING, ROOM 111 – 12:00 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 _12:05_ 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

Sue Tsuda: I just wanted to let the audience know that the meeting today will adjourn at 1:20 p.m., and then we will go into a closed session and no reportable action is anticipated at this time. Some of the commissioners have other business to attend to today, so we will adjourn at 1:20. Also, will you pull Agenda Item 11 at the request of the District Personnel Officer.

And third, I wanted to clarify that salaries are not being considered by the Commission. That’s going to be a matter for negotiations between the union and the District. What we’re looking at today are the job descriptions and job classifications for the secretarial and clerical family. If you have a new position, say from Department Secretary II to Administrative Assistant I, you move into the AA I salary because that salary is already on that salary base. If you’re moving, for instance, from a Department Secretary to an Academic Secretary or an Administrative Secretary, that’s just a title change. The job isn’t really changing, and there will be no salary difference – neither up nor down (at least as far as the Commission is concerned). What you negotiate through the union with the District is your affair. Does that clarify some of the questions of some people?

Cmr. Karen Bancroft: It’s only the new job classifications being established that don’t currently exist, not the re-titling of a current job description, that are subject to the meet-and-confer process between the District and CSEA. The Commission has absolutely nothing to do with setting salaries for
those positions. As long as we make that clear and you aren’t looking at us for that, we’re out of it once we get the classifications.

III. COMMENTS AND INFORMATIONAL REPORTS

A. Recognition of Employee Longevity – October 2006

10 Years
E. Kevin McAllister, HVAC Specialist, Maintenance

20 Years
Suong Nguyen, Admissions & Records Coordinator, Int’l Student Ctr.

25 Years
Rickey E. Madison, Media Resource Asst. II, Instructional Computing
Phyllis E. Trager, Department Secretary I, Earth Science

30 Years
Robert Ybarra, Lead Custodian, Operations

B. Comments from District Personnel Officer.

Sherri Lee-Lewis: I just wanted to say on behalf of the District that we are very pleased at this juncture to see that the Hay study is moving forward, and we’re really looking forward to a positive outcome. In addition, our experience in the last few months working with you all, and especially with Sue and Donna, I want to say “Thank you,” and it has been a pleasure. We’ve had some good conversations and discussions and we’ve really been able to move things forward. I wanted to say that publicly on behalf of the District.

C. Comments from Classified Senate Representative. None.

D. Comments from CSEA Chapter 36 Representative.

Bernie Rosenloecher: Last Thursday at the regular chapter meeting, Chapter 36 CSEA, there was an overwhelming majority of the members present that voted to appoint Deborah Jansen as the next Personnel Commissioner, the fourth or fifth, however it might be. And I’d also like to take this opportunity, for those who have not met our new labor rep, Connie Moreno, who is present at this time. Peggy Shannon will no longer be our rep.

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)

V. COMMENTS BY PERSONNEL COMMISSIONERS.

Cmr. Joseph Metoyer: I have no comments at this time.
Cmr. Dolores Press: I have a question, and that relates to the appointment – the two appointments that have been recommended – Joy Abbott of Santa Monica by the Board, and Deborah Jansen by CSEA. I’m sure that this due process will be effective and we’ll be moving forward and will create a better situation for all of us here should we be too ill to handle the business of the Commission and the Commission will be able to move forward. And that’s a good thing. But I want to question about Commissioner Metoyer, who I understand his term expires on December 1. I was wondering when we will have in-put, or can we have in-put – of support.

Sue Tsuda: I’m not aware of any. The Board will probably consider Dr. Metoyer’s appointment at the next board meeting.

Cmr. Dolores Press: So that would be November?

Sue Tsuda: I believe it’s November 20?


Cmr. Karen Bancroft: I was wondering ... it was a one-year term is what they indicated for Joy Abbott. What is the term for Deborah Jansen? In the write-up that we got from the Board of Trustees meeting, it indicated it was for a one-year term. I thought they were going to be 3-year terms. I know that mine has always been three years. So I was just curious.

Sue Tsuda: I’ll find out.

Cmr. Karen Bancroft: O.K. I have no comments at this time.

VI. AGENDA REPORTS
AGENDA REPORT NO. 1

SUBJECT: Personnel Commission Internal Staff Action - Request to fill a Personnel Analyst Position

It is requested that the Personnel Commission approve the filling of a vacant Personnel Analyst position within the Commission Office with Ms. Michelle Bowen, effective Thursday, October 19, 2006. The Personnel Commission retains budgetary authority to fund a vacant Personnel Analyst position on its FY '06-07. There currently exists a vacant Personnel Analyst position on the Commission staff created in 2004 as the result of a staff resignation. The position is funded for FY '06-07 at (Grade 40) or $4,212 - $5,120/month. This request proposes to fill the position in the Personnel Analyst class at the “A” (Grade 40) step or $4,212/month.

