



# MERIT RULES ADVISORY COMMITTEE

## MEETING MINUTES

Wednesday, September 2, 2020 at 10:00 a.m.

|   |   |  |
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| <p><b>DEPARTMENTS: PLEASE POST</b><br/> 3400 Airport/SBDC: Sasha King<br/> Academic Affairs: Sharon Thomas<br/> Accounts Payable: Cristina Hamblet<br/> Admissions &amp; Records: Esau Tovar<br/> African American Center: Sherri Bradford<br/> Athletics: Sandra Hernandez<br/> Auxiliary Services: Ofelia Meza<br/> Bundy: Beverly Redd-Walker<br/> Business Department: Peter Murray<br/> Campus Police Office: Jennifer Jones<br/> Campus Store: Jaime Recinos<br/> Career Services: Vicky Rothman<br/> Cashier's Office: Veronica Romo<br/> Center for Media &amp; Design: Jamina Russell<br/> Community Education: Alice Meyering<br/> Counseling Office: Laurie Guglielmo<br/> Custodian Time Clock: Anthony Williams<br/> Disabled Students Center: Nathalie Laille<br/> Early Childhood Ed.: L. Manson<br/> Emeritus College: V. Rankin-Scales<br/> English Dept.: Martha Hall<br/> EOP&amp;S: Nick Mata<br/> ESL Office: Jocelyn Alex<br/> Events Office: Yesenia Penate<br/> Faculty Association: Peter Morse<br/> Financial Aid Office: Stacy Neal<br/> Health Sciences: Bronwyn Webber-Gregg<br/> Health Office: Nancy Alfaro<br/> HSS: Carolyn Baugh<br/> Institutional Research: Trena Johnson<br/> International Education Center: Ana Jara<br/> KCRW: Cheryl Gee<br/> Latino Center: Maria Martinez<br/> Madison: Gail Johnson<br/> Maintenance/Operations: Anisha Fullard<br/> Math Village: Kristina Fukuda<br/> Media Center: L. Nakamura<br/> Modern Language: Travis Grant<br/> Music: Lori Geller<br/> Outreach &amp; Recruitment: Will Taylor<br/> Payroll: Ian Fraser<br/> Science: Ingrid Cardwell<br/> Student Life: Amelia Trejo<br/> Superintendent/Presidents Office: L. Kilian<br/> STEM: Vanan Yahnian<br/> Theater Arts: Judy Louff<br/> W&amp; ED/Bundy: Tricia Ramos</p> | <p><b>ADMINISTRATORS and MANAGERS</b></p> <p>Emeritus: Scott Silverman<br/> Facilities: Dennis Biddle<br/> HR: Tre'Shawn Hall-Baker<br/> Info Tech: Marc Drescher<br/> IEC: N. Pressian<br/> Instructional Technology: Joshi John<br/> Maintenance: Devin Starnes<br/> Operations: Anthony Barlow<br/> Derrick Davis<br/> Felicia Hudson<br/> Robert Villanueva<br/> Receiving: Lisa Davis<br/> Supplemental Instruction: Wendi DeMorst</p> | <p><b>PRESIDENT/SUPERINTENDENT and SENIOR STAFF</b></p> <p>Superintendent/President: Kathryn Jeffery<br/> Executive VP:<br/> VP Academic Affairs: Jennifer Merlic<br/> VP Business/Admin: Chris Bonvenuto<br/> VP Enroll. Services: T. Rodriguez<br/> VP Human Resources: Sherri Lee-Lewis<br/> VP Student Affairs: M. Tuitasi<br/> Senior Director Government Relations &amp; Institutional Communications: Don Girard<br/> Community Relations: Kiersten Elliott<br/> Public Information: Grace Smith</p> <p><b>PUBLIC POSTING LOCATIONS</b></p> <p>2714 Pico: exterior display box<br/> Library for Public Posting (1)<br/> Library for Archives (2)<br/> Mailroom<br/> SMC Personnel Commission Office<br/> SMC Human Resources<br/> Staff Lounge</p> <p><b>EMPLOYEE ORGANIZATIONS</b></p> <p>CSEA Labor Rep.: Jessica Gonzalez<br/> CSEA Chapter Pres.: Mike Roberts<br/> CSEA Chapter 1<sup>st</sup> V.P.: Kennisha Green<br/> CSEA Chapter 2<sup>nd</sup> V.P.: Cindy Ordaz<br/> CSEA Chief Job Steward: Lee Peterson<br/> CSEA Corresponding Sec: Kristina Fukuda<br/> CSEA Recording Sec'y: Judith Mosher<br/> SMC POA President: – Officer Cadena<br/> Mgmnt Assoc: Eve Adler</p> <p style="text-align: right;">Revised</p> <p><b>IF YOU NEED AN ACCOMMODATION</b><br/> 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 MRAC will be conducting virtual public meetings using Zoom. Virtual meetings have been authorized by Executive Order N-25-20 issued by Governor Gavin Newsom and dated March 12, 2020, to reduce and minimize the risk of infection by “limiting attendance at public assemblies, conferences, or other mass events.” Zoom meetings will ensure public participation while at the same time complying with the Governor’s Stay at Home executive order and Los Angeles County’s Safer at Home order.

