

Merit System Rules and Regulations for the Classified Service

Ocean View School District Personnel Commission

OCEAN VIEW SCHOOL DISTRICT

PERSONNEL COMMISSIONERS

Lance Bidnick

Bob Ewing

Daniel P. Gooch

DIRECTOR, CLASSIFIED PERSONNEL and SECRETARY TO THE PERSONNEL COMMISSION

Michelle Vellanoweth

BOARD OF TRUSTEES

Gina Clayton-Tarvin
Patricia Singer
Jack Souders
Morgan Westmoreland
Norm Westwell

DISTRICT SUPERINTENDENT

Michael Conroy, Ed.D.

TABLE OF CONTENTS

Chapter 1	DEFINITIONS AND PRELIMINARY STATEMENT					
	1.1	DEFINIT	ΓΙΟΝS, GENERAL	Page 1 Page 1		
	1.2	PRELIM	IINARY STATEMENT	Page 9		
		1.2.1	Purpose	Page 9		
		1.2.2	Interpretation and Application of Rules	Page 9		
		1.2.3	Judicial Review	Page 9		
Chapter 2	THE	PERSO	NNEL COMMISSION	Page 10		
	2.1 ORGANIZATION OF THE COMMISSION					
		2.1.1	Composition	Page 10		
			A. Compensation of Commissioners	Page 10		
		2.1.2	Qualifications	Page 10		
		2.1.3	Term	Page 10		
		2.1.4	Commissioner Appointment Procedures	Page 10		
			A. The Board of Trustees' Appointment	Page 10		
			B. The Classified Employees' Appointment	Page 10		
			C. The Commissioners' Appointment	Page 11		
		2.1.5	Personnel Commissioner's Appointment Procedures	Page 11		
		2.1.6	Election of Officers	Page 12		
		2.1.7	Quorum and Majority	Page 12		
		2.1.8	Voting	Page 12		
		2.1.9	Authority of Commissioners	Page 12		
	2.2 MEETINGS		Page 14			
		2.2.1	Regular and Special Meetings	Page 14		
		2.2.2	Public Meetings	Page 14		
		2.2.3	Closed Sessions	Page 14		
		2.2.4	Agenda	Page 14		
		2.2.5	Minutes	Page 15		
	2.3	COMMI	SSION EMPLOYEES	Page 16		
		2.3.1	Status of Commission Employees	Page 16		
		2.3.2	General Duties of Director, Classified Personnel	Page 16		
	2.4	MISCEL	LANEOUS PROVISIONS	Page 17		
		2.4.1	Budget	Page 17		
		2.4.2	Annual Report	Page 17		
		2.4.3	Employee Personnel Records	Page 17		
		2.4.4	Legal Counsel	Page 18		
	2.5	RULES	AND REGULATIONS	Page 19		
		2.5.1	Distribution	Page 19		
		2.5.2	Enforcement of Rules	Page 19		

Chapter 3	POSITION CLASSIFICATION PLAN			
	3.1		SSIFIED SERVICE	Page 20 Page 20
		3.1.1	Positions Included	Page 20
		3.1.2	Exemptions from the Classified Service	Page 20
		3.1.3	Part Time Defined	Page 20
		3.1.4	Professional Expert Assignments	Page 21
		3.1.5	Restricted Positions and Employees	Page 21
		3.1.6	Weekend/Holiday Positions	Page 21
		3.1.7	Effect of Exemption	Page 22
	3.2	GENERAL	CLASSIFICATION RULES	Page 23
		3.2.1	Assignment of Duties	Page 23
		3.2.2	Classification Plan	Page 23
		3.2.3	Creation and Adjustment of Classes	Page 23
		3.2.4	Class Specifications	Page 23
		3.2.5	Interpretation of Class Specifics	Page 23
		3.2.6	Allocation of Positions to Classes	Page 24
		3.2.7	Classification of New Positions	Page 24
		3.2.8	Changes in Duties	Page 24
		3.2.9	Working Out of Classification	Page 25
		3.2.9.1	90 Day Approval	Page 25
		3.2.9.2	Duties Inconsistent Within Assigned Classification	Page 25
		3.2.9.3	Salary Adjustment	Page 25
		3.2.10	Review of Positions	Page 25
	3.3	RECLASSIFICATION		Page 26
		3.3.1	Basis for Reclassification	Page 26
		3.3.2	Requests for Study	Page 26
		3.3.3	Effective Date of Reclassification	Page 26
		3.3.4	Effect on Incumbents	Page 26
		3.3.5	Reemployment List for Displaced Incumbents	Page 27
	3.4	REORGA	NIZATION	Page 27

