



MERIT RULES ADVISORY COMMITTEE MEETING MINUTES

Wednesday, November 3, 2021 at 10:00 a.m.

****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: Sandra Hernandez 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: Community Education: Alice Meyering Counseling Office: Laurie Guglielmo 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: Stacy Neal 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: A. DiGregorio 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 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: Bradley Lane 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>2714 Pico: exterior display box Online: www.smc.edu</p> <p>EMPLOYEE ORGANIZATIONS</p> <p>CSEA Labor Rep.: Jessica Gonzalez CSEA Chapter Pres.: Mike Roberts CSEA Chapter 1st V.P.: Kennisha Green CSEA Chapter 2nd V.P.: Cindy Ordaz 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 8/18/2021</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 shall send an email to personnel_commission@smc.edu, by no later than 9:00 a.m. on Wednesday, November 3, 2021. 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
- B. Roll Call

Committee Members	Present	Absent
Commissioner Lawrence Leone, Chair	X	
Commissioner Barbara Greenstein	X	
Carol Long, Director of the Personnel Commission	X	
Tre'Shawn Hall Baker, Dean of Human Resources	X	
Lee Peterson, Commission Appointee	X	
Joshua Casillas, CSEA		X
Ernesto Barba, CSEA	X	
Brent Heximer, CSEA	X	
Albert Echeverria, Police Officer Association		X

- C. Approval of Minutes:

1. October 6, 2021

DISPOSITION BY THE COMMITTEE

MOTION MADE BY: Tre'Shawn Hall Baker
 SECONDED BY: Lee Peterson
 AYES: 7
 NAYS: 0
 ABSTENTIONS: 0

Amendments/Comments

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

No Comments

III. MAJOR ITEMS OF BUSINESS

1	CHAPTER III: POSITION CLASSIFICATION PLAN
2	CHAPTER XII: SALARIES, OVERTIME PAY AND BENEFITS

Chapter III was not discussed.

The following revisions were made to Sections 12.2.1 through 12.2.8.

The Director of the Personnel Commission was asked to research multiple sections of this rule to clarify appropriate terms and processes.

Changes will be revisited at the next Merit Rules Advisory Committee Meeting scheduled for December 1, 2021.

Rule 12.2

GENERAL SALARY PROVISIONS

~~Salary provisions for unit members are contained in Article 11 of the District/CSEA Contract.~~

12.2.1

INTERPRETATION OF THE SALARY SCHEDULE

- A. The schedule of pay for each class represents the standard rate of pay for full-time employment, unless in the pay schedule it is specifically indicated that the rate is for part-time service.
- B. The rates of pay as set forth in the pay schedules do not include reimbursements for actual and necessary expenses for traveling, subsistence, car mileage, and similar purposes authorized and incurred as part of the employment.

12.2.2

TIME FOR PAYMENT (EDUCATION CODE SECTION 85244)

- A. Payroll orders for the payment of wages shall be made to all regular classified employees twice during each calendar month.
 - 1. Work performed between the 1st and 15th days of the month shall be paid for on the 25th of the month.
 - 2. Work performed between the 16th and the last day of the month, inclusive, shall be paid for on the 10th of the month.
 - 3. Whenever the 10th or 25th falls on a weekend or holiday, payroll checks shall be issued on the preceding workday.

Section 12.2.3

12.2.3

CORRECTION OF ERROR IN SALARY (EDUCATION
CODE SECTION 88166, CODE OF CIVIL PROCEDURE
338)

- A. Whenever it is determined that an error has been made in the calculation or reporting in any classified employee's payroll or in the payment of any classified employee's salary, the appointing authority shall, within five working days following such determination:
1. Provide the employee with a statement of correction.
 2. Issue a supplemental payment to cover ~~the entire underpayment against any available funds where the employee has been underpaid~~ any amount owed to the employee.
 3. Make equitable arrangement for repayment where the employee has been overpaid.
- B. The correction of errors made in the calculation, reporting, or in the payment of any classified employee's salary shall be limited to the three year period preceding the date a claim is filed, or the error is discovered.

12.2.4

SALARY ON EMPLOYMENT

A. New employees shall normally be hired at the first step in the salary range for the classification, except for cases in which an accelerated hiring rate or they have been approved for an Advanced Step Placement has been approved.

1. ~~An Accelerated Hiring Rate may also be approved for the classification by the Personnel Commission and the Board of Trustees prior to opening recruitment.~~

B. Advanced Step Placement

A new employee may be granted Advanced Step Placement on the salary schedule upon recommendation of the Director of ~~Classified the~~ Personnel Commission. The Director of ~~Classified the~~ Personnel Commission shall base ~~his/hert~~their recommendation on a determination that Advanced Step Placement is necessary due to labor market conditions, or to properly compensate a new employee for previous training, experience, and qualifications which greatly exceed the standard expectations of a new employee on entry into the classification. Input from subject matter experts and the hiring manager regarding the criteria for advanced step placement will be considered when making this determination.

1. Placement at the second step may be approved if the employee has had at least two (2) additional years of training and experience beyond the years indicated in the class qualifications, and two or more of the criteria listed in Section 12.2.4.B.3 are present.
2. Placement at the third step may be approved if the employee has had at least four (4) additional years of training and experience beyond the years indicated in the class qualifications, and two or more of the criteria listed in Section 12.2.4.B3 are present.