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 shall send an email to [Personnel Commission@smc.edu](mailto:Personnel_Commission@smc.edu), by no later than 8:00 a.m. on Wednesday, September 2, 2020. 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*

**MERIT RULES ADVISORY COMMITTEE  
MEETING AGENDA  
Wednesday, September 2, 2020**

**PUBLIC SESSION: 10:00 a.m.**

**ORGANIZATIONAL FUNCTIONS**

- A. Call to Order 10:04 A.M.**
- B. Roll Call**

| <b>Committee Members</b>                        | <b>Present</b> | <b>Absent</b> |
|---|----------------|---------------|
| Commissioner Lawrence Leone, Chair              | <b>X</b>       |               |
| Commissioner Barbara Greenstein                 | <b>X</b>       |               |
| Carol Long, Director of Classified Personnel    | <b>X</b>       |               |
| Alan Kuykendall, Human Resources Representative | <b>X</b>       |               |
| Lee Peterson, Commission Appointee              | <b>X</b>       |               |
| Joshua Casillas, CSEA                           | <b>X</b>       |               |
| Mohamad Fakhri, CSEA                            | <b>X</b>       |               |
| Miguel Reyes, CSEA                              |                | <b>X</b>      |
| Albert Echeverria, Police Officer Association   |                | <b>X</b>      |

- C. Approval of Minutes:**
  - 1. June 3, 2020**
  - 2. August 5, 2020**

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**DISPOSITION BY THE COMMISSION**

**Minutes were approved.**

MOTION MADE BY: Lee Peterson  
SECONDED BY: Barbara Greenstein  
AYES: 5  
NAYS: 0  
ABSTENTIONS: 0

Amendments/Comments

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

**No public comments.**

Merit Rules Advisory Committee  
MINUTES of Regular Meeting, September 2, 2020

**III. MAJOR ITEMS OF BUSINESS**

| # | ITEM        |
|---|-------------|
| 1 | Chapter III |
| 2 | Chapter IX  |

1. Director of Classified Personnel, Carol Long, requested removal of Item #1. Chapter III was struck from the Merit Rules Advisory Committee Meeting Agenda.

2. Proposed revisions to Chapter 9: Merit Rule 9.2.5 through 9.4.2 were as follows:

Section 9.2.4

9.2.5

FLEXTIME ~~(ADMINISTRATIVE POLICY)~~

A. ~~It shall be~~ is the policy of the Santa Monica Community College District to allow employees and their supervisors ~~to~~ may choose to rearrange the employee's work schedule to allow each individual greater control over when hours are worked.

~~B. Flextime shall include:~~

~~1. The work patterns listed in Rule 9.2.3. (9/80, 4/40), when these work patterns are employee-initiated.~~

~~2. A work schedule with nonstandard starting and ending time; example: Monday – Friday, 6:00 AM – 2:45 PM.~~

~~3. A work schedule with regularly alternating work hours on different days; example: M, W, F, 7:00 AM – 3:45 PM; T, Th, 10:00 AM – 6:45PM.~~

~~4. A nonstandard lunch schedule within the workday; example: 7:45 AM – 4:15 PM (1/2 hr.); 7:30 AM – 4:15 PM (3/4 hr.); 7:30 AM – 4:30 PM (1 hr.)~~

~~1. Five (5) consecutive workdays of eight (8) hours per day in one (1) calendar week (5/40).~~

~~2. Eight (8) workdays of nine (9) hours per day and one (1) workday of eight (8) hours in a two (2) calendar week period (9/80).~~

~~3. Four (4) workdays of ten (10) hours per day in one (1) calendar week. (4/40).~~

Section 9.2.5.C

~~B.C.~~ Flextime scheduling ~~shall be~~ requires the approval ~~ed/disapproved by~~ of the immediate supervisor, the department head ~~or Dean~~, and the Office of Human Resources Personnel Director. ~~in~~ The approving/disapproving the request, ~~each~~ The supervisor shall take into account the needs of the employee as well as the student, faculty and public service needs of the department and the District.

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Rule 9.3

PROBATIONARY STATUS  
(EDUCATION CODE SECTION 88120)

9.3.1

INITIAL PROBATIONARY PERIOD

- ~~A.~~ A.—Each new employee appointed from an eligibility list shall serve an initial probationary period of six (6) months or 130 ~~working days~~ days of paid service, whichever is longer, in one class, before attaining permanency in the classified service.
- B. For classes designated by the Personnel Commission as executive, administrative, or supervisory, or for employees ~~designated as peace officers or dispatchers~~, the probationary period shall be ~~twelve (12) months~~ one calendar year.
- C. Credit toward completion of probation shall be granted only for service in a regular position in a class after appointment from an eligibility list or an employment list, and shall not include time while an employee is absent from ~~his/her~~ work for ten (10) or more consecutive workdays.

