

**CHAPTER VI
POSITION-CLASSIFICATION PLAN**

6.01 Classification Plan

The Personnel Commission shall establish and maintain a Classification Plan for the classified service that meets the needs of regular programs and specially funded programs operated by the County Office of Education. The Plan shall indicate the method of examination for classes in each series. The Plan shall be available for inspection by the County Superintendent of Schools and his/her designee(s), classified employees and employee group representatives.

The Director shall maintain all class specifications and all supporting data relating to class studies, position reviews, point factor ratings and other necessary records. He/she shall notify the administrative personnel, the exclusive representative of classified employees and other interested parties of any proposed changes to the Plan.

Administration of the Classification Plan for the classified service shall be guided by the following principles:

- A. Classes shall be placed in appropriate groups (“families”) according to general occupational nature and, within groups, shall be listed in series by specific occupation. The list of classes shall indicate the employee unit designation as well as the assigned salary rate or range applicable to each class.
- B. Any class series within an occupational group designated as an “Alternate Class Series” shall be identified.
- C. Classes identified for the Head Start Program shall, in addition to their regular class title, be affixed the title of “Restricted.”
- D. Minimum qualifications for newly created classes shall reasonably relate to the assigned duties and minimum qualifications recommended by the County Superintendent of Schools, if any. The Commission shall insure that education, training and work experience requirements of all classes shall provide an adequate field of competition.
- E. Minimum qualifications may never require a teaching, administrative or other credential, nor may they require work experience that would restrict competition to holders of credentials. Any requirement which unduly or unreasonably restrict the field of competition shall be prohibited (Education Code Section 45276).

6.02 Classifying Positions; Assignment of Duties

The County Superintendent of Schools shall fix and prescribe the duties and responsibilities of all positions in the classified service except those positions belonging to the Director and other commission employees (Education Section 45109).

The Personnel Commission shall classify all employees and positions with the jurisdiction of the County Superintendent of Schools or of the Commission. “To classify” shall include, but not be limited to, allocating positions to appropriate classes, arranging classes into occupational groups (hierarchies), determining reasonable relationships within occupational groups, and preparing written class specifications (Education Code Section 45256).

When the County Superintendent of Schools or his/her designee proposes or endorses a request to create or abolish a class, merge two or more classes, or revise the specifications for a given class, the procedure shall be the following:

- A. The proposal shall be specified on the appropriate form, reviewed by the Assistant Superintendent, Human Resources and forwarded to the Director.
- B. The Director or his/her designee shall evaluate the proposal and determine its affect on the classification plan. Any adverse affect(s) shall be reported to the requesting authority and appropriate administrative personnel. The Director shall present options or alternatives to be considered, whenever possible.
- C. The Director or his/her designee shall develop or revise class specifications in accordance with these rules. Pursuant to Rule 15.21, a wage and salary study shall be made for any proposal to create a class.

- D. Preliminary recommendations for class specifications including any necessary revision, shall be forwarded to the Assistant Superintendent, Human Resources and the requesting authority, for review and comment. If the proposal affects represented positions, the exclusive representative shall be notified. Preliminary appeals shall be heard at this time.
- E. Following any request to meet and confer on the proposal, the Director shall prepare the proposal for action by the Personnel Commission.

6.03 Class Specifications

The official class specification for each class in the classified service shall be maintained in Classified Personnel Services-Personnel Commission. Every class specification shall include the following:

- A. The official class title.
- B. A definition of the class, indicating the type of duties and responsibilities.
- C. A statement of typical tasks to be performed by persons holding positions allocated to the class.
- D. The type of supervision received and supervision exercised (when applicable).
- E. An indication of essential job functions.
- F. A statement of distinguishing characteristics which differentiates the class from other related or similar classes.
- G. A statement of the minimum qualification for service in the class. The minimum qualifications may include education, experience, job knowledge, skills, abilities, and personal and physical traits and characteristics.
- H. A statement of license or other requirements of the class.
- I. A statement of working conditions for the class, which include the working environment and the abilities required of the class, and hazardous conditions that may be encountered in the class.
- J. Any additional qualifications considered to be desirable that any person considered for employment who possesses them may be given additional credit in the evaluation of his/her qualifications, even though such additional qualifications are not a prerequisite to consideration for employment.

