



MERIT RULES ADVISORY COMMITTEE

MEETING MINUTES

Wednesday, May 4, 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: Angela Valentine 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: Clarendia 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: 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>Online: www.smc.edu</p> <p>EMPLOYEE ORGANIZATIONS</p> <p>CSEA Labor Rep.: Jessica Gonzalez 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 4/20/2022</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, May 4, 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 **10:03 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	
Tre'Shawn Hall Baker, Dean of Human Resources	X	
Lee Peterson, Commission Appointee	X	
Joshua Casillas, CSEA	X	
Kennisha Green, CSEA	X	
Brent Heximer, CSEA	X	
Albert Echeverria, Police Officer Association		X

- C.** Approval of Minutes:

- 1. April 6, 2022**

DISPOSITION BY THE COMMITTEE

MOTION MADE BY: Barbara Greenstein
SECONDED BY: Tre'Shawn Hall Baker
AYES: 8
NAYS: 0
ABSTENTIONS: 0

Amendments/Comments

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

No Comments.

III. MAJOR ITEMS OF BUSINESS

1	MERIT RULE 9.6.2: DECREASES IN ASSIGNED TIME
2	MERIT RULE 12.2.7: SALARY ON PROMOTION
3	CHAPTER XII: SALARIES, OVERTIME PAY AND BENEFITS

A Motion was made to send 12.3.6 through 12.4.4 to the Personnel Commission for a First Reading.

Section 12.3.6

12.3.6

EXEMPTION FROM OVERTIME PROVISIONS
(EDUCATION CODE SECTIONS 88026, 88027, 88029)

- A. All positions/classes designated as executive, administrative, or supervisory by the Personnel Commission shall be exempted from ~~the overtime provisions of these Rules~~Education Code 88027 unless otherwise required by Federal or State law.
- B. To be exempted from overtime provisions, all classes or positions must clearly be:
1. Management positions in which the duties, authority, flexibility of hours, salary and benefit structure sets them apart from other positions or classes.
- ~~C. Classes which are subject to fluctuations in daily working hours not subject to administrative control, such as police, security, or recreation but not food service or transportation, may be exempted from overtime provisions requiring payment of overtime for hours worked in excess of eight (8) in one day. For alternate work pattern assignments, this exemption shall apply to hours worked in excess of nine (9) hours in one day or ten (10) hours in one day, as appropriate.~~
- ~~D.~~ D. The Personnel Commission shall certify in writing ~~that~~ each position classification that is properly exempted from the overtime provisions of Education Code Section 88027, ~~and that the e~~Employees serving in such classes ~~are shall~~ not ~~be therefore~~ unreasonably discriminated against as a result of this exclusion.
- ~~E.~~ E. The list of designated management classes exempt from overtime provisions shall be maintained in the District's Management Salary Schedule and on file in the Personnel Commission Department.
- ~~F.~~ F. ~~The list of classes designated as exempt from overtime compensation for hours worked in excess of eight (8) in one day shall be maintained in the Classified Personnel Office.~~

- ~~GE.~~ Notwithstanding the provisions of paragraph A of this Rule, if an exempted employee is required to work on a holiday, ~~he/shethey~~ shall be compensated at ~~his/her/their~~ regular rate of pay for the hours worked on the holiday or shall be granted an equal amount of compensatory time.
- ~~HF.~~ Whenever a non-management employee is temporarily assigned to a designated management position for which ~~he/shethey~~ receives pay on the management salary schedule, the employee shall be ineligible for overtime pay for the entire period in which ~~he/shethey~~ serves in the management position.

Section 12.3.7

~~12.3.7~~ ~~APPLICATION OF OVERTIME COMPENSATION PROVISIONS TO UNIT MEMBERS~~

- ~~A.~~ ~~Overtime compensation provisions for unit members shall be in accordance with Article 3 of the Agreements between the Santa Monica Community College District and Chapter 36, CSEA and this Rule, unless the Rule provision is specifically limited to management and confidential employees.~~

Rule 12.4

EMPLOYEE BENEFITS

Employee benefit provisions for bargaining unit members are contained in ~~Article 12 of the District/CSEA Contract~~the applicable bargaining agreement.