Merit Rule 2.3.1(A) Status of Commission Employees

A. 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.
DISPOSITION BY THE COMMISSION  Motion to approve Agenda Item 1.

Motion made by:  Dolores Press  Seconded by:  Joseph Metoyer

Ayes:  3  Nays:

Amendments/Comments:  Motion carried.
We’re really happy to have Michelle back.

AGENDA REPORT NO. 2

SUBJECT:  Examination Schedule

It is recommended that the Personnel Commission approve the following periods to recruit before the examinations are scheduled:

A.  Recruitment & Examination Schedule

<table>
<thead>
<tr>
<th>Class Title</th>
<th>Field of Competition</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounting Specialist II</td>
<td>Promotional / Open Competitive</td>
<td>3 Weeks</td>
</tr>
<tr>
<td>Director of Fiscal Services*</td>
<td>Merged Promotional / Open Competitive</td>
<td>4 Weeks</td>
</tr>
<tr>
<td>Entertainment Technician Services Mgr</td>
<td>Merged Promotional / Open Competitive</td>
<td>4 Weeks</td>
</tr>
<tr>
<td>Events Technician</td>
<td>Open Competitive</td>
<td>3 Weeks</td>
</tr>
<tr>
<td>HVAC Specialist</td>
<td>Merged Promotional / Open Competitive</td>
<td>3 Weeks</td>
</tr>
<tr>
<td>Parking Security Officer</td>
<td>Open Competitive</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, knowledge, abilities, and personal characteristics required to qualify for the class.

Comment:  
*Pending approval of the classification by Personnel Commission and Board of Trustees.

Report Prepared by: Tiffani Jones, Acting Personnel Analyst

DISPOSITION BY THE COMMISSION:  Motion to approve Agenda Item 2.

Motion made by: Cmr. Joseph Metoyer  
Seconded by: Cmr. Dolores Press

Ayes: 3  
Nays:  
Abstain:  

Amendments/Comments:  
Motion carried.

AGENDA REPORT NO. 3

SUBJECT: Certification of Employment Lists

It is recommended that the Personnel Commission certify the following employment lists in accordance with Personnel Commission Rules 6.1.3 to be effective for the periods as listed:

A. Career Laddering List - (Lateral Transfer)
   It is recommended that the Personnel Commission approve the following career laddering list to be effective for the period as listed:

<table>
<thead>
<tr>
<th>Class Title</th>
<th># On List Prom/Total</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Specialist</td>
<td>0/1</td>
<td>09/15/07</td>
</tr>
</tbody>
</table>

Merit Rule. 6.1. Employment List  
An employment list shall be defined as a list of names of current and former
permanent employees who are eligible for employment into a vacant position without competitive examination.

Report Prepared by: Tiffani Jones, Acting Personnel Analyst

DISPOSITION BY THE COMMISSION  
Motion to certify employment list

Motion made by: Cmr. Dolores Press  
Seconded by: Cmr. Joseph Metoyer

Ayes: 3  
Nays:  
Abstain:

Amendments/Comments: Motion carried.

AGENDA REPORT NO. 4

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>Counseling Aide</td>
<td>Counseling</td>
<td>09/04/06 – 12/22/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Counseling Aide</td>
<td>African American Ctr.</td>
<td>09/04/06 – 12/22/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash Receipts Clerk</td>
<td>Bursars Office</td>
<td>09/15/06 – 12/22/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

C. 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.

Report Prepared by: Tiffani Jones, Acting Personnel Analyst
DISPOSITION BY THE COMMISSION  Motion to ratify Agenda Report No. 4 as presented

Motion made by:  Cmr. Joseph Metoyer        Seconded by:  Cmr. Dolores Press

Ayes: 3   Nays:   Abstain:

Amendments/Comments:  Motion carried

AGENDA REPORT NO. 5

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>Jesse Jackson</td>
<td>Counseling Aide</td>
<td>African – Amer. Center</td>
<td>09/18/06 – 12/22/06</td>
<td>08/17/2005</td>
</tr>
<tr>
<td>Ei Thwin</td>
<td>Counseling Aide</td>
<td>Counseling</td>
<td>09/04/06 – 12/22/06</td>
<td>08/17/2005</td>
</tr>
<tr>
<td>Joan Mackay</td>
<td>Cash Receipts Clerk</td>
<td>Bursars Office</td>
<td>09/15/06 – 12/22/06</td>
<td>08/17/2005</td>
</tr>
</tbody>
</table>

Reference Merit Rule 7.4.3 (A) –Eligibility for Appointment- Limited term appointments shall be made from eligibility lists and employment lists in accordance with procedures for regular appointments.