6.04 Interpretation of Class Specifications

The class specifications and their various parts are declared to have the following force and effect:

- A. The definition and typical tasks are descriptive and explanatory only and not restrictive. They indicate the kinds of positions that should be allocated to the respective classes as determined by their duties, responsibilities and qualification requirements, and do not prescribe what these details shall be in respect to any position. The use of a particular expression or illustration as to duties, responsibilities, qualification requirements or other attributes is typical or descriptive of the class and does not exclude others not mentioned but of similar kind and/or quality as determined by the Personnel Commission.
- B. When determining the class, to which any position shall be allocated, the specification for each class is considered as a whole. Consideration is given, not to isolated clauses, phrases, or words apart from their context and from illustrative information in other parts of the specifications, but to the general duties, responsibilities, specific tasks, and qualification requirements as affording a picture of the positions that the class includes.
- C. Each class specification is construed in its proper relationship to other specifications, particularly those of classes in the same series or occupational group, in such manner as to maintain a proper gradation in the series in which the class is located and proper differentiation within the group of classes.
- D. The qualifications listed in each class specification are not necessarily exhaustive and may be amended or supplemented in accordance with current analysis of the work requirements. Qualifications shall be job-related and necessary for the conduct the business of the County Office. In addition to the technical knowledge and abilities appropriate to the particular classification, they may include general abilities applicable to most, if not, all classifications.
- E. The statement of qualification requirements, when considered with other parts of the specification, is to be used as a guide in the announcement and preparation of tests and in the evaluation of the qualification of candidates seeking appointment to positions allocated to the class, but does not require a particular form or content of test or testing procedure.

6.05 Creation of Positions

- A. The County Superintendent of Schools shall be the approval authority for establishing positions in the classified service (excluding those positions belonging to the Commission). Any proposal, by the County Superintendent of Schools or his/her designee, to create a position may include the recommended minimum duties and work experience requirements for the proposed position.
- B. Positions created that have previously been classified by the Commission shall be allocated to the appropriate classes.
- C. When the creation of a position necessitates the creation of a class, it shall be developed and approved pursuant to Rules 6.01 and 6.02.

6.06 Positions with Special Requirements

- A. The County Superintendent of Schools, with concurrence of the Personnel Commission, may determine that certain positions within a class necessitate special requirements including the ability to speak, read and write in a language other than English or a special licensing requirement or other bona fide qualification.
- B. When all positions in a class reside within the same department or program, the department/program management shall establish the criteria for placing special requirements on certain positions within the class. When positions within the same class are assigned to across departments and programs, the County Superintendent of Schools or his/her designee shall set forth the specific reasons for placing a special requirement on any position within such class.
- C. When a significant portion of position openings within the same class necessitate a special requirement, the examination bulletin (job announcement) for such positions shall contain the appropriate information and clearly indicate that successful candidates possessing special requirement will be given preference over other successful candidates, as authorized in Rule 7.01(I-J), but only as to those specific positions.
- D. A position opening that requires bilingual proficiency shall be certified pursuant to Rule 10.05(F).

6.07 Changes to Assigned Duties of Positions

Any substantial changes in the duties of existing positions shall be promptly reported in writing by the program manager or department head to the Director who shall recommend to the Personnel Commission whether the positions should be allocated to different classes.

6.08 Work Out-of-Class

- A. All employees (managerial and represented) in the classified service shall be assigned to perform the duties of the classification they occupy and any other duties reasonably related to that class.
- B. By law, an employee, nevertheless, may be required to temporarily work out-of-class (e.g., perform duties inconsistent with those of the class occupied). An employee who works out-of-class (higher class) shall possess minimum qualifications of the higher class.
- C. A represented employee shall be compensated for out-of-class work in accordance with his/her collective bargaining unit agreement.
- D. A managerial employee who is required or agrees to temporarily work out-of-class (in a higher classification) for six (6) or more work days within a 15-calendar-day-period, that employee's salary shall be adjusted upward for the entire period of out-of-class work, in accordance with Rule 15.15. Nothing in this rule shall preclude the County Office of Education from adjusting a managerial employee's salary for work out-of-class prior to the sixth day (Education Code Section 45110).