12.4.1

HEALTH AND WELFARE BENEFITS (GOVERNMENT CODE SECTION 53200)

- A. The Santa Monica Community College District shall provide a basic Health and Welfare Benefit Plan to all regular employees serving in positions assigned on a half time (20 hour) basis or more.
- B. ~~The~~Costs of basic Health and Welfare Benefits shall be ~~the amount~~ approved by the Board of Trustees ~~for the year~~ annually.
- C. The basic Health and Welfare Benefit Plan shall provide for a contribution by the District for group medical insurance, dental insurance and vision coverage.
- D. Each regular eligible employee, shall select coverage from the group health insurance, dental program, and vision plan offered by the District within the first 30 days after initial employment. Thereafter, a covered employee may change plans or add eligible family members only during open enrollment periods.
- E. Employees who work five days per week, seven to eight hours per day, 35 to 40 hours per week, and who are employed for the academic year, or instructional year, shall be considered full-time employees for the purposes of this rule.

- F. Employees who work less than 35 hours per week, but 20 or more hours per week, shall receive a pro-rata share of the amounts which are authorized for a full-time employee if they elect to be enrolled in a health, vision, and dental ~~program care plan~~. The pro-ration shall be based on ~~the number of hours worked as it bears to 40 and as the number of months worked bears to ten a 40 (forty) hour week.~~
- ~~4. Unit member employees who were employed for 20 hours per week or more prior to September 19, 1977, and who have been continuously employed, shall continue to receive full benefits.~~
- G. Employees who work less than 20 hours per week shall not be eligible for benefits enumerated in the Rule.
- H. The District shall provide the basic Health and Welfare Benefit Plan to retired annuitant employees of the District. The benefit plan shall provide the group medical, dental and vision care coverage for the employee and eligible dependents as defined by the insurance carrier. The amount of contribution shall be determined by the Board of Trustees.
- I. The District shall provide the supplemental retirement benefit to all retired employees who meet the eligibility requirements for the District's Classified Employees' Early Retirement Program.
- J. The District supplemental retirement benefit shall continue until the employee's 65th birthday or the employee's death, whichever occurs first. The supplemental benefit shall not be provided to the employee's estate or surviving dependents.

12.4.2 MILEAGE REIMBURSEMENT

- A. Any classified employee who is required by ~~their~~his/her supervisor to use ~~his/her~~their personal vehicle for college business shall be reimbursed for mileage at the rate approved by the Board of Trustees.
- B. Claims for mileage reimbursement shall be processed in accordance with District procedures approved by the immediate supervisor and filed with the Business Services Department on the Mileage Reimbursement form at the close of each semester.

12.4.3 UNIFORM ALLOWANCE (EDUCATION CODE SECTION 88037)

- A. The District may require classified employees to wear a distinctive uniform. The cost of purchase, lease, rental, and maintenance of uniforms, and equipment, identification badges, emblems, and cards which are required by the District shall be paid for, or the cost shall be reimbursed to the employee, by the District.

~~12.4.4 APPLICATION OF BENEFIT PROVISIONS TO UNIT MEMBERS~~

- ~~A. The benefit provisions for unit members shall be in accordance with Article 12 of the Agreements between the Santa Monica Community College District and Chapter 36, CSEA, and this Rule the applicable collective bargaining agreements.~~

DISPOSITION BY THE COMMITTEE

MOTION MADE BY: Lee Peterson
SECONDED BY: Barbara Greenstein
AYES: 8
NAYS: 0
ABSTENTIONS: 0

Amendments/Comments

These revisions conclude Chapter 12 of the Merit Rules. The Committee deliberated and proposed to begin revisions of Chapter 13 at the next meeting.

V. MEETING ADJOURNED at 10:47 a.m.

DISPOSITION BY THE COMMITTEE

MOTION MADE BY: Tre'Shawn Hall Baker
SECONDED BY: Kennisha Green
AYES: 8
NAYS: 0
ABSTENTIONS: 0

Amendments/Comments

As required by law, the agenda for the Wednesday, May 4, 2022 Regular Meeting of the Santa Monica College Merit Rules Advisory Committee was posted 72 hours in advance of the meeting.

FY 2021-2022 Merit Rules Meeting Schedule
Wednesday, June 1, 2022