

CHAPTER III -- POSITION CLASSIFICATION PLAN

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Rule 3.2 **THE CLASSIFICATION PLAN**

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3.1.7 WEEKEND/HOLIDAY POSITIONS

(Education Code Sections 88204 and 88026)

- A. The Governing Board may, in accordance with Education Code Section 88204, create a position or class of positions which requires and permits the holders of such positions(s) to work only on weekends (Saturdays and Sundays) and holidays. If so created the Commission shall, in classifying the position:
1. Establish a salary scale which recognizes the peculiarity of the work and the days and hours required to work.
 2. Exempt employees serving in such positions from overtime pay for work required to be performed on a holiday. However overtime shall be paid for hours required to be worked in excess of 8 on any Saturday, Sunday or holiday unless the class is specifically exempted in accordance with Education Code Section 88026 (for example, recreation and security classes).
 3. Assure itself that the position(s) being created is not being created to avoid payment of overtime to otherwise qualified employees. If it does find that such position(s) is being created to avoid overtime payment, it shall refuse to classify the position(s) and will notify the Governing Board accordingly.

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Rule 3.2 GENERAL CLASSIFICATION RULES
(Education Code Sections 88004, 88009, 88010, 88081, 88087, 88095, 88104.5)

3.2.1 PRINCIPLES OF POSITION CLASSIFICATION

Under the provisions of the Merit System, the Personnel Commission seeks to provide fair compensation to all employees in the classified service on the basis of "like pay for like work." In establishing a classification plan for the District, the Personnel Commission seeks to maintain a reasonable balance between broad and narrow classifications. A broad classification groups positions according to more general activities, and a narrow classification places positions with very specialized requirements into distinct classes. Broad groupings have been found to be more appropriate to entry-level positions and narrow groupings to be more effective for technical and specialized positions.

3.2.2 ASSIGNMENT OF DUTIES

(Education Code Section 88009)

- A. The Board of Trustees shall fix and prescribe the duties to be performed by all persons in the classified service and other non-academic positions, except those on the Personnel Commission staff.

3.2.3 GENERAL CLASSIFICATION PLAN

- A. The Personnel Commission shall classify all positions within the jurisdiction of the Board of Trustees or the Commission, except those positions that the Personnel Commission determines are exempt from the classified service, pursuant to Rule 3.1.2.
- B. For purposes of this Rule, classification responsibilities of the Personnel Commission shall include, but not be limited to:
 - 1. Establishing minimum qualifications for regular employment in each classification;
 - 2. Allocation of all classified positions to appropriate classes;
 - 3. Arrangement of job classifications into occupational hierarchies (job families);
 - 4. Recommending reasonable relationships between job classifications within a series or job discipline;
 - 5. Preparation of written classification descriptions.
- C. The Personnel Commission shall maintain a classification plan for all positions in the classified service organized by class series, job discipline, and job family. The list of job classifications shall contain designation of the salary range applicable to each class.

3.2.4 CLASSIFICATION DESCRIPTIONS

- A. For each position, as initially or subsequently established by the Board of Trustees, there shall be established and maintained a classification description approved by the Personnel Commission which shall include:
1. The official class title;
 2. A statement of the concept of the class, generally defining the type of duties and responsibilities that would typically be performed by positions in the class;
 3. A statement of distinguishing characteristics that differentiates the class from other related or similar classes;
 4. A statement of the range of supervision received;
 5. A statement of the range of supervision exercised;
 6. A listing of the examples of typical duties to be performed by persons holding positions allocated to the class. This list shall not be construed to be exhaustive and/or restrictive, but descriptive and illustrative of the types of duties that may be performed by persons holding positions in the class;
 7. A listing of the critical knowledge, skills and abilities which an applicant or an employee must possess to successfully perform the essential duties of the positions in the class;
 8. A statement of the minimum qualifications for service in the particular class. The minimum qualifications may include education, experience, and/or any license, certificates or other special requirements for employment or service in the particular class; and must reasonably relate to the assigned duties of any position allocated to the class;
 9. A statement about the working environment and physical demands of positions allocated to the class;
 10. Any preferred or desirable qualifications.

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3.2.5

INTERPRETATION OF CLASSIFICATION DESCRIPTIONS

- A. The classification descriptions and their various parts shall be interpreted according to the following rules:
1. The concept of the class and examples of duties are descriptive and illustrative only and not restrictive and exhaustive. They indicate the kinds of positions that should be allocated to the respective classes as determined by their duties, responsibilities, and qualification requirements, and do not prescribe what these details shall be in respect to any position. The use of a particular expression or illustration as to duties, responsibilities, qualification requirements, or other attributes is typical or descriptive of the class and does not exclude others not mentioned but of similar kind and/or quality as determined by the Personnel Commission.
 2. The description for each classification is considered as a whole in determining the class to which any position shall be allocated, giving consideration not to isolated clauses, phrases, or words, apart from their context but to the general duties, responsibilities, specific tasks, and qualification requirements as affording a picture of the positions included in the class. A classification is deemed appropriate when it describes eighty (80) percent of the duties and responsibilities assigned to a position.