6.09 Class Studies; Review of Positions

- A. The Director shall review the duties and responsibilities of positions, as necessary, to determine their proper class. When the assigned duties and responsibilities are found to be inconsistent with the duties

officially assigned to the position(s), the Director shall report the facts to administrative personnel in order that appropriate action shall be taken. If the administration verifies the duties of the position or if the duties are not revised within the scope of the current classification, the Director shall report his/her findings and recommendations to the Commission. The Director shall also report his/her findings in cases where the review of a position or positions warranted no change in classification or adjustment in salary range.

- B. If the Director determines that the position(s) warrant an upward or downward salary range adjustment or a change in classification, he/she shall advise the administration of his/her findings. Any change in class or upward or downward salary range adjustment shall be presented to the Commission as a "reallocation" and requires its final approval. A position reallocation shall not be considered a reclassification of position(s) as defined in Rule 6.14(C).
- C. A complete classification study of all positions shall be conducted when determined necessary by the Personnel Commission. The Commission shall discuss the desirability of such a study when requested by the administration, employee group representatives or its own staff.
- D. The Director shall establish a procedure whereby the duties and responsibilities of all positions shall be reviewed to determine their proper classifications. Employees, employee group representatives, Office Administration, the Director, or the Personnel Commission may initiate position reviews. When initiated by the employee, the Director, or the Personnel Commission, the Director shall notify administrative personnel, in writing, within 10 working days.
- E. When the review of a position or positions warrants reallocation, the incumbent(s) shall be placed in accordance with Rule 15.14. A reallocation salary adjustment shall be determined using "base salary", excluding longevity, special stipends, differential or other compensation not included in the appropriate salary schedule.

6.10 Alternate Class Series; Definition and Distinction

Certain class series, within the same occupational group (class family), shall be designated as an Alternate Class Series (ACS). Positions allocated to and persons appointed to an alternate class series shall require following special rules:

- A. A reassignment of employees in positions, allocated to an alternate class series, from lower levels to (next) higher levels within the same series shall be referred to as "series advancement."
- B. Alternate class series advancement within a class shall be distinguished from a promotional advancement in that the latter requires employees to be appointed to position openings in classes with higher a maximum salary rates, following open competition and certification from eligibility lists. While advancements within certain alternate classes shall require employees to satisfy normal examination processes, employees in series positions are not required to openly compete, attain proper rank or be selected from amongst other qualified persons for position openings.
- C. Employees advancing to next class level, at higher maximum salary rates, within an alternate class series, shall continue to be employed in permanent status. However, employees promoting to positions in classes at higher maximum salary rates shall be in probationary employment status for the initial period of six (6) months or 130 days, whichever is longer.

6.11 Alternate Class Series; Positions Designated

- A. Class specifications shall, in addition to specifying the minimum qualifications for each class level, describe the characteristics that distinguish persons assigned to the lower level from persons assigned to the higher level of the same alternate class series pursuant to Rules 6.03 and 6.04.
- B. Examinations and test parts for position opening(s) shall be administered separately for each class level pursuant to Rule 8.09.
- C. All position openings shall be filled from eligibility lists established for both class levels in the same series pursuant to Rule 9.01(A).
- D. Persons initially appointed to the lower level of any alternate class series shall be ineligible to:
 - 1. Advance to the next (higher) level of the same alternate class series during his/her probationary period (six (6) months or 30 days of service, whichever is longer).
 - 2. Advance to the next (higher) level of the same alternate class series without the pre-authorization of his/her immediate supervisor and department head
 - 3. Temporarily work out-of-class in the next (higher) level of the same alternate class series.

4. Compete through normal employment processes for other position opening(s) in the same alternate class series pursuant to Rule 7.05(E).

6.12 Alternate Class Series; Employees Advancing in Series

Permanent employees in positions at a lower level of an alternate class series may reasonably expect to be reassigned, to the (next) higher class level, after sufficiently satisfying the minimum qualifications, prescribed in the class specifications, for the (next) higher level. Certain alternate class series also require employees to satisfy normal examination processes, earn special certificates or complete specific coursework. Provisions for advancement for each alternate class series are described in Appendix B.

The following provisions shall apply to an employee, in permanent status, seeking series advancement within the alternate class series designated for his/her position.

