

## CHAPTER 1

# DEFINITIONS

### **GENERAL DEFINITIONS**

Unless otherwise required by context and/or prevailing law, words used in these rules are understood to have the following meanings:

#### **ADVANCED STEP PLACEMENT:**

An initial hiring rate other than the beginning range for the class, which must be specifically authorized by the Personnel Commission for the particular class. Such rates are based upon anticipated or actual recruitment difficulties.

#### **ACT:**

The Act shall mean those sections of the Education Code of the State of California applying to the Merit System for classified employees. It shall include all of the provisions of Article 6, Chapter 5, Division 3 and such other provisions of the Education Code that are specifically applicable.

#### **ALLOCATION:**

The official placing of a position in a given class by the Personnel Commission and the placement of a class on a salary schedule or rate range or a flat range.

#### **ANNIVERSARY DATE:**

The date upon which an employee is granted salary step advancement earned by completion of a required period of service. This is the first day of the pay period following completion of the required period of service.

#### **APPEAL**

A protest by an employee or applicant regarding either these rules or a disciplinary action imposed by the Governing Board.

#### **APPLICANT**

A person who has filed an application to participate in a merit system examination. See also Qualified Applicant.

#### **APPOINTMENT:**

The official act of the appointing authority in approving the employment of a person in a specific position, subject to official approval by the Governing Board.

#### **ASSIGNMENT**

Placement of an appointee in a position. It also refers to the position to which the employee is placed.

#### **BEREAVEMENT LEAVE:**

A paid leave of limited duration granted to an employee upon the death of a member of the employee's immediate family or household.

**BREAK IN SERVICE:**

Severance of an individual's employment relationship with the District. The break in service may be cancelled by subsequent reemployment or reinstatement within 39 months.

**BUMPING RIGHTS:**

The right of an employee, under certain conditions, to displace another employee with less seniority in the class.

**CANDIDATE:**

A person who has participated or competed in one or more portions of a merit system examination.

**CAUSE:**

The grounds for discipline identified within these Rules as being subject to disciplinary action or offenses enumerated in the law. No disciplinary action may be maintained for any 'cause' other than as defined herein.

**CERTIFICATED SERVICE:**

All employees required by law to possess credentials issued by the State Department of Education and the positions which are limited to those who possess such credentials (Ed. Code 44065).

**CERTIFICATION:**

The submission of names by the Human Resources Director-Classified, of candidates from an appropriate eligibility list established by the Personnel Commission or from some other source of eligibility, to the appointing power or to the department head authorized to make selections subject to the approval of the appointing power.

**CHANGE OF LOCATION:**

The reassignment of an employee from one position to another position in the same class, but in a different administrative unit.

**CLASS:**

A group of positions sufficiently similar in duties and responsibilities that the same descriptive title may be assigned by the Personnel Commission to designate each position allocated to the group.

**CLASS DESCRIPTION:**

A formal statement, approved by the Personnel Commission, of the nature and level of duties and responsibilities of the positions in a class and containing the qualification requirements of the positions in the class (also known as Class Specification).

**CLASSIFICATION:**

The act of placing a position into a class, meaning that each position in the classification shall have a designated title, minimum qualifications and placement on the appropriate salary schedule.

**CLASSIFIED SERVICE:**

All persons and positions not included in Ed. Code 44065 or otherwise exempted by Ed. Code.

**COMMISSION:**

A three (3) member Personnel Commission established pursuant to the merit system provisions of the Education Code.

**COMPLAINT:**

An employee concern regarding violations or alleged violations of these rules. This term does not apply to appeals from disciplinary actions, requests for classification study or salary review.

**CONTINUOUS EXAMINATION(S):**

A procedure or procedures authorized by the Personnel Commission for the frequent testing of applicants in certain specified classes (or classifications).

**DEMOTION:**

A change in assignment of an employee from a position in one class to a position in another class that is allocated to a lower maximum salary rate.

**DIFFERENTIAL OR DIFFERENTIAL PAY:**

A salary allowance in addition to the basic salary rate or schedule, based on additional skills, responsibilities, or specifically scheduled working hours. It also relates to the size of the interval(s) between steps on a salary range and/or the salary rates (ranges) of related classes.

**DISABILITY:**

A physical, cognitive/mental, sensory, emotional or developmental impairment which limits an employee from performing duties/responsibilities of their position.

**DISCHARGE OR DISMISSAL:**

Separation from the classified service for cause in accordance with the Rules and Regulations of the Personnel Commission. Requires action by the Board of Education.

**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 voluntary consent, except a layoff for lack of work or lack of funds.