9.3.2

COMPLETION OF INITIAL PROBATION

- A. Each probationary classified employee shall be evaluated on job performance by his/her/their immediate supervisor.
- B. For an employee serving a six-month probation, tThe schedule of evaluation shall be at the end of the second, end of the fourth and prior to completion of the sixth month of employment. For an employee serving a twelve month probation, the schedule of evaluation shall be at the end of the fourth and eighth month of service, and prior to the completion of the twelfth month of service.
- C. A new employee may be disqualified at any time during the probationary period.
- D. A new classified employee shall be given a written notice of acceptance into or disqualification from the permanent classified service prior to the date on which the probationary period ends. Whenever a new employee is to be disqualified, the immediate supervisor shall prepare a written report, which shall be submitted for approval to the next level supervisor and the District Personnel Administrator Office of Human Resources whiche, upon approval, shall notify the employee of the action taken. A copy of the notice shall be filed simultaneously with the Director of Classified Personnel Director.
- E. A new employee who is to be disqualified may be allowed the opportunity to resign in lieu of disqualification, prior to board action.
- ~~F. A new employee shall not have the right to appeal disqualification, suspension, or dismissal unless the appeal is based on a claim of discrimination because of his/her affiliations, race, color, national origin, age, marital status, sexual orientation, gender, physical or mental disability, ancestry, medical condition (as defined in Government Code Section 12916 12926), employee organization membership or non-membership, or religious or political beliefs or acts.~~
- F. A new employee who resigns in good standing during his/her/their initial probationary period shall, upon request, have his/her/their name restored in proper rank to the eligibility list. However, such action shall not extend the life of the list or the period of eligibility of the person.

Section 9.3.3

9.3.3

SUBSEQUENT PROBATION FOR PERMANENT  
CLASSIFIED EMPLOYEES (EDUCATION CODE SECTION  
88124)

- A. A permanent classified employee who has been promoted, transferred, or who has demoted voluntarily to a new class in which the employee has not previously served, shall serve a new probationary period in the class, before attaining permanency in that class.
- B. A permanent employee who has been promoted to a higher class, or transferred to a new class, may be involuntarily returned to his/her/their former class due to unsatisfactory work performance in the event ~~he/she~~ they receive ~~an~~ an unsatisfactory ~~second~~ second or third performance evaluation. ~~The~~ ~~employee~~ ~~shall~~ not have the right to appeal, ~~unless the demotion will result in separation of the employee from the classified service, or the employee alleges the action is based on discrimination as listed in Rule 9.3.2 above.~~
- C. Suspension, or dismissal of a permanent classified employee ~~serving~~ a probationary period in a new class shall constitute disciplinary action and the employee shall retain his/her/their full right of appeal as provided in Rule 14.2.



Rule 9.4

Rule 9.4

PERMANENCY

9.4.1

PERMANENT STATUS DEFINED (EDUCATION CODE SECTION 88120)

A. Upon successful completion of the prescribed initial probationary period, a classified employee shall be deemed to be in the permanent classified service.

~~B. Except as provided below, the probationary period shall be 6 calendar months or 130 working days, whichever is longer.~~

~~C. For classes designated as management, or supervisory, and for law enforcement and security dispatcher classes, the probationary period shall be one calendar year.~~

9.4.2

RIGHTS, BENEFITS AND BURDENS OF PERMANENT CLASSIFIED EMPLOYEES

A. Every permanent classified employee shall be entitled to all the rights, benefits and burdens conferred by law or by the action of the Board of Trustees for classified employees of like classification, including a vested right to ~~his/her~~their position. A permanent classified employee may be removed only for cause as listed in Rule 14.1, due to lay-off or as otherwise specified in these Rules.

Merit Rules Advisory Committee  
MINUTES of Regular Meeting, September 2, 2020

**IV. MEETING ADJOURNED at 10:51 A.M.**

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**DISPOSITION BY THE COMMISSION**

MOTION MADE BY: Barbara Greenstein  
SECONDED BY: Lee Peterson  
AYES: 5  
NAYS: 0  
ABSTENTIONS: 0

Amendments/Comments

| <b>2020-21 MEETING SCHEDULE FOR<br/>THE MERIT RULES ADVISORY COMMITTEE</b> |                  |
|--|------------------|
| July 1, 2020   | January 6, 2021  |
| August 5, 2020   | February 3, 2021 |
| September 2, 2020  | March 3, 2021    |
| October 7, 2020  | April 7, 2021    |
| November 4, 2020   | May 5, 2021      |
| December 2, 2020   | June 2, 2021     |