- A. Series advancement within any alternate class series shall require the pre-authorization of the employee's immediate supervisor and department head. Pre-authorization forms shall be available from Classified Personnel Services–Personnel Commission. Completed forms shall be submitted to the Director.
- B. Pursuant to the appropriate class specifications and guidelines for series advancement (refer to Appendix C), the Director or his/her designee shall determine the employee's eligibility for series advancement.
- C. The Director or his/her designee shall notify the employee of the status of the request, specifying any steps to be completed prior to approval or, if denied the reason(s), thereof. The notification shall be sent within 10 working days.
- D. Examination scores and skill test results, on file, may be used to satisfy qualifications, where applicable. Position audits shall be used whenever conditions for series advancement are unspecified.
- E. When certification(s), course transcript(s) or other criteria, in accordance with the class specifications are not provided, the request shall be denied.
- F. Nothing in these rules shall preclude an unauthorized employee from inquiring directly with his/her supervisor regarding eligibility for series reassignment. Such requests shall be submitted, in writing, to the immediate supervisor who shall respond within 10 working days. In cases where the immediate supervisor declines to support advancement, the notification shall specify the reason(s), thereof, along with a plan for monitoring the employee's progression towards achieving reassignment.
- G. The employee may appeal the immediate supervisor's response to the Director, who shall investigate the matter and make written recommendations to all parties within thirty days. Copies shall be forwarded to the Assistant Superintendent, Human Resources or his/her designee. If the incumbent is dissatisfied with the Director's recommendation, he/she may refer the issue to the Personnel Commission.

6.13 Alternate Class Series; Effective Date for Series Advancement

- A. When no further demonstration of qualifications or other verifications are necessary, an employee's series advancement shall be effective no later than ten (10) days of filing pre-authorization forms.
- B. Otherwise, the effective date shall be determined by the date whereupon the employee demonstrated qualifications through examination(s) or position audit(s) or verified his/her possession of certifications, licenses, job knowledge or skill sets.

6.14 Reclassification of Positions; Basis for Reclassification

- A. A reclassification occurs when action by the Personnel Commission implements a change in a class specification that results in a changed class title, internal alignment, and/or employee unit designation of a position, class or occupational group, excluding actions resulting from a class study.
- B. The basis of reclassification for any position, class or occupational group shall be a gradual and substantial accretion of duties and responsibilities, and not a sudden change occasioned by reorganization, or the assignment of completely new duties and responsibilities. This rule shall be the only basis for positions and employees to be reclassified (Education Code Section 45285).

- C. Reviews of positions or periodic class studies involving all positions in a class that result in position reallocation, revised salary range assignments or class specifications, shall not be deemed as a reclassification, regardless of whether the class remained in the same occupational group.

6.15 Reclassification Position Studies; Commission Approval

- A. Requests for reclassification of a position or group of positions shall be made by employees upon official reclassification petition forms furnished by the Personnel Commission, filled out as, therein, directed and filed in the Personnel Commission Office, Classified Personnel Services.
- B. The Personnel Commission shall accept petitions for reclassification between the dates of January 1 and June 30. The Director shall cause the written verification of all petitions for reclassification filed. The written verification shall be forwarded to the petitioning employee(s), within ten (10) working days. Any petition improperly filed or not filled out therein as specified shall be rejected. A petition for reclassification shall be disqualified when its basis is due to reorganization or the assignment of completely new duties pursuant to Rule 6.14(B). Copies of the confirmation shall be forwarded to the employee group representative(s), if any, immediate supervisor(s) of employee(s) and other appropriate persons.
- C. Commission staff shall conduct a reclassification study of all positions described in a request for reclassification and shall advise the employee(s), employee group representatives and appropriate administration of preliminary findings. Upon notification of preliminary findings, the employee(s) or administrator(s) may submit additional materials or other relevant data for consideration by Commission staff.
- D. Prior to submitting the final recommendations for reclassification to the Commission, the Director and Commission staff shall consider any additional information submitted by employees, employee representative groups and administration. Subsequent position audits or research shall be completed as deemed necessary by the Director. Additional meet and confer sessions may be held and, if appropriate, preliminary appeals may be submitted to and heard by the Director.
- E. The Director shall prepare a written narrative report for the Personnel Commission. The report shall include the following: 1) the means by which the request for reclassification complies with the provisions of Rule 6.14; 2) the methodology and results of the reclassification study; and 3) supporting data for recommending approval or denial of the request for reclassification.
- F. At a regular or special meeting, the Personnel Commission shall schedule the request for reclassification for action. The Personnel Commission shall hear any appeals of employees or employee group representatives prior to its action. The Commission shall determine whether the request for reclassification complies with the provisions of this rule and shall be the final authority for approving or denying all requests for reclassification. The Commission's decision shall be binding on all parties.
- G. Nothing in this rule shall be construed to inhibit or restrict a classified employee's entitlement to out-of-class pay in accordance with provisions of the Education Code, the Personnel Commission rules, or a collective bargaining agreement. Such compensation shall not serve as a basis for reclassification.
- H. Nothing in this rule shall be construed to inhibit or restrict the ability of the Personnel Commission to conduct, at will, studies of individual positions and whole classifications as part of its classification plan maintenance program.
- I. Regardless of the origination of a position study, if upward reclassification is recommended following study of a position, the incumbent's qualifications for reclassification shall be determined in accordance with the provisions of Rule 6.14.