3. The following guidelines will be taken into account when making the final determination:
 - a. The candidate possesses value-added experience performing substantially the same duties listed in the class description, above and beyond standard expectations for a new hire.
 - b. The candidate possesses value-added training which is directly related to the required duties of the job, above and beyond standard expectations for a new hire.
 - c. Verifiable difficulty is experienced in attracting well-qualified candidates, or there is an insufficient number of eligible candidates ready and willing to accept a permanent assignment in spite of a targeted recruitment effort.

Rev. approved by the Personnel Commission on 3/15/17

4. The maximum initial salary placement is the third step on the salary schedule, unless approval for higher initial salary placement is granted by the Personnel Commission, Superintendent/President, and the appropriate appointing authority. In order to be considered for initial salary placement above Step C, candidates must have more than four (4) additional years of training and experience beyond the years indicated in the class qualifications, and two or more of the criteria listed in 12.2.4.B.3. must be present.
5. The initial offer or denial of Advanced Step Placement will be made as part of the job offer, and will be subject to receipt of written verification submitted by the new employee indicating that relevant criteria as outlined in Section 12.2.4 (B) have been met. Failure of the employee to submit the verification by the start date of employment shall result in ineligibility for Advanced Step Placement.

C. Accelerated Hiring Rate

An Accelerated Hiring Rate may be set prior to opening recruitment with the approval of the Personnel Commission and the Board of Trustees, at any step of the schedule of the class. Accelerated Hiring Rates may be utilized for classes where past recruitment efforts have indicated difficulty in recruiting at the first step. If an Accelerated Hiring Rate is approved, all current employees in the class shall be advanced to that rate and shall begin a new cycle of step advancement.

Rev. approved by the Personnel Commission on 11/18/15

Section 12.2.5

12.2.5

SALARY INCREMENTS

- A. Upon completion of the probationary period~~six months of satisfactory service~~, a regular classified employee initially hired at step A shall advance to step B on the appropriate range of the salary schedule.
- B. Notwithstanding the provisions of paragraph A, a new employee who has served continuously in limited-term or provisional status immediately prior to appointment to a regular position in the same class shall, for purposes of salary increment advancement, be credited back to the original date of hire in the class. The maximum amount of time which may be credited is six months.
- C. After receipt of the initial salary increment, each regular classified employee shall advance one step on the appropriate salary range upon completion of each year of continuous ~~and satisfactory~~ service until the maximum is reached.
 - 1. ~~For purposes of this rule, a year shall be defined as the number of months in the employee's assignment during the college year.~~
 - 2. ~~For purposes of this rule, an uncleared disciplinary action, a formal reprimand, or Unsatisfactory Work Performance Notice received in the preceding year shall disqualify an employee from receiving an increment as provided in Rule 12.2.7.~~
- D. A regular classified employee initially hired at step B or ~~C~~ higher shall advance to the next step on the appropriate range of the salary schedule upon satisfactory completion of one year of service.

12.2.6

SPECIAL SALARY INCREMENTS FOR MANAGEMENT
AND CONFIDENTIAL EMPLOYEES

- A. A permanent classified management or confidential employee may be granted a special one-step salary increment in advance of the scheduled increment subject to the following conditions:
1. When the employee's supervisor wishes to request a special salary increment, ~~he/shethy~~ shall submit to the ~~College Personnel Administrator~~ Vice President of Human Resources or designee a recommendation with documentation of outstanding and meritorious service in the improvement of the educational service to students or the administration of the District. The recommendation shall include a specific listing of the accomplishments and achievements of the employee which exceeds the performance standards of the class.
 2. The recommendation shall be submitted for approval by a District Personnel Committee which shall be composed of the ~~District Personnel Administrator~~ Vice President of Human Resources, the ~~Personnel~~ Director of the Personnel Commission, the employee's supervisor, and one at-large employee.
 3. The recommended employee has not received a regular salary increment within the preceding six months.
 4. The employee shall be eligible for no more than one special one-step salary increment within a three and one-half year period.
 5. Upon receipt of a special salary increment, the employee salary increment anniversary date shall be adjusted and the date of the special increment shall become the employee's new increment date.

~~12.2.7 WITHHOLDING SALARY INCREMENTS~~

~~A. A salary increment shall be withheld when an employee has received a Notice of Unsatisfactory Service, a formal reprimand or a Disciplinary Action Notice within the one year period preceding the due date for the increment, subject to the following conditions:~~

~~1. The increment may be withheld for a maximum period of 90 working days.~~

~~2. Upon clearance of the Unsatisfactory Notice, a formal reprimand or Disciplinary Action Notice by issuance of a Job Performance Progress Report by the employee's immediate supervisor, the increment shall be approved effective the first of the month following the filing of the clearance notice.~~

~~B. Withholding of a salary increment for permanent employees shall be subject to appeal to the Personnel Commission as part of the appeal of disciplinary action.~~

V. MEETING ADJOURNED at 11:01 a.m.

DISPOSITION BY THE COMMITTEE

MOTION MADE BY: Barbara Greenstein
SECONDED BY: Lee Peterson
AYES: 7
NAYS: 0
ABSTENTIONS: 0

Amendments/Comments

FY 2021-2022 Merit Rules Meeting Schedule
Wednesday, December 1, 2021
Wednesday, January 5, 2022
Wednesday, February 2, 2022
Wednesday, March 2, 2022
Wednesday, April 6, 2022
Wednesday, May 4, 2022
Wednesday, June 1, 2022