**DISCRIMINATION:**

The actual behavior towards members of a protected group involving the exclusion or restriction of members of that group from opportunities that are available to other groups.

**DISTRICT:**

The Santa Paula Unified School District.

**DUAL CERTIFICATION:**

A procedure authorized by the Personnel Commission under specific conditions that provides for certification from a combined eligibility list according to examination scores where promotional candidates have received seniority credit.

**ELIGIBILITY LIST:**

A rank order list of names of persons who have qualified in a merit system examination for the selection of classified employees for a specific class. In the event of tie scores, more than one name may hold the same rank.

**ELIGIBLE:**

A person whose name appears on a merit system eligibility list.

**EMPLOYEE:**

A person who is legally employed by the District.

**EMPLOYEE ORGANIZATION:**

An organization which includes employees of a public school employer and which as one of its primary purposes representing such employees in their relations with that public school employer, as defined in the Government Code in Section 3540 et seq.

**EMPLOYMENT LIST:**

A list of names from which certification(s) may be made. The term includes eligibility lists, reemployment lists as well as lists of individuals who wish to be transferred, voluntarily demoted, reinstated or reemployed after resignation, or those who wish to be reinstated to a former class after voluntary demotion or reduction to limited-term status.

**EXAMINATION:**

The process of testing and evaluating the fitness and qualification of applicants.

**EXECUTIVE SECRETARY EXEMPTION:**

A position approved by the Personnel Commission and exempt from specific provisions of these Rules in accordance with Ed. Code 45272.

**EXEMPT CLASSIFIED:**

Refers to those positions and employees exempt from the regular classified service as provided by Ed. Code sections 45256b, 45257 and 45258.

**FISCAL YEAR:**

July 1 to June 30<sup>th</sup>.

**FULL-TIME POSITION:**

A position for which the assigned time, when computed on an hourly, daily, weekly, or monthly basis is equal to or greater than eighty-seven and a half percent (87.5%) of the normally assigned time of the majority of employees in the classified service.

**GOVERNING BOARD:**

The Board of Education of the Santa Paula Unified School District.

**GRIEVANCE:**

An employee complaint concerning a violation of the collective bargaining agreement.

**HEARING:**

A formal review of evidence, in the presence of the parties involved, in connection with an action affecting an employee, concerning which the employee has filed an appeal.

**HEARING OFFICER:**

A qualified person employed by the Personnel Commission to hear and make recommendations on appeals from disciplinary action.

**HUMAN RESOURCES DIRECTOR-CLASSIFIED**

(Also referred to as the Personnel Director) As used in these rules, the term refers to the person appointed by the Personnel Commission to act as its designated representative in administering the “Merit System” under the provisions of law and the rules and regulations established by the Personnel Commission.

**ILLNESS:**

Any physical or mental condition preventing an employee from being at work.

**ILLNESS LEAVE:**

Paid or unpaid leave given to an employee because of personal illness or injury. Illness leave (also known as sick leave) may also be used for specified personal emergencies of limited duration.

**INCUMBENT:**

An employee assigned to a particular position within a class.

**INDUSTRIAL ACCIDENT OR INDUSTRIAL ILLNESS LEAVE:**

Absence because of injury or illness which arose out of and in the course of employment with the District.

**INTERVIEW:**

Part of the selection process, usually the final portion of an examination, for the purpose of evaluating the education, experience and personal qualifications of the candidates, (also known as an oral interview). This term also applies to a meeting between an eligible and the appointing authority, or its designated representative, to discuss appointment to a specific position vacancy within the District.

**INVESTIGATION:**

A fact-finding procedure related to an appeal or complaint.

**INVOLUNTARY LEAVE:**

Paid or unpaid leave of absence resulting in the temporary removal of an employee from the workplace.

**JOB AUDIT:**

A personnel job evaluation technique by which a staff analyst may use various combinations of job audit questionnaires, personal interviews, as well as work site observations and conversations, to collect data on the duties, tasks and responsibilities of a position.

**JOB FAMILY:**

Those classes similar in type of duties and responsibilities or related by other criteria as set forth by the Personnel Commission.

**JOB TITLE:**

The title assigned to a classification by the Personnel Commission. The District may suggest titles for new positions.

**LAYOFF:**

Separation from a permanent position due to lack of work, or lack of funds. A layoff shall also include any reduction in hours of employment or assignment to a class or grade lower than that in which the employee has probationary or permanent status, voluntarily consented to by the employee, in order to avoid interruption of employment by layoff.

**LEAVE OF ABSENCE:**

An approved absence from duty, with or without pay, for a prescribed period of time.

