



MERIT RULES ADVISORY COMMITTEE

MEETING MINUTES

Wednesday, August 3, 2022 at 10:00 AM

****VIRTUAL MEETING****

<p>DEPARTMENTS: PLEASE POST 3400 Airport/SBDC: Sasha King Academic Affairs: Sharon Thomas Accounts Payable: Cherry Aquino Admissions & Records: Esau Tovar African American Center: Sherri Bradford Athletics: Nichelle Monroe Auxiliary Services: Ofelia Meza Bundy: Beverly Redd-Walker Business Department: Peter Murray Campus Police Office: Jennifer Jones Campus Store: Elease Juarez Career Services: Vicky Rothman Cashier's Office: Veronica Romo Center for Media & Design: Maria Calvento Community Education: Alice Meyering Counseling Office: Custodian Time Clock: Anthony Williams Disabled Students Center: Nathalie Laille Early Childhood Ed.: L. Manson Emeritus College: V. Rankin-Scales English Dept.: Martha Hall EOP&S: Nick Mata ESL Office: Jocelyn Alex Events Office: Yesenia Penate Faculty Association: Peter Morse Financial Aid Office: Sandra Hernandez Health Sciences: Clarenda Stephens Health Office: Nancy Alfaro HSS: Carolyn Baugh Institutional Research: International Education Center: Ana Jara KCRW: Latino Center: Maria Martinez Madison: Gail Johnson Maintenance/Operations: Kasey Garland Math Village: Kristina Fukuda Media Center: L. Nakamura Modern Language: Travis Grant Music: Lori Geller Outreach & Recruitment: Will Taylor Payroll: Ian Fraser Science: Ingrid Cardwell Student Life: Amelia Trejo Superintendent/Presidents Office: L. Kilian STEM: Vanan Yahnian Theater Arts: Judy Louff W& ED/Bundy: Tricia Ramos</p>	<p>ADMINISTRATORS and MANAGERS</p> <p>Emeritus: Scott Silverman Facilities: Dennis Biddle HR: Tre'Shawn Hall-Baker Info Tech: Marc Drescher IEC: N. Pressian Instructional Technology: Maintenance: Devin Starnes Terry Kamibayashi Operations: Anthony Barlow Justin Carter Felicia Hudson Robert Villanueva Receiving: Lisa Davis Supplemental Instruction: Wendi DeMorst</p>	<p>PRESIDENT/SUPERINTENDENT and SENIOR STAFF</p> <p>Superintendent/President: Kathryn Jeffery Executive VP: VP Academic Affairs: VP Business/Admin: Chris Bonvenuto VP Enroll. Services: T. Rodriguez VP Human Resources: Sherri Lee-Lewis VP Student Affairs: M. Tuitasi Senior Director Government Relations & Institutional Communications: Don Girard Community Relations: Kiersten Elliott Public Information: Grace Smith</p> <p>PUBLIC POSTING LOCATIONS</p> <p>Online: www.smc.edu</p> <p>EMPLOYEE ORGANIZATIONS</p> <p>CSEA Labor Rep.: Ciera Chilton CSEA Chapter Pres.: CSEA Chapter 1st V.P.: Cindy Ordaz CSEA Chapter 2nd V.P.: Kennisha Green CSEA Chief Job Steward: Lee Peterson CSEA Treasurer: Dagmar Gorman CSEA Secretary: Judith Mosher CSEA Chief Development Officer: Luis Martin CSEA Communications Officer: James Stevenson SMC POA President: Officer Cadena Management Association: Susan Fila</p> <p style="text-align: right;">Revised 7/15/2022</p> <p>IF YOU NEED AN ACCOMMODATION Written requests for disability-related modifications or accommodations that are needed in order to participate in the Commission meeting are to be directed to the Personnel Commission Office as soon in advance of the meeting as possible.</p>
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PUBLIC PARTICIPATION FOR VIRTUAL MEETINGS

During the COVID-19 (Coronavirus) Global Pandemic, the Board of Trustees has determined in accordance with Government Code Section 54953 that as a result of the ongoing emergency that meeting in person would present imminent risks to the health and safety of the attendees at public meetings. The Zoom format used for College public meetings ensures public participation and provides an opportunity for the public to directly address the body. Members of the public have the right to request to make public comments until such time as the public comment period is over. Members of the public may address the Committee and public participation can occur in one of two ways. Members of the public can submit written comments to be read during the public meeting or they may speak during the Zoom meeting.