Report Prepared by:  Tiffani Jones, Acting Personnel Analyst

DISPOSITION BY THE COMMISSION :  Advisory Item only – no action taken

Motion made by:        Seconded by:

Ayes:            Nays:

Amendments/Comments: .
AGENDA REPORT NO. 6

SUBJECT: Ratification of Summer Session Assignments Positions

The Personnel Commission is requested to ratify the classification of the following Summer Session Assignments pursuant to Section [7.3.4(A)] 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>Van Driver</td>
<td>Transportation</td>
<td>09/22/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Athletic Activities Assistant</td>
<td>Athletics</td>
<td>08/25/06 – 08/31/06</td>
</tr>
<tr>
<td>(1 part-time position)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Security Officer</td>
<td>Campus Police</td>
<td>08/28/06 – 08/31/06</td>
</tr>
<tr>
<td>(2 part-time positions)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Reference Merit Rule 7.3.4(A): Summer Session Assignments

Assignments at times other than the regular academic year (September through June) shall be offered to regular employee of the District not regularly employed during these periods. Appointment to each position shall be made on the basis of seniority among all employee in the class who are qualified to perform the services required in the class to which the position is assigned.

Report Prepared by: Tiffani Jones, Acting Personnel Analyst

DISPOSITION BY THE COMMISSION  Motion to ratify agenda item as presented

Motion made by: Cmr. Joseph Metoyer   Seconded by: Cmr. Dolores Press

Ayes: 3   Nays:

Amendments/Comments: Motion carried
AGENDA REPORT NO. 7

SUBJECT: Advisory Item - Appointments to Summer Session Assignments

The Personnel Commission is advised that the following persons have been appointed to the following Summer Session Assignments pursuant to Section [7.3.4(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>
</tr>
</thead>
<tbody>
<tr>
<td>Kathy Moses</td>
<td>Athletic Activities Asst.</td>
<td>Athletics</td>
<td>08/25/06 – 08/31/06</td>
</tr>
<tr>
<td>Michael Burgueno</td>
<td>Parking Security Officer</td>
<td>Campus Police</td>
<td>08/28/06 – 08/31/06</td>
</tr>
<tr>
<td>Raymond Glaser</td>
<td>Parking Security Officer</td>
<td>Campus Police</td>
<td>08/28/06 – 08/31/06</td>
</tr>
<tr>
<td>John Montes</td>
<td>Van Driver</td>
<td>Transportation</td>
<td>09/22/06</td>
</tr>
</tbody>
</table>

Reference Merit Rule 7.3.4(A): Summer Session Assignments

Assignments at times other than the regular academic year (September through June) shall be offered to regular employee of the District not regularly employed during these periods. Appointment to each position shall be made on the basis of seniority among all employee in the class who are qualified to perform the services required in the class to which the position is assigned.

Report Prepared by: Tiffani Jones, Acting Personnel Analyst

DISPOSITION BY THE COMMISSION Advisory item only – no action required

Motion made by: Seconded by:

Ayes: Nays:

Amendments/Comments:
AGENDA REPORT NO. 8

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>
<th>Extension ends</th>
</tr>
</thead>
</table>

RULES AND REGULATIONS OF CLASSIFIED SERVICE

Rule 7.2 PROVISIONAL APPOINTMENT (EDUCATION CODE SECTIONS 88106-88108)

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.

Findings: The three positions listed above were approved because of a domino effect caused by the departure of a previous staff member. These are complex positions for which to test and the Personnel Commission staff has only recently, working with the department, developed appropriate test materials. The test is scheduled for October 30 for the first two
positions and on October 31 for the Network Systems Analyst. The Dean asked that the position of Network Systems Manager be filled before the selection of the other two positions takes place so that person can be involved in the selection process. The final selections for all three positions should be final before the end of the year.