Section 3.2.5.A

3. Each classification description is construed in its proper relationship to other descriptions, particularly those of classes in the same series, in such manner as to maintain a proper gradation and differentiation within the series in which the class is located.
4. The statement of minimum qualifications, when considered with other parts of the classification description, is to be used as a guide in the announcement and preparation of tests and in the evaluation of the qualifications of candidates seeking appointment to positions allocated to the class, but does not require a particular form or content of test or testing procedure.
5. The classification title shall always be used with the meaning set forth in the remainder of the description.

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3.2.6 CREATION OF NEW CLASSIFICATIONS

- A. The Personnel Commission will create a new job classification when the duties of a new or existing position are not captured adequately under an existing job classification. The Personnel Commission will recommend an appropriate salary allocation based on a review of internal alignment and external market comparisons, if available.
- B. A job classification is a position or group of positions determined by the Personnel Commission as having duties and responsibilities sufficiently similar so that each position in the class:
 1. Can be given the same classification title;
 2. Has essentially the same requirements of education and experience;
 3. Can be filled through the same examination;

4. Can equitably receive the same compensation.
- C. All new classifications must be approved by the Personnel Commission and the Board of Trustees.

3.2.7 CREATION OF NEW POSITIONS

(Education Code Sections 88095, 88076)

- A. When District management proposes to create a new position, it shall provide information requested by the Director of Classified Personnel as necessary to determine the appropriate classification.
- B. All positions which consist of comparable duties, responsibilities, and qualifications shall be allocated to the same class.

3.2.8 CHANGE IN JOB DUTIES

- A. It is the immediate supervisor's responsibility to maintain the employee's duties and responsibilities consistent with the employee's class description. Management shall not change a substantial part of the regular duties of a position without prior approval by the Personnel Commission.
- B. If the District proposes substantial changes in job duties, such proposals shall be reported in writing to the Director of Classified Personnel on the appropriate Personnel Commission form for further study and classification.
- C. Positions that change substantially as a result of gradual accretion of additional job duties over a period of two years may qualify for reclassification under Merit Rule 3.3.

Section 3.2.8.D

- D. Incumbents of reclassified positions who have not completed two or more years of continuous service in their position may fill the reclassified position only after passing a qualifying examination prescribed by the Personnel Commission for the higher classification. Incumbents of such positions who are not successful in the examination process may be subject to transfer, bumping, or layoff, as provided in Merit Rule 13.3.

- E. Substantial changes in job duties of an employee that are temporary should be addressed through the Working Out of Class process, as provided in Merit Rule 3.2.10.

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3.2.9 CLASSIFICATION SYSTEM MAINTENANCE

- A. The Director of Classified Personnel shall review the duties and responsibilities of positions as necessary to determine their proper classification. All class descriptions shall be reviewed at least once every five years. Each year the Director of Classified Personnel shall prepare a schedule of anticipated review projects and present it for approval to the Personnel Commission. The Personnel Commission shall maintain a system of continuous classification review.

Section 3.2.9.B

- B. When conducting a review of class descriptions, the study process shall generally include the following steps:
1. An introductory meeting with incumbents and supervisors to explain the study procedure. For represented classifications, the applicable bargaining unit shall be invited to attend the introductory meeting.
 2. Completion of Position Description Questionnaires by incumbents.
 3. Review and approval of questionnaires by appropriate supervisors.
 4. Audit of positions by the Personnel Commission staff.
 5. Data review and salary data gathering by the Personnel Commission staff.
 6. Presentation of findings and recommendations to supervisors, managers, senior staff, incumbents, and bargaining unit representatives, if applicable.
- C. Following the conclusion of this process, the Director of Classified Personnel shall present final findings and recommendations to the Personnel Commission for action.

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3.2.10 WORKING OUT OF CLASS (Education Code Section 88010, 88087, 88105-88107)

A. Concept of Working Out of Classification

1. Each classified employee shall be required to perform the duties of the position approved by the Board and classified by the Personnel Commission for the class to which he or she is assigned. Each employee may be required to perform other related duties consistent with the concept of the classification to which the position is assigned.
2. Classified employees shall not be required to perform duties and responsibilities which are not fixed and prescribed for their positions or are not consistent with the concept of the classification of their current position for any period of time which exceeds five (5) working days within a fifteen (15) calendar day period, or equivalent (i.e., four 10-hour working days within a fifteen (15) day calendar period).
3. Working out of class assignments are designed for temporary situations and shall not be used to place an employee in a long-term or permanent assignment in a higher or different classification. No employee shall be assigned to work out of class beyond the time limits specified in Merit Rule 7.2 (Provisional Appointments) and Merit Rule 7.4 (Limited Term Appointments).