Individuals wishing to speak or submit written comments to be read at the meeting are requested to send an email to personnel_commission@smc.edu, by no later than 9:00 a.m. on Wednesday, August 3, 2022. The email should include the following information:

- Name
- Department (optional)
- Topic or Agenda Item # to be addressed
- Comments to be read (if submitting written comments)

Instructions for Speaking to the Commission through Zoom

Speakers may address any specific agenda item, or may provide general comments during the “Public Comments” period. When it is time for the speakers to address the Commission, their name will be called and the microphone on their Zoom account will be activated. A speaker’s Zoom Profile should match their real name to expedite this process. After the comment has been given, the microphone for the speaker’s Zoom profile will be muted.

All public comments will be subject to the general rules set forth below.

1. Five minutes is allotted to each speaker per topic. If there are more than four speakers on any topic or item, the Commission reserves the option of limiting the time for each speaker. A speaker’s time may not be transferred to another speaker.
2. Each speaker is limited to one presentation per specific agenda item before the Commission, and to one presentation per Commission meeting on non-agenda items.
3. Five minutes is allotted to each speaker per topic for general public comments. The speaker must adhere to the topic. Individuals wishing to speak during the Public Comments will be called upon during Public Comments.

Any person who disrupts, disturbs, or otherwise impedes the orderly conduct of any meeting by uttering loud, threatening, or abusive language or engaging in disorderly conduct, shall, at the discretion of the presiding officer or majority of the Committee, be requested to be orderly and silent and/or removed from the meeting.

No action may be taken on items of business not appearing on the agenda.

Reference: Merit Rule 2.2.8

Government Code sections 54954.2, 54954.3, 54957.9

PUBLIC SESSION: 10:00 a.m.

I. ORGANIZATIONAL FUNCTIONS

A. Call to Order at 10:02 a.m.

B. Roll Call

Committee Members	Present	Absent
Commissioner Lawrence Leone, Chair	X	
Commissioner Barbara Greenstein	X	
Carol Long, Director of the Personnel Commission	X	
Leisa Biggers, Director of Human Resources	X	
Lee Peterson, Commission Appointee		X
Cindy Ordaz on behalf of Joshua Casillas, CSEA	X	
Kennisha Green, CSEA	X	
Brent Heximer, CSEA	X	
Albert Echeverria, Police Officer Association		X

**C. Approval of Minutes:
 1. June 1, 2022**

Disposition by the Committee	
Motion made by:	Barbara Greenstein
Seconded by:	Kennisha Green
Ayes:	6
Nays:	
Abstentions:	
Amendments/Comments	

II. PUBLIC COMMENTS (non-actionable comments from those in attendance)

III. MAJOR ITEMS OF BUSINESS

1	CHAPTER V: RECRUITMENT AND EXAMINATIONS
2	CHAPTER VII: APPOINTMENT TO CLASSIFIED POSITIONS
3	CHAPTER XIII: SENIORITY, LAYOFF, DISPLACEMENT AND REEMPLOYMENT

Item 1. Merit Rules, Chapter V was tabled.

Item 2. Merit Rules, Chapter VII was tabled.

Item 3. A motion was made to send Merit Rules, Chapter 13, Section 13.1 to the Personnel Commission for a First Reading.

Disposition by the Committee	
Motion made by:	Barbara Greenstein
Seconded by:	Lawrence Leone
Ayes:	6
Nays:	
Abstentions:	
Amendments/Comments	

CHAPTER XIII

SENIORITY, LAYOFF, DISPLACEMENT AND REEMPLOYMENT

- Rule 13.1 SENIORITY PROVISIONS (EDUCATION CODE SECTION 88127)
- 13.1.1 SENIORITY DEFINED
- A. ~~Seniority within in a classification shall be~~ defined as the length of ~~time~~ service which a permanent classified employee has served in ~~his/her initial their initial classification class~~ plus higher ~~related~~ classes.
 - B. ~~For service commencing on or continuing after July 1, 1971, length~~ Length of service ~~shall mean~~ all hours in paid status in the class plus higher ~~related~~ classes ~~during the regular school year, a recess period, a holiday, or an approved leave of absence with pay,~~ but shall exclude hours compensated solely on an overtime basis.
 - C. ~~For service prior to July 1, 1971, length of service shall mean years of service in the class plus higher related classes. Seniority shall be credited for each year, month and day of service regardless of the assigned hours per day or months per year as follows:~~
 - ~~1. One year shall equal 2080 hours.~~
 - ~~2. One month shall equal 174 hours.~~
 - ~~3. One day shall equal eight (8) hours.~~