___/s/______________________________________  ___10/19/06_____________
Sue Tsuda, Acting Director of Personnel     Date

DISPOSITION BY THE COMMISSION  Motion to approve item as presented

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

Amendments/Comments:  Motion carried

AGENDA REPORT NO. 9

SUBJECT:  Approval of Extension of Contract for Consultant Services

It is recommended that the Personnel Commission approve the extension of the following contract for consultant services as specified below:

Provider:  Company of Experts
Consultant:  Sue Tsuda
Service,  $8,833 per month
Duration:  October 31,  2006 – January 1, 2007 (two additional months)
Funding Source:  Personnel Commission Fiscal Year 2006 – 07 Budget

DISPOSITION BY THE COMMISSION  Motion to approve agenda item as presented

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

Amendments/Comments:  Motion carried
AGENDA REPORT NO. 10

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

It is recommended that the Personnel Commission approve the following provisional appointment 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>Dwayne Iles</td>
<td>Lead Custodian</td>
<td>August 28, 2006 – January 12, 2007</td>
</tr>
<tr>
<td>Kim Tran</td>
<td>Accounting Manager</td>
<td>September 1, 2006 – January, 18, 2007</td>
</tr>
</tbody>
</table>

(Please see audit reports as attached.)

Reference: Merit Rule 7.2.1 (A1 –2) and 7.2.2. (A)
Provisional Appointment (Education Code Sections 88106 – 88108)


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

1. No eligibility list exists for the class, or
2. An eligibility list exists, but there is an insufficient number of available eligibles (i.e. less than three ranks of eligibles), and the appointing authority chooses not to appoint an available eligible.

7.2.2 (A) 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.

Santa Monica Community College District
Personnel Commission

Working Out of Classification
Audit Report

Employee: Dwayne Iles  Requested Class: Lead Custodian
Current Class: Custodian  Supervisor/Title: Arthur Lopez, Jr.
Location: Custodial Operations  Supervisor, Custodial Operations
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 Lead Custodian in the Custodial Operations 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 Lead Custodian position reports to the Supervisor, Custodial Services. The Supervisor, Custodial Services reports to the Director, Campus Operations who reports to the Associate Vice President – Facilities, who reports to the Executive Vice President who reports to the Superintendent/President. All 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 lead custodian class specification are:

Definition:
Under general supervision, to supervise and participate in the work of a group of custodians on a designated shift; to do related work as required.

Examples of duties:
1. Supervises, trains and participates in the work of a group of custodians assigned to a designated area or special crew involved in the sweeping, mopping, scrubbing and refinishing of floors, vacuuming of rugs and carpets, dusting and cleaning of furniture, washing of windows and walls, and the emptying and cleaning of waste receptacles.

2. Supervises, trains, and participates in the operation of equipment such as a floor scrubber, vacuum cleaner or carpet cleaner and the mixing of solutions for cleaning of floors, walls, and restrooms.

3. Supervises and participates in the moving, arranging, and assembling of furniture, locking or unlocking doors and windows, and turning lights on and off and ensuring the security of campus buildings and facilities.

4. Monitors fire extinguishers and fire protection program on campus, and coordinates and assigns work related to setting up and preparing campus facilities for civic center permits.

5. Initiates work orders for removal of graffiti and the general repair of campus equipment or facilities, as needed.

6. Prepares requisitions and distributes custodial supplies and equipment and maintains appropriate custodial records.
7. Monitors timecards and reports absences and initiates corrective actions for completion by Director.

8. May exercise emergency procedures, including turning off utility valves, in the event of disaster.

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 full year of custodial experience at Santa Monica College or equivalent.

Review of the application materials submitted for consideration and findings:
Upon review of the application materials provided by Dwayne Iles, he notes that he has worked as a Custodian for twelve years at Santa Monica College. Mr. Iles graduated from Centennial High School. He exhibits evidence that he has work experience involved with a significant portion of the job content.

Mr. Iles possesses the work experience in the area noted above and in the class specifications and qualifies to perform 100% of the duties assigned to the Lead Custodian 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 sub division a (above).

Pertinent Merit Rules as the basis of 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.

