


**Memorandum of Understanding
Between the
Santa Monica Community College District (“District”)
And the
California School Employees Association and its
Santa Monica College Chapter 36 (“CSEA”)**

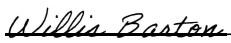
1. The District and CSEA created a joint Evaluation Committee in accordance with Article 4.11 of the Collective Bargaining Agreement between the District and CSEA.
2. The parties have considered the recommendations of the Joint Evaluation Committee and agreed as follows:
 - a. Article 4 of the Collective Bargaining Agreement is amended as set forth in Attachment 1 to this MOU.
 - b. Appendix D, Evaluation, is amended as set forth in Attachment 2.
3. The parties agree this Tentative Agreement is subject to the CSEA Policy 610 Review Process, and District Board approval.

Dated: April 29, 2024

For CSEA:




[Cindy Ordaz \(May 17, 2024 10:41 PDT\)](#)
Cindy Ordaz, Chapter President




Willis Barton



Kennisha Green



[Martha Romano \(May 20, 2024 12:24 PDT\)](#)
Martha Romano




[Maria Bonin \(May 20, 2024 13:03 PDT\)](#)
Maria Bonin




Derek Eckstein, Labor Relations Representative

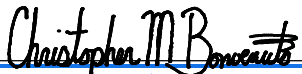
For District:



[Robert Myers \(May 20, 2024 14:26 PDT\)](#)
Robert M. Myers, Chief Negotiator



Sherri Lee-Lewis



[Chris Bonvenuto \(May 21, 2024 09:50 PDT\)](#)
Christopher Bonvenuto

ATTACHMENT 1

ARTICLE 4
EVALUATION

4.1 Philosophy of Evaluation

The performance evaluation is provided as an aid for classified employees to achieve and maintain high levels of work performance. The evaluation focus is based on a commitment to quality service and continuous improvement. The evaluation process has been designed to be used as a coaching device for supervisors and a means for establishing mutually agreed upon performance goals and objectives for individual employees. The evaluation process and form are intended to provide a method of measuring an employee's performance based on the standards and requirements of the position as stated in the job description, and the performance goals and objectives. The evaluation form can be a valuable asset to supervisors in motivating employee development and effective job performance, particularly when used to initiate employee assessment and the planning of goals and objectives.

The evaluation shall not be used in lieu of the disciplinary steps set forth in Article 13.

4.2 Evaluation Responsibilities

4.2.1 All unit members shall have the right to know their evaluator. The employee's immediate supervisor shall be the evaluator. The employee shall have the right to know all other persons contributing to the evaluation.

4.2.2 The evaluation shall be based on the following standards, objectives, and criteria:

- a. The job description.
- b. The focus areas on the approved Evaluation Form.
- c. Lawful workplace rules communicated to the employee in writing.
- d. Evaluation of the quality or quantity of an employee's work shall take into account the employee's workload and the extent to which established priorities of the work assignment are met.

4.2.3 Supervisors shall maintain ongoing communication with those that they supervise and should not wait until the evaluation conference to do so. This applies to both anniversary and special evaluations. A grievance may be filed for violation of this paragraph only when the failure of communication resulted in an Overall Work Performance Rating of "Below Standards" because the employee was not given an opportunity to address the problem.

4.2.4 The employer retains sole responsibility for the evaluation, assessment, and performance of each unit member, subject only to the procedural requirements. Accordingly, no grievance arising under this article shall challenge the substantive objectives, standards, or criteria determined by the evaluator or District; nor shall it contest the judgment of the evaluator or

District. Any grievance shall be limited to a claim that the evaluation procedures have been violated. Evaluation procedures are outlined in the form in Appendix D.