Chapter 4	APPL	ICATION	S	Page 28
-	4.1		TIONS FOR EMPLOYMENT	Page 28
		4.1.1	Filing Applications	Page 28
		4.1.2	General Qualifications of Applicants	Page 28
		4.1.3	Rejection of Application	Page 28
		4.1.4	Notification of Rejection and Appeal	Page 29
		4.1.5	Action When Rejection Not Sustained	Page 30
		4.1.6	Applications Not to be Returned	Page 30
		4.1.7	Veteran's Preference	Page 30
Chapter 5	EXAN	INATION	IS	Page 31
•	5.1	EXAMINA	TIONS	Page 31
		5.1.1	Examination Barred	Page 31
		5.1.2	Notices of Examination	Page 31
		5.1.3	Posting Examination Announcements	Page 31
		5.1.4	Promotional Examinations (5.1.4.1)	Page 31
		5.1.4.2	Eligibility for Promotional Examinations	Page 32
		5.1.5	Open and Promotional Examinations (5.1.5.1)	Page 32
		5.1.5.2	Seniority Credit - Open and Promotional Examinations	Page 32
		5.1.6	Qualifying Examination (Non-competitive)	Page 32
		5.1.7	Continuous Examination	Page 32
		5.1.8	Admission to Examination	Page 33
		5.1.9	Content of Examination	Page 33
	5.2	WRITTEN	EXAMINATION PROCEDURES	Page 34
		5.2.1	Written Exams	Page 34
		5.2.2	Rating Required	Page 34
		5.2.3	Review of Written Test	Page 34
		5.2.4	Examination Results	Page 35
		5.2.5	Examination Papers	Page 35
	5.3		AMINATIONS	Page 36
		5.3.1	Qualifications Appraisal Review (QAI) - Oral Exams	Page 36
		5.3.2	Review and Appeal Procedure for Oral Examinations	Page 36
		5.3.3	Rounding of Examination Scores	Page 37
	5.4		OF TEST RESULTS	Page 37
		5.4.1	Final Score Notification	Page 37

Chapter 6					
	6.1	ELIGIBILI	ITY LISTS	Page 38	
		6.1.1	Establishment of Eligibility Lists	Page 38	
		6.1.2	Termination of Eligibility Lists	Page 38	
		6.1.3	Merger of Eligibility Lists	Page 38	
		6.1.4	Final Date of Eligibility for Appointment	Page 39	
		6.1.5	Eligibility After Appointment	Page 39	
		6.1.6	Substitute List	Page 39	
		6.1.7	Reemployment List	Page 39	
		6.1.8	Removal of Names from Eligibility List	Page 39	
		6.1.9	Review and Appeal of Removal of Names from Eligibility List	Page 40	
	6.2		CATION FROM EMPLOYMENT LISTS	Page 41	
	U.	6.2.1	Order of Precedence	Page 41	
		6.2.2	Other Sources of Eligibility	Page 41	
		6.2.3	Procedure When Fewer Than Three Ranks Remain	Page 41	
		6.2.4	Waiver of Certification	Page 41	
		6.2.5	Selective Certification	Page 41	
		6.2.6	Withholding Names for Certification	Page 41	
	6.3		OF ELIGIBLES	Page 42	
		6.3.1	Time Allowed for Reply to Notice of Certification	Page 42	
		6.3.2	Reporting for Duty	Page 42	
		6.3.3	Correct Communication Information	Page 42	
	6.4	PROVISIO	ONAL APPOINTMENTS	Page 42	
		6.4.1	Procedure for Provisional Appointments	Page 42	
		6.4.2	Extension of Time	Page 42	
		6.4.3	Successive Provisional Appointments	Page 42	
		6.4.4	Termination of Provisional Employees	Page 43	
		6.4.5	Time Served in Provisional Status	Page 43	
	6.5	EMERGE	NCY APPOINTMENTS	Page 43	
		6.5.1	Definition	Page 43	
		6.5.2	Procedure	Page 43	
	6.6	LIMITED :	TERM AND SUBSTITUTE APPOINTMENTS	Page 43	
		6.6.1	Limited Term Position	Page 43	
		6.6.2	Sources for Appointment	Page 43	
		6.6.3	Compensation for Limited Term Service	Page 43	
		6.6.4	Substitute Position	Page 43	
		6.6.5	Sources for Appointment	Page 43	
		6.6.6	Compensation for Substitute Service	Page 43	
		6.6.7	Time Served in Limited Term or Substitute Status	Page 43	