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 Mr. Iles qualifies for a full appointment to the Lead Custodian 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 Lead Custodian 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 Jeffery Peterson indicate that Dwayne Iles meets the minimum qualifications and has substantially performed some of the same or similar duties in his current employment. Therefore, Mr. Iles should be offered 100% (one hundred percent) working out-of-class duties from August 28th as announced by the department and applied for by Mr. Iles per the department’s stipulation.
This working out of class assignment is requested to assist in the heavy workload due to the appointment of Chris Bonvenuto to the position of Acting Associate Vice President, Fiscal Services. Mr. Bonvenuto's regular appointment is to the position of Accounting Manager and Ms. Tran is assuming some of those duties while Mr. Bonvenuto is performing some of the duties of the Associate Vice President. 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 Manager 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 as the Accounting Manager 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 Manager class specification are:

Definition:
Under direction, plans, organizes, and manages the operations and activities of the general fund accounting and oversees the accounting functions of the auxiliary fund for the District; recommends, implements and supervises the implementation of accounting system revisions; supervises and participates in the performance of a wide variety of professional accounting work in the compilation and maintenance and control of records and reports involving assigned fiscal in the compilation and maintenance and control of records and reports involving assigned fiscal activities of the District involving accounts and related records; prepares financial statements and reports of District, State, and Federal agencies; and performs related duties as required.

Examples of duties:
1. Plans, organizes, schedules, assigns, and reviews the processing of the general accounting activities, including accounts payable and accounts receivable activities; closing of accounting records;

2. Provide technical direction to employees engaged in general accounting, accounts payable and accounts receivable activities; advises personnel on the more complex aspects of the work;

3. Provides assistance in resolving problems related to such matters as encumbrances,
adjustments in appropriations, cash receipts, vendor payments, computer entries, and account adjustments and student refund checks; ensures that financial records keeping is performed in accordance with federal, state, county, and District requirements and procedures;

4 Coordinates the external audit program for the Enterprise Business Office and District Accounting Office; acts as a liaison between the District Accounting Office; acts as a liaison between the District’s Business Office and the Enterprise Business Office;

5 Reviews new rules and regulations which pertain to accounting procedures and makes recommendations to the Controller for revisions to accounting systems and procedures; performs general accounting work involving expenditures; encumbrances and revenues;

6 Reviews fiscal records to implement District policy and regulations and calls problems to the attention of supervisors or operating department personnel; answers questions and advises operating department personnel on such matters as such matters as status of accounts, recommends adjustments or amendments to correct current or potential account deficits;

7 Analyzes, identifies and communicates actual or potential budget problems; gathers data from various sources and aids in the preparation of a variety of State, Federal and local claims statements and reports; monitors cash flow from District to County funds; and manages wire transfers for the District funds;

8 Prepares and reviews periodic special reports and quarterly and annual financial statements and fiscal operations reports involving statistical research and analytical research and analytical studies; ensures that all reporting is accurate by analyzing and determining corrective entries needed to maintain accounting controls;

9 Monitors income and expenditure records to maintain budget controls in each district fund; directly supervises accounting department staff; organizes, assigns, and reviews work; trains new employees; prepares evaluations of employees; performs 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:

Successful completion of four years of college-level coursework with a major in accounting and three years of progressively responsible experience in the accounting field, which includes one year of government accounting in a supervisory capacity. Experience with a computerized on-line accounting system is required.

Review of the application materials submitted for consideration and findings:

Upon review of the application provided by Ngan “Kim” Tran, she notes that she has worked as an Accountant for two years at Santa Monica College. Her experience includes operation of her own business, which she still owns, including supervision of staff, processed payroll, quarterly tax returns bank reconciliation, cash flow analysis and preparation of financial statements. Her previous employment was as a Senior Accounting Assistant and Account Clerk at a unified school district. Her total experience outside of Santa Monica College is more than 16 years doing a variety of accounting
and auditing duties. Mr. Bonvenuto has described the work she will be doing as 65% of the Accounting Manager duties including the following:

- Plans, schedules, and supervises complex professional and clerical accounting activities in the collection, recording, processing, consolidation, and distribution of a wide variety of financial data;
- Revises, develops, and directs the preparation of periodic and special financial reports, statements, summaries, and projections;
- Interprets and researches laws, regulations, rules, procedures, and Education Code sections related to accounting and acts as a resource to provide technical information for all campus operating units and District personnel;
- Coordinates computerized accounting data base systems (ISIS, HRS, PeopleSoft) and determines needs of system by working with other branches and divisions of the District;
- Controls and monitors encumbrances, accounts, balances, classification of expenditures, specially funded programs, and salary distribution; corrects and prevents problems and makes adjustments as required; and
- Performs related duties as assigned.

Ms. Tran exhibits evidence that she has work experience involved with a significant portion of the job content and her education includes graduation with a BS in Business Administration with an accounting option from California State University, Los Angeles.

Ms. Tran possesses the work experience in the areas noted above and in the class specifications. She qualifies to perform 65% of the duties assigned to the Accounting Manager position as required by Merit Rule 7.2.2.A. The Personnel Department staff is not recruiting for this position and there is no current eligibility list, but a partial vacancy exists because of the working-out-of-class assignment of Mr. Bonvenuto to the Associate Vice President position.