4.3 Evaluation Conference

- 4.3.1 The immediate supervisor shall schedule an evaluation conference with the employee to be evaluated. Evaluation Conferences shall be conducted during the employee's workday. Evaluations shall not be performed by unit members. The evaluation shall be based upon the personal observation and/or the knowledge of the evaluator of the employee's performance during the evaluation period. However, input may be obtained for the evaluation from unit members or academic personnel (Department Chairs and Faculty Coordinators) that have a responsibility in their job description or duties to assist in the evaluation of classified personnel. The supervisor shall verify the accuracy of any such input.
- 4.3.2 In order to facilitate the ongoing communication required by Section 4.2.3 above, the supervisor may schedule periodic meetings with the employee and the respective Department Chair or Faculty Coordinator who provides such direction. The District shall inform the employee that a CSEA representative may participate in the meeting.
- 4.3.3 In order to conduct an anniversary or special evaluation, the supervisor shall have been the employee's supervisor for at least 120 days.
- 4.3.4 The supervisor shall notify each employee to be evaluated of the date, time, and location of the conference. The notice shall include a statement as to which persons authorized in Section 4.3.6 below shall attend the conference and a reminder that the employee will be asked to discuss their goals and objectives for the next evaluation period.
- 4.3.5 At the time of the evaluation conference, the immediate supervisor shall, if applicable, give suggestions for improvement and include these written suggestions on the approved evaluation form. At this conference, the employee and supervisor shall make a good faith effort to establish mutually agreed upon goals and objectives for the next evaluation period.
- 4.3.6 Only the following individuals may attend the evaluation conference:
 - 4.3.6.1 The employee and an Association representative or any other representative of the employee.
 - 4.3.6.2 The employee's immediate supervisor.
 - 4.3.6.3 The area Vice President or a representative from the Office of Human Resources.

4.3.6.4 Any supervisor with management responsibility for the employee's work area with the consent of the employee.

4.3.6.5 Any other person mutually agreed to by the District, CSEA, and the employee.

4.4 Definition of Ratings

4.4.1 A "Needs Improvement" rating signifies that the employee's work performance needs improvement and the employee has not achieved the expected level of performance for the specific area being evaluated. This rating must be documented by 1) a statement of the problem or concern; and 2) specific suggestions for improvement. In connection with the evaluation of a non-probationary employee, the rating shall also be documented with a description of the steps the supervisor took to bring the needs improvement performance to the attention of the employee so that he or she had an opportunity to make improvement before the date of the evaluation conference.

4.4.2 A "Meets Expectations" rating signifies that the employee's work performance has met or exceeded the expected level of performance for the specific area being evaluated.

4.4.3 The "Overall Work Performance Rating" reflects the employee's overall performance.

4.5 Evaluation Form

4.5.1 All evaluations will be made on a negotiated form, Appendix D, which will include, but is not limited to, the following items:

4.5.1.1 A designated space for the employee's self-evaluation;

4.5.1.2 The immediate supervisor's suggestions for improvement; and a clear definition of what is necessary to achieve those improvements;

4.5.1.3 A designated space for the employee's signature, including a statement, "The employee's signature does not imply agreement with the contents of this evaluation. By signing, the employee acknowledges having seen, discussed, and received a copy of this evaluation."; and

4.5.1.4 The following statement in a prominent place: "The employee has fifteen (15) working days to attach a response, if desired, prior to this evaluation being filed in the employee's official personnel file." The employee or their representative may request an extension in writing to the Office of Human Resources. Any such request shall state the reason for the request.

- 4.5.2 Any mutually agreed upon goals and objectives shall be set forth on a separate sheet attached to the evaluation form.
- 4.5.3 Evaluation Forms and responses should be distributed in the following manner – original to the Office of Human Resources, one copy to the employee and another copy to the supervisor.
 - 4.5.3 Either party may propose amendments to the current evaluation form. All such changes shall be mutually agreed upon.