Section 13.1.2

13.1.2

COMPUTATION OF SENIORITY

- A. Computation of seniority in the class ~~shall~~ includes hours in paid status up to a maximum of 40 hours per week including:
1. Vacation, sick leave, military and other paid leaves.
 2. Limited-term (substitute or temporary) or provisional assignments held after gaining permanency.
 3. Additional part time hours in the employee's class.
 4. Hours which the employee has transferred from employment with the Santa Monica-Malibu Unified School District prior to separation of the classified service on July 1, 1980.
 - ~~5. Hours which the employee has transferred from permanent and continuous employment with the Santa Monica College Associated Student Body prior to July 1, 1985.~~
 56. Hours served in restricted status upon qualification of the employee as provided in Rule 3.1.7.G.
- B. Computation of seniority ~~excludes~~ 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.
 2. Any hours compensated solely on an overtime basis.
 3. Time in unpaid status including unpaid leave and docked time and any unpaid suspension. However, any unpaid period of less than one workday shall not be subtracted from the employee's seniority.

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TABLE 13-1 SENIORITY CREDIT UPON CHANGE OF CLASS

<u>RECLASS</u>		<u>SENIORITY</u>
From Abolished Class	To New Class	Keep old seniority
	Existing higher class	Start new seniority
	Existing lateral class	Keep old seniority
Existing Class (not abolished)	New class	Start new seniority
	Existing class	Start new seniority
<u>RETITLE</u>		
From Old Title abolished	To New Title established	Keep old seniority
<u>LATERAL TRANSFER</u>		
From Abolished class	To New class	Keep old seniority
	Existing class	Keep old seniority

Section 13.1.3

13.1.3

GENERAL PROVISIONS

- A. ~~Whenever a~~ tie in seniority in the class ~~exists, it shall be~~ will be broken according to the following order:
1. The employee with the longest total service in the District ~~shall be~~ is accorded the greater seniority.
 2. The employee with the greater seniority in the higher class ~~shall be~~ is accorded the greater seniority.
- B. If two (2) or more employees continue to be tied, the ~~Personnel Director~~ of the Personnel Commission ~~shall~~ will provide for the employees to draw lots to break the tie.
- C. When reclassification results either in the merger of two (2) or more classes into a newly created class and the abolishment of the previous class, or the separation of a class into two (2) or more newly created classes, seniority rights of regular employees who are reclassified with their positions shall be computed from the date the employee first began regular service in the former class(es).
- D. When an employee is reclassified with ~~his/her~~ their position to an already existing class, seniority ~~shall be~~ is 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~~ is on the effective date of the transfer.
- F. When a class is retitled to a newly created title and the old class title is abolished, the new class ~~shall~~ is seniority on the date of hire in the previous class.

See Table 13-1, ~~on accompanying page.~~

Section 13.1.4

13.1.4

SENIORITY LISTS

- A. Seniority lists shall be prepared or updated for each class as necessary. When each list is initially established, it shall be approved by the Director of the Personnel Commission ~~Director~~ and certified by the Personnel Commission before it is used.
- B. When a seniority list is initially established or updated, the list shall be made available to the employee (s) for review during a five (5) working day period before it is approved.
- C. During the prescribed review period, an employee who believes that an error has ~~been made~~ occurred or in his/her their seniority computation shall notify the ~~Personnel~~ Director of the Personnel Commission, who shall review the computations together with ~~any~~ additional information provided by the employee. The ~~Personnel~~ Director of the Personnel Commission shall determine if a ~~re~~ recomputation is appropriate and present an appropriate ~~re~~ recommendation for action by the Personnel Commission.
- D. Seniority lists that are maintained will be available for inspection in the ~~Classified Personnel Department~~ Personnel Commission Office.

V. MEETING ADJOURNED at 10:57 a.m.

Disposition by the Committee	
Motion made by:	Leisa Biggers
Seconded by:	Barbara Greenstein
Ayes:	6
Nays:	
Abstentions:	
Amendments/Comments	

MONTH	DAY	YEAR	TIME	VENUE
AUGUST	3	2022	10:00 A.M.	ONLINE
SEPTEMBER	7	2022	10:00 A.M.	ONLINE
OCTOBER	5	2022	10:00 A.M.	ONLINE
NOVEMBER	2	2022	10:00 A.M.	ONLINE
DECEMBER	7	2022	10:00 A.M.	ONLINE
JANUARY	4	2023	10:00 A.M.	TBD
FEBRUARY	1	2023	10:00 A.M.	TBD
MARCH	1	2023	10:00 A.M.	TBD
APRIL	5	2023	10:00 A.M.	TBD
MAY	3	2023	10:00 A.M.	TBD
JUNE	7	2023	10:00 A.M.	TBD

As required by law, the agenda for the Wednesday, August 3, 2022 Regular Meeting of the Santa Monica College Merit Rules Advisory Committee was posted 72 hours in advance of the meeting.