**LIMITED TERM:**

A term used in the Education Code and these rules to designate employment for periods not to exceed six months; or employment of a temporary employee to substitute during the authorized absence of a permanent employee.

**LIMITED-TERM EMPLOYEE:**

An employee who is serving as a substitute for a regular employee, or serving in a position established for a limited period of time of six (6) months or less.

**LOYALTY OATH:**

A statement required as mandated of each new employee concerning his/her support of the United States and California Constitutions.

**MERGING:**

The act of combining two or more eligibility lists for the same class, which were established not more than a year apart, in the rank order of the scores of the eligibles. Even though the eligibility lists have been merged, each list individually expires six (6) months or one (1) year following the date on which they were merged.

**MERIT SYSTEM:**

A personnel management system in which comparative merit and fitness determines an individual's selection and progress through the classified service.

**MILITARY LEAVE:**

Authorized absence to engage in military duty.

**MINIMUM QUALIFICATIONS:**

Mandatory and desirable experience and education qualifications prescribed for those who wish to compete in merit system examinations for a specific class.

**MULTIPLE ASSIGNMENTS:**

An employee holding more than one regular assignment.

**NEPOTISM:**

Favoritism shown to a relative on the basis of relationship versus merit.

**OPEN EXAMINATION:**

An examination which is not restricted to people who are current permanent employees of the District, i.e. may be taken by any person otherwise qualified.

**PART-TIME POSITION:**

A position for which the assigned time, when computed on an hourly, daily, weekly or monthly basis, is less than eighty-seven and a half percent (87.5%) of the normally assigned time of a majority of employees in the classified service.

**PERFORMANCE EVALUATION:**

A formal written statement of the quantity and quality of the work performed by an employee.

**PERMANENT EMPLOYEE:**

An employee who has completed an initial probationary period of one-hundred-thirty (130) days, or six months, whichever is longer, of paid regular services in the classified service (excluding days absent for illness or injury) or 260 days, or one year whichever is longer, for positions designated by Commission rule as executive, administrative or supervisory. This does not apply to positions designated as senior management or executive secretary.

**PERMANENT POSITION:**

A position established for a continuing and indefinite or unlimited period of time or for a fixed period in excess of six (6) months.

**PERSONAL NECESSITY LEAVE:**

Leave which may be taken for reasons of personal necessity as specified in the Education Code, collective bargaining agreement and Personnel Commission rules. Such leave is charged to the employee's sick leave bank.

**PERSONNEL COMMISSION:**

See Commission.

**PERSONNEL COMMISSION STAFF:**

As used in these rules, the term applies to those persons employed by the Personnel Commission to carry out the day-to-day operations of the Personnel Commission.

**PERSONNEL ADMINISTRATOR:**

As used in these Rules, the term refers to the person appointed by the Personnel Commission to act as its designated representative in administering the Merit System under the provisions of law and the Rules and Regulations established by the Personnel Commission.

**POSITION:**

A group of duties and responsibilities assigned by competent authority requiring the full or part-time employment of one person.

**POSITION CLASSIFICATION:**

The process of categorizing jobs by occupational group, series, class and grade according to similarities and differences in duties, responsibilities and qualification requirements.

**PROBATIONARY PERIOD:**

See permanent employee.

**PROFESSIONAL EXPERT:**

A person employed by the District or Personnel Commission in a professional capacity for a specific limited-term project; such persons are excluded from the classified service.

**PROMOTION:**

A change in the assignment of an employee from a position in one class to a position in another class with a higher maximum salary rate following appointment from an appropriate promotional list.

**PROMOTIONAL LIST:**

An eligibility list resulting from a promotional examination limited to qualified employees of the District.

**PROVISIONAL APPOINTMENT:**

A temporary appointment of a person to a permanent or limited term position which is made in the absence of an appropriate eligibility list for a period of time not to exceed ninety consecutive days or 126 working days in any one fiscal year except when no one is available on an appropriate eligibility list for a part-time position.

**PROVISIONAL EMPLOYEE:**

A person employed while the examination process is being conducted to fill the position for less than ninety (90) days or one-hundred twenty-six (126) days per fiscal year.

**QUALIFIED APPLICANT:**

An applicant who meets the minimum qualifications, for the classification, who has filed an application within the established time frame.

**REALLOCATION:**

Movement of an entire class (of positions) from one salary schedule (range) or hourly rate to another salary schedule (range) or hourly rate on the basis of either internal or external alignment or a change in the salary-setting basis for the class.

**RECLASSIFICATION:**

The removal of a position or positions from one class and placement into another as a result of a gradual accretion of duties.