4.6 When to Evaluate Probationary Unit Members

- 4.6.1 Every unit member, except unit members designated as dispatchers, shall serve an initial probationary period for six (6) months or one hundred and thirty (130) days of paid service, whichever is longer. Dispatchers shall serve an initial probationary period of one (1) calendar year. Employees who have modified work schedules (such as 3/12, 4/10, or 9/80) shall be credited as if they had worked a 5/40 week.
- 4.6.2 For an employee serving a six-month probation, the immediate supervisor shall prepare a formal evaluation by the end of the second and fourth months of service, and prior to the completion of the sixth month of service. For an employee serving a one-year probation, the immediate supervisor shall prepare a formal evaluation by the end of the fourth and eighth months of service, and prior to the completion of the twelfth month of service. If, as a result of a probationary employee's absence, the supervisor cannot adequately evaluate the probationary period in the times specified above, the supervisor is still responsible for conducting the evaluation within 10 work days of the probationary employee's return to work. If the supervisor is on approved leave at the time the employee returns for work, the 10 work day time period shall be extended by the number of days that the supervisor is on leave.
- 4.6.3 With the exception of dispatchers, unit members who are promoted shall be evaluated by their immediate supervisors on the second and fourth months and prior to the completion of the sixth month of the probationary period. Unit members who are promoted to dispatcher shall be evaluated by the immediate supervisor by the end of the fourth and eighth months of service, and prior to the completion of the twelfth month of service.
- 4.6.4 In the event the unit member who is promoted does not successfully complete the promotion probationary period, the permanent promotional or probationary member shall be entitled to a position in his/her previous permanent classification.
- 4.6.5 In the event that the employee does not receive a satisfactory evaluation during their initial probationary period and the supervisor does not recommend

permanency, the employee may be offered the opportunity to resign prior to release from their probationary assignment.

4.7. Permanent Unit Members Evaluations

- 4.7.1 A performance evaluation shall be conducted only during the period beginning with the employee's anniversary date in the current position ("anniversary evaluation") and ending 60 calendar days after the employee's anniversary date. The ending date of the 60-day evaluation period shall be extended by the number of days that an employee was on leave during the 60-day evaluation period. The anniversary date is based on the employee's date of appointment to his/her current classification.
- 4.7.2 An evaluation shall be conducted at least once every three years. In the event that no evaluation has been conducted, the employee's performance shall be deemed "Meets Expectations". Any employee receiving an overall "Meets Expectations" rating may be exempted from the next two annual evaluation cycles.
- 4.7.3 An employee may at any time request an evaluation from his or her supervisor and the supervisor shall either grant or deny the request.

4.8 Special Evaluation

- 4.8.1 All regular permanent unit members may be evaluated by their immediate supervisors at any other time when exemplary or unsatisfactory service is performed.
- 4.8.2 In the event of alleged unsatisfactory performance, the evaluation shall be made within 30 days of the noted unsatisfactory performance.
- 4.8.3 Letters of exceptional merit that are based on the observation or knowledge of the employee's service to the District shall upon the request of the employee be placed into the employee's personnel file maintained in the Office of Human Resources.

4.9 Follow-Up Evaluation

- 4.9.1 If an employee receives a "Needs Improvement" rating in any area, a follow-up evaluation may be scheduled.
- 4.9.2 If an employee receives an overall "Needs Improvement" rating, a follow-up evaluation must be scheduled.
- 4.9.3 The follow-up evaluation shall be held between thirty (30) and ninety (90) days from the date of the original evaluation conference.

4.9.4 The District and the Association agree that the purpose of a follow-up is to allow the employee the opportunity to improve. Follow-up evaluation is limited to the specific areas in the original evaluation that the employee was rated “Needs Improvement.”

4.10 Employee Response to the Evaluation

4.10.1 The employee may submit a written response to the evaluation within 15 working days of the evaluation conference. The written response shall be submitted to the Office of Human Resources. The employee or their representative may request an extension in writing to the Office of Human Resources. Any such request should state the reason for the request. If the request is denied, the Office of Human Resources shall state the reasons in writing.

4.10.2 If an employee receives an overall rating of “Needs Improvement” on any evaluation and the employee prepares a written response to the evaluation, the employee’s evaluation along with the response shall be reviewed by the area Vice-President. As part of this review, the employee may request a meeting with the area Vice-President to discuss his/her evaluation. The employee may be represented by the Association at any such meeting. The area Vice-President has the authority to approve or revise the evaluation. In addition, the Vice President has the authority to rescind the evaluation and direct that a new evaluation conference be scheduled within 30 days of the date of meeting.