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 sub division 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 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 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. Tran qualifies for 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 65% 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 65% of the Accounting Manager 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 provided by the employee and the supervisor, and as discussed with Christopher Bonvenuto indicate that Kim Tran meets the minimum qualifications and has substantially performed some of the same or similar duties in her current employment. Therefore, Ms. Tran should be offered 65% (sixty five percent) working out-of-class duties from September 1, 2006 as announced by the department and applied for by Ms. Tran per the department’s stipulation.

/s/ ______________________________________________________________________  10/19/06 ______________________
Sue Tsuda, Acting Director of Classified Personnel Date

DISPOSITION BY THE COMMISSION  Motion to approve item as presented

Motion made by: Cmr. Dolores Press  Seconded by: Cmr. Joseph Metoyer
Ayes: 3  Nays:  Abstain:
Amendments/Comments: Motion carried

AGENDA REPORT NO. 11 - Pulled

AGENDA REPORT NO. 12

SUBJECT: Establishment of New Position and Deletion of Old Positions

It is recommended that the Personnel Commission approve the following allocation of a new position:

<table>
<thead>
<tr>
<th>Position #</th>
<th>Classification</th>
<th>Location</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>11024?</td>
<td>Dir. Of Fiscal Services</td>
<td>Business Services</td>
<td>10/25/06</td>
</tr>
</tbody>
</table>
It is recommended that the Personnel Commission delete the following positions:

<table>
<thead>
<tr>
<th>Position #</th>
<th>Classification</th>
<th>Location</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>110241</td>
<td>Assoc. V.P. – Fiscal Services</td>
<td>Fiscal Services</td>
<td>10/25/06*</td>
</tr>
<tr>
<td>110240</td>
<td>Controller</td>
<td>Fiscal Services</td>
<td>10/25/06*</td>
</tr>
</tbody>
</table>

*Pending Board approval.

**Staff Report:** The Board of Trustees of Santa Monica College established the position of Director of Fiscal Services at their meeting of December 5, 2005 with the position to be classified by the Personnel Commission. On October 5, 2006, the Personnel Commission staff received a request for the new position/class to be classified by the Personnel Commission. The position is part of a fiscal services reorganization recommended by an audit the previous year. The duties of the new position have been reviewed by the Executive Vice President and reflect the intended responsibilities of the position. This new position will report directly to the Vice President Business and Administration. The positions of Associate Vice President – Fiscal Services and Controller will be obsolete. (The position description is attached.)

**Reference:** Under the provisions of the Merit Rules 3.2.2, 3.2.3 (A,B&C), and 3.2.4 (A), the Personnel Commission is charged with the responsibility to “...classify all employees and positions within the jurisdictions of the governing board and the commission, except those positions which are exempt from the classified service. “To Classify” shall include, but is not limited to, allocating positions to appropriate classes, arranging classes into occupational hierarchies, determining reasonable relationships within occupational hierarchies and preparing written class specifications.”

The Education Code of the State of California, Section 88076 Establishment of classified service; subdivision (a) states in part: The commission shall classify all employees and positions within the jurisdiction of the governing board or of the commission, except those positions which are exempt from the classified services as specified in subdivision (b).(This position is not an exempt position.)

**Recommended Motion:** To approve the classification of Director of Fiscal Services and delete the positions of Associate Vice President of Fiscal Services and Controller.

/s/       10/19/06

Sue Tsuda, Acting Director of Certified Personnel          Date
CONCEPT OF THE CLASS

The position in this classification directs, plans, organizes, coordinates, controls and supervises general accounting, accounts payable, budgeting, auditing and payroll activities of the District; ensures that programs are operating within the appropriate fiscal parameters and remain in compliance with District, State and/or Federal requirements; ensures timely and accurate financial reports, including the annual financial audit and adopted budget.

ESSENTIAL DUTIES

Plans and directs the activities in general accounting, special funds accounting, cash and investment management, accounting system development and analysis, accounts payable and payroll.

Plans, organizes, and directs the District’s accounting and budgeting systems, prepares detailed income and expenditure budgets, and develops and implements accounting controls to regulate financial stability;

Develops and maintains ledger and charts of accounts for control of expenditures from various budgets, including those for general restricted and unrestricted, bond, trust, revolving and special funds.

