

## **Personnel - Classified**

### **4402 Definition of Terms**

The terms and words defined in this section shall have the following meanings in these rules and regulations and in supporting policies or resolutions which provide for the personnel management of non-academic employees in the Chabot-Las Positas Community College District. Classifying and fixing the salaries and compensation, authorizing the employment of the classified personnel in any division or office and all other employment practices are included.

#### **1. Classified Service**

All persons employed in full-time and part-time positions not certification qualifications classified as "academic" and not specifically exempted below are considered to be part of the classified service. Persons who are a part of the classified service shall be known as "regular classified employees," and shall have either probationary or permanent status, except for incumbents of positions which are classified as "restricted."

##### **a. Restricted Employees and Positions**

Persons employed in positions which are specially funded positions and are limited to persons meeting criteria which restricts the privilege of all citizens to compete for employment shall, in addition to the regular class title, be classified as "restricted." They shall be classified employees for all purposes except that they shall not be accorded employment permanency nor acquire seniority credits for the purpose of layoff for lack of work or lack of funds. Employment will be terminated when the federal or state project funds are no longer available to the District, or upon unsatisfactory service.

##### **b. Exemptions From the Classified Service**

The following employees and positions are not a part of the classified service:

- 1) substitute and short-term employees, employed and paid for less than 75 percent of a school year;
- 2) apprentices and professional experts employed on a temporary basis for a specific project, regardless of length of employment;

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- 3) full-time students employed part-time, and part-time students employed part-time in any college work-study program, or in an approved work experience education program financed by state or federal funds.

#### **Temporary Assignment**

Employees who are exempt from the classified service are employed for various lengths of time in temporary assignments and positions, and according to the hourly rate in the adopted salary schedule or to a flat rate established by the Board. Exempt employees are not eligible for group and health benefits or for leaves of absence except as specifically provided in these rules and regulations.

#### **Termination**

All persons in exempt positions may be terminated by the Governing Board at any time.

#### **2. Classified Staff**

The term "classified staff" is used in these rules to include all non-academic employees of the District whether they be a part of the classified service or are exempt from the classified service unless otherwise indicated in the particular rule or regulation.

#### **3. Academic Year**

The period between the first day of a fall semester and the last day of the following spring semester.

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#### **4. Anniversary Date**

The date upon which a classified employee is entitled to receive the annual salary increment after assignment to a specific class. For employees employed before January 2, 1967, and for those classified as management employees, the anniversary date is July 1. For other employees who were employed after January 2, 1967, the anniversary date is established as follows: for persons employed during the first fifteen days of the month, the first day of that month will be the anniversary date; if employment is after the fifteenth of the month, the anniversary date will be the first day of the next month. The anniversary date for an employee is changed as provided by rules governing salaries for employees being reclassified or promoted.

#### **5. Applicant**

A person who has filed an official application for employment with the Personnel Office.

#### **6. Application**

The official application form provided by the District for consideration of employment as a classified employee.

#### **7. Appointing Authority**

Board of Trustees of the Chabot-Las Positas Community College District.

#### **8. Appointment**

The official act of the Board of Trustees in approving the employment of a person who has been recommended by the Chancellor.

#### **9. Board**

The Board of Trustees, also known as the Governing Board, of the Chabot-Las Positas Community College District.

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10. **Cause**

Relating to disciplinary actions against permanent members of the classified service means those grounds for discipline, or offenses enumerated in the law or in these rules and regulations.

11. **Chancellor**

The Chief Executive Officer of the District appointed by the Board.

12. **Classification**

Means that each position in the classified service shall have a designated title, a regular minimum number of assigned hours per day, days per week, and months per year, a specific statement of the duties required to be performed by the employees in each such position, and the regular monthly or annual salary range.

13. **Classification Plan**

The official document adopted by the District which includes a systematic arrangement of classes together with adopted procedures for maintaining the plan and the description for each class.

14. **Compensation**

Includes the total of salary, wage, allowances and benefits, and all other forms of valuable consideration earned by or paid to any employee by reason of service in any position but does not include any allowances authorized and incurred as incident to employment.

15. **Confidential Employee**

Means any employee who, in regular course of his/her duties, has access to, or possesses information relating to, his/her employer's employer-employee relations, as designated by the Governing Board.

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16. **Demotion**

Means assignment to an inferior position or status, without the employee's written voluntary consent.

17. **Discharge or Dismissal**

Separation from the regular classified service for cause.

18. **Disciplinary Action**

Includes any action whereby an employee is deprived of any classification or any incident of any classification in which he/she has permanence, including dismissal, suspension, demotion, or any reassignment, without his/her voluntary consent, except a layoff for lack of work or lack of funds.