ATTACHMENT 2

1. PHILOSOPHY OF EVALUATION

The evaluation focus is based on a commitment to quality service. The evaluation process and evaluation instrument are intended to provide a method of self-assessment and measuring an employee's performance based upon the expectations and requirements as stated in the job classification specification. The evaluation process is not intended to be used as a disciplinary tool or a step in the disciplinary process.

2. WHEN TO EVALUATE AN EMPLOYEE

- a. Probationary Employees shall be evaluated by their immediate supervisor at the end of the second, fourth, and prior to completion of the sixth month of service or as delineated in Article 4.6.2.
- b. Permanent Employees shall be evaluated during the period beginning with the employee's anniversary date in their current position and ending sixty (60) calendar days after the employee's anniversary date.

3. FOLLOW-UP EVALUATION

- a. If an employee receives a "Needs Improvement" rating in any area, a follow-up evaluation may be scheduled.
- b. If an employee receives an overall "Needs Improvement" rating, a follow-up evaluation must be scheduled.
- c. A follow-up evaluation is limited to the specific area/s in the original evaluation where the employee received a "Needs Improvement" rating.
- d. If there is a follow-up evaluation as referenced in Article 4.9, that follow-up evaluation must be held between thirty (30) and ninety (90) days from the date of the original annual evaluation conference. The supervisor will indicate the date of the follow-up conference in Section B at the time of the original evaluation conference.

4. EVALUATION PROCEDURE

There are three (3) parts to the performance evaluation, which will be completed online through a workflow designated by the Office of Human Resources.

a. Part I: Self-Evaluation Questions

- 1. The self-evaluation questions are mandatory for all evaluation types, but employees have the option of indicating either "Not Applicable" or "I need to discuss this with my supervisor" instead of comments – though instructions will indicate that comments are preferable.
- 2. Supervisor must give employee a ten (10) working day advance notice to complete the self-evaluation questions.
- 3. The Supervisor must allow the employee up to two (2) hours of work time and/or computer access to complete the self-evaluation as part of their regularly scheduled work hours.
- 4. Employee must provide advanced notice to their supervisor to schedule time to complete the self-evaluation at least five (5)-working days prior to the due date.
- 5. Employee must complete and forward Part I: Self Evaluation Questions through the workflow to their immediate Supervisor by the due date.

b. Part II: Supervisor (complete Part II, meet with employee and provide suggestions for employee to meet expectations)

- 1. The Supervisor must consider the employee's performance over the entire evaluation period.
- 2. The Supervisor must review the employee's evaluation response to Part I (unless Part I is skipped – for Probationary, Special and Follow-Up Evaluations) and complete Part II: Supervisor Evaluation.
- 3. Supervisor must evaluate based upon their personal observations and/or knowledge of the employee's performance, and not upon unsubstantiated activities.
- 4. Each "Needs Improvement" rating must be accompanied by the Supervisor's written description of the problem or concern and specific suggestions for improvement. For non-probationary employees, provide documentation with a description of the steps taken to bring the "Needs Improvement" performance to the attention of the employee.
- 5. The Supervisor must complete and forward this portion of the evaluation to the employee at least one (1) working day prior to the scheduled evaluation meeting to present and discuss the evaluation and review performance expectations.
- 6. If the Supervisor rates an employee as "Needs Improvement" overall (Question 10), it indicates that the employee needs improvement on key areas to meet the expectations of the job description for their classification. The evaluation shall be reviewed and signed by the area Vice President after it has been presented to the employee at the evaluation conference.

c. Part III: Employee Comments and/or updates in Response to Part II: Supervisor

1. An employee shall have fifteen (15) working days to file a written response to the evaluation (via the workflow) with the Office of Human Resources. The employee or their representative may request an extension in writing to the Office of Human Resources.
2. An employee who has received an overall rating of "Needs Improvement" on the evaluation, and has filed a written response, has the option to request a review by the area Vice President. As part of this review, the employee may also request a meeting with the area Vice-President to discuss their evaluation.
3. An employee may file a grievance alleging violation of the contractual evaluation procedure, but may not grieve expectations or criteria used in the evaluation. Any grievance concerning violations of procedures must be filed in accordance with Article 10 of the Agreement between the Santa Monica College District and Santa Monica College Chapter 36 California School Employees Association (CSEA).