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;

Conducts financial research studies, analyzes results, prepares forecasts, and recommends planning and implementation strategies;

Analyzes and reviews budgetary and financial data; monitors, controls, and authorizes expenditures of funds in accordance with established fiscal guidelines;

Provides application preparation, analysis, procurement, implementation, and reimbursement for specially funded programs and formulates related policies and plans for new and revised programs;

Maintains current knowledge of changes, methods, concepts, requirements, regulations and policies for assigned programs, including computer programs and software.

Coordinates and administers the year-end closing process and compilation of fiscal year financial statements.

Directs the preparation of reimbursement claims for state-funded capital outlay projects, scheduled maintenance programs and mandated cost programs.

Delegates responsibility and authority to subordinate supervisors and staff.
Develops, recommends, and implements staff training and development programs to provide opportunities for individual employee growth, continuity of work flow and long range development of employees.

Directs the development of performance evaluation standards for subordinate managers and staff; formally evaluates the work of direct subordinate managers, supervisors and staff.

Interviews and selects staff reporting directly to this position and assists with other interviews as necessary.

Authorizes response to employee grievance and disciplinary actions and contributes to the establishment of organization policy regarding discipline.

Performs other related duties as assigned or requested.

### SUPERVISION

**Supervision Received:**

The position in this classification receives general direction from the Vice President, Business and Administration.

**Supervision Exercised:**

This position exercises general supervisory control over the Accounts Payable Supervisor, Payroll Manager and Accounting Managers.

### KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of the principles and practices of modern public and business administration and management.

Knowledge of General Accounting Principles.

Knowledge of computerized on-line programs used for accounting, auditing, fiscal controls and financial management.

Knowledge of the practices and principles of governmental accounting and auditing, financial analysis and research procedures.

Knowledge of effective supervisory techniques including successful recruitment and selection processes; appropriate work assignment, delegation and performance evaluation; relevant staff development and training; and meaningful corrective and disciplinary action.

Ability to establish and maintain appropriate cost control and reconciliation measures.

Ability to interpret and apply laws, policies and procedures.
Ability to analyze complex situations accurately and adopt an effective course of action.

Ability to effectively manage time, meet deadlines and achieve objectives.

Ability to establish and maintain effective working relationships with college administrators, managers, faculty, staff, students, vendors and contractors in a diverse, multicultural and multi-ethnic educational environment.

Ability to communicate well both orally and in writing.

**MINIMUM QUALIFICATIONS**

*Education Requirement:*
Bachelor’s degree in Accounting, Business Administration, Public Administration, or a closely related field.

*Experience Requirement:*
Six (6) years of progressively responsible experience using computerized on-line program applications to perform fund accounting, budget control, auditing and/or financial systems design, which included at least two (2) years experience in a supervisory capacity.

*Education/Experience Equivalency:*
Any combination of training and experience that would provide the required knowledge and abilities is qualifying

**WORKING ENVIRONMENT & PHYSICAL DEMANDS**

*Disclosure:*
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

*Normal Office Environment:*
While performing the duties of this job the employee is regularly required to sit, use hands to keyboard, type, or handle materials, and talk and/or hear. The employee is occasionally required to stand and walk. The employee is regularly required to lift, carry, push, or pull up to 25 pounds. While performing the duties of this job, the noise level in the work environment is usually quiet.

**CLASS DETAIL**

*Job Family: *Fiscal Services/Business/Administration

*FLSA Status: *Exempt
Salary Range: Range 3 on the Classified Administrator Salary Schedule

Personnel Commission Approval Date:

Class History: Director of Fiscal Services (First Draft Oct. 2, 2006)

Revision Date(s):

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

Motion made by: Cmr. Joseph Metoyer  Seconded by: Cmr. Dolores Press

Ayes: 3  Nays:  Abstain: 

Amendments/Comments: Motion carried

AGENDA REPORT NO. 13

SUBJECT: Reclassification of Santa Monica College Classified Positions

Background: Today we begin the process of reviewing and approving the classified positions of the College. We will start with the Secretarial/Clerical family. In moving forward with the “Hay Study” a number of positions will be reclassified. The Merit Rules for Santa Monica College, in Section 3.2.9 (A) states, “The Director of Classified Personnel shall review the duties and responsibilities of positions as necessary to determine their proper classification. Each year the Director of Classified Personnel shall prepare a schedule of anticipated review projects and present it for approval to the Personnel Commission.” Unfortunately, for unknown reasons, a review was not conducted at Santa Monica College for a number of years. As a result, all of the classified positions were examined at one time through the “Hay Study”. As a result almost every position was retitled, revised more, similar or fewer duties and/or placed into “families” or groups of classes.