B. Procedure for Supervisor Requesting Approval for Working Out of Class

1. The supervisor shall request approval for an employee to work out of class when an employee is assigned to perform duties that are not allocated to the existing class. Requests shall be submitted to the Director of Classified Personnel on the approved form.
 - a. The request shall be submitted no later than ten (10) working days after the start of the assignment.
 - b. The request must contain a list of the newly assigned duties and must be approved by the supervisor, department head and the appropriate Vice President.
2. The Personnel Commission shall conduct a review of the newly assigned duties and shall determine whether they are at a higher range. The Director of Classified Personnel shall prepare a report of the findings, including the recommended pay differential, if any, for the temporary assignment.
3. The Director of Classified Personnel will advise the Office of Human Resources of the findings and shall present those findings, including the recommended pay differential, to the Personnel Commission for approval. Confirmation of this approval shall then be sent by the Personnel Commission to the supervisor and the employee, and forwarded to the Board for final approval.

C. Salary Adjustments for Working Out of Class

1. When the Director of Classified Personnel determines that an employee is working out of class for any period of time which exceeds five (5) working days within a fifteen (15) calendar day period or equivalent (i.e., four 10-hour working days within a fifteen (15) calendar day period), the employee shall be compensated as follows:
 - a. The salary of the employee shall be adjusted upward to the appropriate pay differential in the higher classification for the entire time the employee has been working out of classification. Upon determination by the Personnel Director, the employee working at the higher classification level less than 50% of the duration of the working out of class assignment will receive 50% of the pay differential; the employee working at the higher classification level at least 50% of the duration of the working out of class assignment will receive 100% of the pay differential.
 - b. No changes shall operate to disturb the relationship that compensation schedules bear to one another, as the relationship has been established in the classification made by the Personnel Commission.

D. Employee Rights and Responsibilities

If, after consultation with the immediate supervisor, the employee believes that assigned duties are at a higher range for a substantial part of the assignment, the employee shall notify the Director of Classified Personnel, in writing, no later than forty-five (45) working days after the start of the assignment.

- E. Any request submitted after the applicable time period shall take effect only from the date of receipt in the Personnel Commission Office.

3.2.11 POSITIONS REQUIRING SPECIAL LANGUAGE OR SKILLS

The Board of Trustees may request that the Personnel Commission designate certain positions within a class or classes to require the holder of the position to possess a special skill, license or language. The District must clearly set forth valid reasons for requesting such special requirements. The duties of the position must be the same as those for all other positions within the classification, except for this special requirement. Examples of special requirements may include the need for the incumbent to routinely and consistently read, speak and write a language other than English; an administrative secretary classification where one position requires the routine use of shorthand skills, or a gardener classification where one position requires a pesticide certificate.

- A. The commission shall have the right to designate a differential salary rate to compensate incumbents in such special positions for their special skills. Such differential rates shall correspond to the salary schedule percentages between the ranges.
- B. If a request to designate a position in a class as requiring a specialized skill is challenged, the Personnel Commission shall cause a proper investigation to be made and shall consider the findings and all other pertinent data presented by any concerned and responsible source prior to taking final action on the request.

3.2.12 CONFIDENTIAL DIFFERENTIAL
(Government Code 3540.1)

The Board of Trustees may designate certain positions confidential. A confidential employee is any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. The Board of Trustees' determination that a position is "confidential" is subject to review by the Personnel Commission. The Personnel Commission does not have the right to overturn the Board's designation of a position as confidential, but has the right to inform the Board of the position's classification and pay relationships.

Section 3.2.12.A

- A. The Commission shall have the right to designate a differential salary rate to compensate incumbents in confidential positions for the unique nature of the position.

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Rule 3.3 RECLASSIFICATION
(Education Code Section 88104, 88104.5, 88076, 88081)

3.3.1 RECLASSIFICATION OF POSITIONS

- A. The basis for reclassification of a position shall be the gradual accretion or growth of duties, and not a sudden change occasioned by a reorganization or the assignment of completely new duties and responsibilities.
- B. To qualify for reclassification, the change in duties and responsibilities must:
 - 1. Affect a significant portion of the duties and responsibilities of the position;
 - 2. Be so significant as to clearly warrant a change in the title and qualification requirements needed to perform the duties of the position;
 - 3. Occur through a gradual accretion of duties and not occasioned by the sudden assignment of wholly new duties.
- C. Recommendations as to the gradual accretion will be made by the Director of Classified Personnel. The Personnel Commission shall be the final approving authority.
- D. The supervisor shall contact the Director of Classified Personnel prior to making any sudden or permanent change in the duties of a classified employee.

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