**REEMPLOYMENT LIST:**

A list of names in rank order of seniority of persons who have been laid off from permanent positions by reason of a lack of work, lack of funds, abolishment or reclassification of positions, exhaustion of illness or accident leave privileges, or other reasons specified in the Personnel Commission Rules and Regulations and who are eligible for reemployment without examination in the former class or classes within a period of thirty-nine (39) months following the date of layoff. In certain specific cases of reduction in class or time in lieu of layoff, the period of reemployment is extended an additional 24 months.

**REGULAR APPOINTMENT:**

An appointment to a position of more than six months duration made from an eligibility list or from some other list of persons who are legally qualified, i.e. reemployment or reinstatement.

**REGULAR EMPLOYEE:**

An employee who has probationary or permanent status with the District.

**REINSTATEMENT:**

A discretionary reappointment of a former permanent employment within a period of 39 months after the last day of paid service, without examination, and who resigned in good standing, to a position in one of the employee's former classes or in a related lower class, with restoration of certain employee benefits. Also refers to a return to work after appeal from disciplinary action when so ordered by the Personnel Commission.

**RESIGNATION:**

A voluntary statement, preferably in writing, from an employee to be separated from one or all of his/her assignments.

**RESTORATION:**

The reassignment to duty of an employee or former employee with all of the rights, benefits, and burdens held prior to the break in service. This term includes reemployment as well as reinstatement following demotion or dismissal when an appeal is sustained by the Personnel Commission.

**RIGHTS:**

An entitlement bestowed by law or rule and that must be granted.

**RULE OF THREE:**

The scope of choice available to the appointing authority in making a selection from an eligibility list. Specifically, it refers to selection from the first three (3) ranks of eligibles who are ready, willing, and able to accept appointment to a specific position.

**SALARY RANGE:**

A series of consecutive salary steps that comprise the rates of pay for a classification. A salary range usually consists of five (5) steps.

**SALARY RATE:**

The amount of money authorized to be paid on an hourly, daily, weekly, monthly, or annual basis for a particular classification, assignment or contract.

**SALARY SCHEDULE:**

The complete list of ranges, steps, and rates of pay established for the classified service.

**SALARY STEP:**

A specific rate in a salary of the consecutive rates that comprise a salary range.

**SALARY SURVEY:**

The collection of current wage and salary data for the purpose of determining the prevailing wage for certain types of work in private industry and/or other public agencies; also, the report of such data.

**SENIOR MANAGEMENT:**

Positions designated by the Governing Board which meet the requirements of Ed. Code 45108.5.

**SENIORITY**

Status secured by length of service calculated by the hire date. Used for determining order of layoff as well for certain informal purposes. Seniority may be used to calculate extra points for employees taking promotional examinations.

**SEPARATION**

The ending of all status as an employee with the District including resignation, dismissal, layoff or retirement.

**SHIFT DIFFERENTIAL:**

Additional pay for unusual work schedules.

**STATUS:**

The employee's present standing in the classified service.

**STEP ADVANCEMENT:**

Movement to a higher step on the salary range or schedule for a class as a result of having served the required time in paid status.

**SUBSTITUTE:**

An employee temporarily occupying a regular position during the absence of the incumbent.

**SUSPENSION:**

Disciplinary action resulting in the temporary removal of an employee from a position for cause without pay.

**TERMINATION:**

A disciplinary action resulting in the ending of employment with the District.

**TRANSFER:**

The reassignment of an employee without examination from one position to another position in the same class with the same salary range or hourly rate.

**UNSATISFACTORY SERVICE:**

The performance of assigned duties in a manner or the failure to perform them, or the performance of actions while on duty that are detrimental to the good of the service.

**VETERANS' CREDIT**

Five points, or ten points for persons disabled as the result of military service for military or related service rendered during time of war or national emergency and which are to be added to the final passing score of such person or persons competing in an entrance examination.

**WAIVER:**

The voluntary relinquishment by an eligible of a right to be considered for appointment from an employment list to one or more positions, locations or for a specific or unlimited period of time, not to exceed the limited duration of the employment list.

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**WORKDAY:**

The part of a twenty-four (24) hour period during which an employee is scheduled to work in accordance with the employee's specific assignment.

**WORK-WEEK:**

Forty (40) hours, usually served in five consecutive days with a seven day cycle, is the regular work-week for the majority of full-time classified employees.

**WORK-YEAR:**

The portion of the year for which work is authorized.

**"Y" RATE:**

A rate above the established rate or range of salary for a class, paid under certain circumstances to an employee upon authorization by the Personnel Commission, in accordance with established rule.