19. **District**

The Chabot-Las Positas Community College District.

20. **Employee**

A person legally occupying a position in the District's service.

21. **Employment Date**

Specific day, month and year an employee is appointed to a position in the classified service.

22. **Employment Period**

The number of calendar months per school year that a classified employee serves in the appointment.

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**23. Full-Time Employee**

A classified employee who is employed for 40 hours a week. For employees whose daily work shift commences on or after 10:00 p.m., the full-time work week is 37-1/2 hours a week.

**24. Full-Time Student**

An enrolled student in the Chabot-Las Positas Community College District who maintains 12 or more units of credit throughout the period of employment during the academic year; or who, if employed during the Summer Session is enrolled in 6 or more units or has maintained 12 or more units in the preceding Spring semester, or is preregistered for 12 or more units for the Fall Semester.

**25. Governing Board**

(Refer to Board)

**26. Hourly Employee**

A classified employee who is exempt from the classified service and paid on an hourly basis.

**27. Immediate Family**

Means the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee; and the spouse, son, son-in-law, daughter, daughter-in-law, brother or sister, brother-in-law or sister-in-law of the employee; any relative living in the immediate household of the employee or domestic partner.

**28. Layoff for Lack of Funds or Lack of Work**

Means a reduction in the work force due to a lack of work or lack of funds wherever it becomes necessary to relieve an employee of his duties;

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includes any reduction in hours of employment or assignment to a class or grade lower than that in which the employee has permanence, voluntarily consented to by the employee, in order to avoid interruption of employment by layoff.

**29. Leave of Absence**

Absence from duty for a specified period of time with required approval and for an authorized purpose.

**30. Management Employee**

Means any employee in a position having significant responsibilities for formulating District policies or administering District programs, as designated by the Board of Trustees.

**31. Part-Time Employee**

An employee who works less than full-time.

**32. Part-Time Student**

An enrolled student in the Chabot-Las Positas Community College District who maintains less than 12 units of credit but at least 6 units throughout the period of employment during the academic year.

**33. Permanent Employee**

Includes tenure in the classification in which the employee passed the required probationary period, and includes all incidents of that classification.

**34. Position**

A group of duties and responsibilities established by the Board and requiring the full- or part-time employment of one person.

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**35. Probationary Period**

A trial period of 365 calendar days immediately following the first day of service in a position class within the classified service.

**36. Probationary Employee**

Applies to an employee occupying a regular position who has not completed the 365 calendar days probationary period in a specific class with the classified service.

**37. Promotion**

The upward movement of an employee from a position in one class to a position in another higher class.

**38. Reassignment to Lower Class**

The change of an employee to a position in a class with a lower salary range as a result of a voluntary request by the employee.

**39. Reclassification**

Means the upgrading of a position to a higher classification as a result of the gradual increase of the duties being performed by the incumbent in such position.

**40. Reemployment List**

A list of names of persons who have been terminated from regular permanent positions by reason of lack of work or lack of funds and who are eligible for reemployment preference in accordance with provisions of the Education Code.

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**41. Reinstatement**

A reappointment, after a resignation, to a regular position in the employee's former or lower related class.

**42. Resignation**

Action of an employee who voluntarily separates from employment with the District.

**43. Salary Schedule**

The official documents adopted by the Board and listing the pay ranges, steps and rates for all position classes. Three salary schedules exist which may include classified employees: (1) Classified Salary Schedule A, which includes classified staff not designated by the Board as management, confidential, supervisory or student assistants; (2) Classified Salary Schedule B, which includes classified staff designated by the Board as confidential or supervisory; and (3) Management Salary Schedule which includes both classified and academic staff designated by the Board as management.

**44. Salary Rate**

The specific amount of money paid for a class of positions and term of employment.

**45. School Year**

The period of time beginning July 1 in a calendar year and ending on June 30 in the succeeding calendar year.

**46. Separation**

Any termination of employment.

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**47. Service Assignment**

The numbers of hours per week a classified employee serves in the appointment.

**48. Step**

The anniversary service increment provided in the pay range of the salary schedule.

**49. Supervisory Employee (Non-Management)**

Means any employee, as designated by the Board of Trustees, having authority in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to assign work to and direct them, or to adjust their grievances, or effectively recommend such action, if, in connection with the foregoing functions, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

**50. Suspension**

The exclusion of a classified employee from salary for a prescribed number of days.

**51. Termination**

Separation of a classified employee from the service of the District.

**52. Transfer**

The horizontal movement of an employee from one position to another position in the same class or change from one class to another class at the same salary rate.