Chapter 7	WAGE AND SALARY PROVISIONS				
	7.1		SHMENT OF PLAN	Page 44 Page 44	
		7.1.1	Factors in Salary Determination	Page 44	
		7.1.2	Salary Studies	Page 44	
		7.1.3	Salary Recommendations	Page 45	
		7.1.4	Appeals of Recommendations	Page 45	
	7.2	APPLICA	TION OF SALARY SCHEDULES	Page 46	
		7.2.1	Initial Placement	Page 46	
		7.2.2	Step Advancement	Page 47	
		7.2.3	Salary Range Changes	Page 47	
		7.2.4	Promotions	Page 47	
		7.2.5	Reclassification	Page 48	
		7.2.6	Salary After Position Reallocation	Page 48	
		7.2.7	Salary For Working Out of Classification	Page 48	
		7.2.8	Placement After Leave of Absence	Page 48	
		7.2.9	Placement After Voluntary Demotion	Page 48	
		7.2.10	Rate on Appointment From Reemployment List	Page 48	
		7.2.11	Rate on Reinstatement After Permanent Separation	Page 49	
		7040	Rate on Appointment as Provisional, Limited Term, and	D 40	
		7.2.12	Substitute	Page 49	
		7.2.13	Summer Assignments	Page 50	
	7.0	7.2.14	Longevity	Page 50	
	7.3	PAYROLI		Page 50	
		7.3.1	Payroll Audit	Page 50	
Chapter 8	INSERVICE STATUS AND TRANSACTIONS				
onapioi o	8.1		ONARY PERIOD	Page 51 Page 51	
		8.1.1	Length of Probationary Period	Page 51	
		8.1.2	Rights of Probationary Employee	Page 51	
		8.1.2.1	New Employees	Page 52	
		8.1.2.2	Promotional Employees	Page 52	
		8.1.3	Duty of Appointing Power	Page 52	
	8.2	TRANSFE	RS	Page 53	
		8.2.1	Transfer	Page 53	
		8.2.2	Request for Transfer	Page 53	
		8.2.3	Status Attained by Transfer	Page 53	
		8.2.4	Probationary Period	Page 53	
		8.2.5	Salary and Benefits Upon Transfer	Page 53	
		8.2.6	Seniority Rights	Page 53	
		8.2.7	Transfer or Demotion for Medical Reasons	Page 54	
		8.2.8	Voluntary Demotion	Page 54	
		8.2.9	Involuntary Demotion	Page 54	