The Merit Rules, in Section 3.3.11 (D) states, “An employee who has been reclassified with his/her position, shall be ineligible for subsequent reclassification with his/her position for a period of at least two (2) years from the date on which the reclassification became effective.” Section 88104 (c) of the California Education Code reads, “An employee who has been reclassified with his or her position is ineligible for subsequent reclassification with his or her position for a period of at least two years from the initial action.” These sections relating to reclassification may present a problem to some employees whose positions have not been reclassified during the previous four years because the “Hay Study” was being considered. There quite possibly may be employees whose positions have changed significantly since the study was initiated and whose jobs now may encompass more duties than were included in the proposed reclassification of the position. There may be very legitimate reasons to consider another reclassification of certain positions soon after the approval of the reclassifications included in the “Hay Study”.
Further, Section 3.3.11 A. 1. of the Merit Rules says, “When one or more positions in a class, are reclassified to a higher classification, an incumbent who has a continuous employment record of two (2) or more years in the class shall be reclassified with the position, without examination.” Section 3.3.11 A. 2. reads, “When one or more positions in a class are reclassified to a higher classification, the incumbents who do not have a continuous employment record of two (2) or more years in the class shall not be reclassified to the higher class. Positions in the higher class shall be filled through competitive examination that shall include a promotional examination open to permanent employees of the District. Incumbents who are unsuccessful in the examination may exercise the same rights as listed in Rule 134.3.1(B).” The State Education Code, Section 88104 (a) states, “When all of the positions in a class are reclassified to a higher class, the incumbents of the positions who have been in the class for two or more years may be reclassified with their positions by the personnel commission. When a portion of the positions within a class are reclassified to a higher class, an incumbent who has a continuous employment record of two or more years in one or more of the positions being reclassified may be reclassified with his or her position as provided by personnel commission rule.” By the use of such language as “higher classification” and “higher class” it seems apparent that these rules do not anticipate the overall restructuring of the classification plan that the “Hay Study” proposes. Many of the current positions are to be replaced by new position descriptions and the existing positions eliminated.

Recommendation: Staff is proposing that the Commission consider waiving the above rules for this one instance of approval of the classifications included in the “Hay Study”. Anyone who is reclassified after the “Hay Study” is approved by the Commission and the Board of Trustees, and has a new position description, and who believes his/her position has changed significantly in the interim since the description was developed, should have the option of applying for a reclassification. This option should be limited to employees who have held the original position for a minimum of two years. In addition, anyone who has passed probation should be able to be reclassified without the necessity of applying for the reclassified position. Anyone who has not passed the probationary period should be required to compete in an open examination if the position is a higher classification.

Suggested motion: Because the “Hay Study” reclassification plan addresses a number of positions to be eliminated and redefines numerous classes, the Personnel Commission hereby approves those individuals who are being reclassified because of the action initiated by the Commission and the District, and who have served in their position a minimum of two (2) years, to apply, within two months, for a reclassification if they believe even the new class does not significantly address the duties they are now performing and that they should be considered for a reclassification. Further, because this reclassification should apply to persons deemed to be performing satisfactorily in their position because they have passed probation, anyone in a permanent position who has passed the probationary period shall be reclassified without reexamination for the new position.

After discussion of the presentation of the secretarial/clerical positions, it would be appropriate to move to approve the positions as presented unless there are changes suggested by the Commission.

/s/_______________________________________  _______10/19/06___________
Sue Tsuda, Acting Director of Classified Personnel             Date

/s/______________________________________   _______10/19/06___________
Donna Peter, Provisional Director of Classified Personnel  Date

DISCUSSION, QUESTIONS AND COMMENTS FROM THE AUDIENCE:

Effective date of the reclassification will be January 1, 2007.
DISPOSITION BY THE COMMISSION  Motion to approve item as presented
Motion made by:  Cmr. Joseph Metoyer  Seconded by:  Cmr. Dolores Press
Ayes:  3  Nays:
Amendments/Comments:  Motion carried

VII.  ADJOURN REGULAR MEETING TO CLOSED SESSION.

VIII. ADJOURN REGULAR MEETING

DISPOSITION BY THE COMMISSION:  Motion to adjourn the Regular Meeting
Motion made by:  Cmr. Joseph Metoyer  Seconded by:  Cmr. Dolores Press
Ayes:  3  Nays:  Abstain:
Amendments/Comments:  Adjourned:  ______ 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
1900 Pico Blvd.
Santa Monica, CA  90405