5. AT THE EVALUATION CONFERENCE

- a. The immediate supervisor will discuss the performance evaluation with the employee.
- b. The performance evaluation will be completed online using workflow designated by the Office of Human Resources by the immediate supervisor prior to the conference.

6. DEFINITION OF RATINGS

- a. **NEEDS IMPROVEMENT**
The employee's work performance needs improvement and the employee has not achieved the expected level of performance for the specific area being evaluated. This rating must be documented by 1) a statement of the problem or concern; and 2) specific suggestions for improvement.
- b. **MEETS EXPECTATIONS**
The employee's work performance has met or has exceeded the expected level of performance for the specific area being evaluated.
- c. The "OVERALL WORK PERFORMANCE RATING" reflects the employee's overall performance.
- d. If the overall rating is "Needs Improvement", then the evaluation must be sent via a separate workflow to the area Vice President. Otherwise, it must be sent to the Office of Human Resources to be filed in their personnel file.

7. SPECIFIC ACCOMPLISHMENTS (Optional)

- a. The immediate supervisor, employee, or both may acknowledge accomplishments.
- b. In any question, you may choose to address any applicable Santa Monica College Board of Trustees goals, priorities or other District initiatives, (such as Diversity, Equity, Inclusion and Accessibility, Guided Pathways) etc. This should be for discussion purposes only.

8. EMPLOYEE RESPONSE OPTIONS

- a. An employee shall have fifteen (15) working days to file a written response to the evaluation with the Office of Human Resources. The employee or their representative may request an extension in writing to the Office of Human Resources.
- b. An employee who has received an overall rating of "Needs Improvement" on the evaluation, and has filed a written response, has the option to request a review by the area Vice-President. As part of this review, the employee may also request a meeting with the area Vice-President to discuss their evaluation.
- c. An employee may file a grievance alleging violation of the contractual evaluation procedure, but may not grieve expectations or criteria used in the evaluation. Any grievance concerning violations of procedures must be filed in accordance with Article 10 of the Agreement between the Santa Monica College District and Santa Monica College Chapter 36 California School Employees Association (CSEA).

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6. How has your service advanced the goals of diversity, equity, inclusion, and accessibility at SMC during this evaluation period? What ideas do you have to advance the goals of DEIA in the next evaluation period?

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7. What suggestions do you have that would improve your area of work, department goals or your work environment? Are there specific details about your position or department that should be discussed with your supervisor?

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8. List at least three (3) goals related to the future work you will perform, and that you would like to accomplish during the upcoming evaluation period.

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9. What, if any, challenges or barriers do you foresee being items for us to address and move through the next evaluation period?

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Part II. Supervisor Evaluation

Rating system will be Needs Improvement (NI) or Meets Expectations (ME) for each of the below questions. Any rating of NI requires comments to be added. For ratings of ME, comments are strongly encouraged.

	NI	ME
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1. Please rate attendance (approved/unauthorized days off), work schedule (on-time/tardiness/early departures). <i>Workers' Compensation days, FMLA, and other protected leaves are not included in the definition of "unapproved leaves" or "unscheduled time off"?</i>	<input type="checkbox"/>	<input type="checkbox"/>
	NI	ME
2. Employee performs duties safely and operates work and equipment safely.	<input type="checkbox"/>	<input type="checkbox"/>
	NI	ME
3. Employee follows rules and procedures required by job, understands duties, and demonstrates skills of job classification.	<input type="checkbox"/>	<input type="checkbox"/>
	NI	ME
4. Employee receives and accepts direction and/or suggestions from supervisor. Employee recognizes limits of authority and refers serious or complex problems to supervisor appropriately.	<input type="checkbox"/>	<input type="checkbox"/>
	NI	ME
5. Employee plans, organizes, and produces quality work, takes initiative, applies good judgment – recognizing and solving job-related problems, follows tasks through to completion, completes regular assignments, and meets deadlines.	<input type="checkbox"/>	<input type="checkbox"/>
	NI	ME
6. Employee demonstrates effective business-like communication skills and establishes effective working relationships with colleagues within the department, their supervisor, with students and across the District and community.	<input type="checkbox"/>	<input type="checkbox"/>