6.16 Reclassification Effective Date for Positions Approved

Any petition filed for reclassification, between January 1 and June 30, and subsequently approved by the Personnel Commission shall become effective July 1 or on the date prescribed by the Commission.

6.17 Reclassification Effects on Employees

A. Employees with Two(3) or More Years

When all the positions in a class are reclassified to a higher class, those incumbents with two (2) or more years of service, in the existing class may be reclassified with their positions

When a portion of the positions in a class are reclassified to a higher class, those incumbents with two (2) or more years of continued service in one (1) or more of the positions being reclassified may be reclassified with their position (Education Code Section 45285).

B. Employees with Fewer than Two (2)

When all the positions in a class are reclassified to a higher class, those incumbents with fewer than three (3) years of service in the class must pass the qualifying examinations for the class in order to be reclassified.

When a portion of the positions in a class are reclassified to a higher class, those incumbents with fewer than three (2) years of continued service in one (1) or more of the positions being reclassified must pass qualifying examinations for the class in order to be reclassified (Education Code Section 45285).

Skill testing results on file in the Personnel Commission Office, Classified Personnel Services may be used to satisfy examination requirements, where appropriate. If an employee does not have appropriate skill testing results on file and cannot pass the qualifying examination within a reasonable period of time, he/she shall remain in the current classification for up to one-year while going through a training program to acquire the skills necessary. Commission staff shall periodically test these employees. When an employee meets skill requirements within the one-year period, he/she will be reclassified effective on the date of successfully meeting standards.

C. Option to Revise Position Duties

1. If during the one-year period provided in Rule 6.17(B), an employee does not meet the various entrance requirements of the higher classification, the immediate supervisor of that employee shall be given the opportunity to revise the duties of the affected position to conform to the original (lower) classification and the employee shall be accordingly assigned.
2. If revision of the duties to conform to the original classification is infeasible or impractical, the County Office of Education shall establish a position in the higher classification to be filled in accordance with the Education Code and Commission rules, eliminating the position in the lower classification. The affected employee shall be notified in writing of his/her rights under the Education Code and any collective bargaining agreement or the Personnel Commission rules as applicable including, transfer or voluntary demotion to a position opening for which qualified.

D. Reclassification to a Class with the Same Maximum Salary Rate

A lateral reclassification is reclassification of a position from one classification to different class with the same maximum salary rate. Sub Rules A and B, above, shall not apply to lateral reclassifications.

E. Salary Step Placement Upon Reclassification

1. Salary step placement for an employee who is reclassified shall be completed pursuant to Rule 15.13, except when an employee is reclassified into another bargaining unit.
2. In the case of the latter, the Director shall recommend the salary step placement in his/her narrative report to the Personnel Commission (Rule 6.15(E)).

F. Ineligibility for Subsequent Reclassification

An employee who has been reclassified shall be ineligible for a subsequent reclassification for a period of 36 months from the date approved by the Commission (Education Code Section 45285).

G. Elimination of Position

When a position is reclassified to a class with a lower range, the employee shall have the following rights:

1. To be laid-off for lack of work and bump the least senior employee in the same class. If the reclassified employee is the least senior or only incumbent the class, he/she may bump the least senior employee in prior held classes at an equal or lower salary range, provided he/she has greater seniority in that class.
2. Any employee who is displaced or demoted through reclassification processes shall be laid-off for lack of work (in the former classification) and placed on a reemployment list for a period of 39 to 63 months from the effective date of layoff.