8.3	REASSIG	NMENTS	Page 55
	8.3.1	Reassignments	Page 55
8.4	REINSTA	TEMENTS AND RESTORATIONS	Page 55
	8.4.1	Reinstatements	Page 55
	8.4.2	Restoration	Page 56
	8.4.3	Resignations	Page 57
8.5	LAYOFF		Page 58
	8.5.1	Layoff Procedures	Page 58
		Rights of Employees Laid Off for Lack of Work or Lack of	
	8.5.2	Funds	Page 59
8.6		NE - SUSPENSION, DEMOTION, DISMISSAL	Page 62
	8.6.1	Causes for Disciplinary Action	Page 62
	8.6.2	Dismissal of Temporary and Substitute Employees	Page 63
	8.6.3	Procedure for Disciplinary Action - Permanent Employees	Page 64
	8.6.4	Grounds for Appeal of Disciplinary Action	Page 67
	8.6.5	Appeal Hearing Procedures	Page 67
	8.6.6	Effect of Dismissal Action	Page 70
8.7		OF ABSENCE WITH PAY	Page 71
	8.7.1	Paid Sick Leave	Page 71
	8.7.2	Long Term Sick Leave	Page 72
	8.7.3	Additional Sick Leave	Page 72
	8.7.4	Termination of Sick Leave	Page 72
	8.7.5	Transfer of Sick Leave	Page 72
8.8		IAL INJURY/ILLNESS LEAVE	Page 73
	8.8.1	Reporting Procedure	Page 73
	8.8.2	Granting a Leave	Page 73
	8.8.3	Payment Procedure	Page 74
	0.0.4	Return to Work from Workers Compensation Injury/Illness	Dogo 74
	8.8.4 8.8.4.1	Early Poturn to Work Program (PTW)	Page 74
	8.8.5	Early Return to Work Program (RTW)	Page 74
	0.0.0	Rights Upon Return From Leave	Page 74
8.9	OTHER D	AID LEAVES OF ABSENCE	Page 75
0.5	8.9.1	Bereavement Leave	Page 75
	8.9.2	Jury Duty and Witness Leave	Page 75
	8.9.3	Personal Necessity	Page 76
	8.9.4	Vacation	Page 76
	8.9.5	Release Time for Examination	Page 77

	8.10	LEAVES (OF ABSENCE WITHOUT PAY	Page 78
		8.10.1	Application for Leave of Absence	Page 78
		8.10.2	Conditions for Granting Leave	Page 78
		8.10.3	Return from Leave	Page 78
		8.10.4	Revocation of Leave	Page 79
		8.10.5	Maternity Leave	Page 79
		8.10.6	Military Leave	Page 80
	8.11	PERFORM	MANCE EVALUATIONS	Page 81
		8.11.1	Purpose of Performance Evaluations	Page 81
		8.11.2	When Evaluations are to be Made	Page 81
		8.11.3	Evaluator	Page 81
		8.11.4	Procedure to be Followed	Page 81
		8.11.5	Special Evaluations	Page 82
		8.11.6	Request for Reevaluation	Page 82
		8.11.7	Rating of Record	Page 82
Chapter 9	HOLIE	DAYS		Page 83
•	9.1	HOLIDAY	S	Page 83
		9.1.1	Eligibility	Page 83
		9.1.2	Holidays Observed	Page 83
		9.1.3	Exchange of Holidays	Page 83
		9.1.4	School Holidays	Page 84
		9.1.5	Holidays Worked	Page 84
Chapter				
10	PROB	LEM SO	LVING PROCEDURE	Page 85
	10.1	PROBLEM	M SOLVING PROCEDURE	Page 85
		10.1.1	Terms and Conditions	Page 85
		10.1.2	Informal Procedure	Page 85
		10.1.3	Formal Procedure	Page 86
	10.2	PROCEDI	JRES FOR VIOLATION OF RULES AND REGULATIONS	Page 87
		10.2.1	Violation of Rules	Page 87
		10.2.2	Preliminary Investigation of Charge	Page 87
		10.2.3	Commission Action	Page 88
		10.2.4	Answer to Charge Contained in Notice of Hearing	Page 88
		10.2.5	Hearings	Page 88
		10.2.6	Investigations	Page 89
		10.2.7	Final Order	Page 89
		10.2.8	Waiver of Time Requirements	Page 89

Chapter 11

N	/IISCE	ELLANE	OUS	Page 90
	11.1	MISCELL	ANEOUS	Page 90
		11.1.1	Work Periods and Overtime	Page 90
		11.1.2	Rest Periods	Page 90
		11.1.3	Shift Differential	Page 90
		11.1.4	Time Cards	Page 90
		11.1.5	Pay Days	Page 91
		11.1.6	Criminal Records Check	Page 91
		11.1.7	Health Examinations	Page 91