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	NI	ME
7. Employee relates to diverse student, employee, and public populations.	<input type="checkbox"/>	<input type="checkbox"/>

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	NI	ME
8. Please list ways this employee could work to advance the District's goals around diversity, equity, inclusion, and accessibility at SMC in the upcoming evaluation period.	<input type="checkbox"/>	<input type="checkbox"/>

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	NI	ME
9. Employee provides customer service in a helpful and respectful manner.	<input type="checkbox"/>	<input type="checkbox"/>

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	NI	ME
10. Overall Rating of Performance for this Period.	<input type="checkbox"/>	<input type="checkbox"/>

General Suggestions (including training or development to be pursued this coming year) or Supervisor's suggestions for Employee to "Meet Expectations".

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[Empty box for Part II content]

Part III: Employee Comments and/or Updates in Response to Part II.

[Empty box for Part III content]

Employee's signature:	Print name:	Date:
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The employee's signature does not imply agreement with the contents of this evaluation. By signing, the employee acknowledges they have reviewed it, discussed it with their supervisor, and received a copy of this evaluation. The employee has fifteen (15) working days to attach a response prior to this evaluation being filed in the employee's official personnel file.

Supervisor's signature:	Print name:	Date:
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NOTE: See Article 4.10.2 for circumstances requiring Vice President to sign the evaluation.

Santa Monica Community College District

Office of Human Resources

VP APPROVAL FOR CLASSIFIED EMPLOYEE PERFORMANCE SELF-EVALUATION

Employee Name:		Classification:		Department:	
Permanent <input type="checkbox"/>	1 st Probationary (two-months) <input type="checkbox"/>	Anniversary <input type="checkbox"/>	Evaluation period:		
	2 nd Probationary (four-months) <input type="checkbox"/>	Follow-up <input type="checkbox"/>	From:	To:	
	3 rd Probationary (six-months) <input type="checkbox"/>	Special <input type="checkbox"/>			
	1 Year Probation <input type="checkbox"/>				

EMPLOYEE RESPONSE OPTIONS

- a. An employee shall have fifteen (15) working days to file a written response to the evaluation with the Office of Human Resources. The employee or their representative may request an extension in writing to the Office of Human Resources.
- b. An employee who has received an overall rating of "Needs Improvement" on the evaluation, and has filed a written response, has the option to request a review by the area Vice President. As part of this review, the employee may also request a meeting with the area Vice-President to discuss their evaluation.
- c. An employee may file a grievance on the evaluation procedure, but may not grieve expectations or criteria used in the evaluation. The grievance concerning violations of procedures may be filed in accordance with Article 10 of the Agreement between the Santa Monica College District and Santa Monica College Chapter 36 California School Employees Association (CSEA).

EMPLOYEE RECEIVED OVERALL RATING OF "NEEDS IMPROVEMENT"

Article 4.10.2 If an employee receives an overall rating of "Needs Improvement" on any evaluation and the employee prepares a written response to the evaluation, the employee's evaluation along with the response shall be reviewed by the area Vice-President. As part of this review, the employee may request a meeting with the area Vice-President to discuss his/her evaluation. The employee may be represented by the Association at any such meeting. The area Vice-President has the authority to approve or revise the evaluation. In addition, the Vice President has the authority to rescind the evaluation and direct that a new evaluation conference be scheduled within 30 days of the date of meeting.

A copy of the completed evaluation is attached for review and approval. Please review and sign. A copy of this approval will be sent to HR.

Supervisor's signature:	Print name:	Date:
Area Vice President's Signature:	Print name:	Date:

NOTE: See Article 4.10.2 for circumstances requiring Vice President to sign the evaluation.