Santa Clara County Office of Education

MERIT RULES FOR THE CLASSIFIED SERVICE

Table of Contents

CHAPTER I	The Merit System	
1.01 1.02	Definition Merit Rules for the Classified Service	1 1
CHAPTER II	Terminology and Definition of Terms	
2.01	Terminology	3
2.02	Definition of Terms	3
CHAPTER III	Preliminary Statement	
3.01	Statutory Authority of Rules	9
3.02	Printing and Distribution of Rules	9
3.03	Adoption and Amendment of Rules	9
3.04	Judicial Review of Rules	10
3.05	Status of Addenda to Rules	10
3.06	Application of Rules to Represented Employees	10
3.07	Application of Rules to Management and Confidential Employees	10
CHAPTER IV	Commission Organization and Administration	
4.01	Appointment of Personnel Commission Members	11
4.02	Qualifications for Membership on Personnel Commission	11
4.03	Terms of Office	11
4.04	Vacancies; Announcement of Intended Appointees; Open Hearings	11
4.05	Discharge of Duties until Successor Appointed	12
4.06	Commission Officers	12
4.07	Compensation of Commission Members	12
4.08	Quorum and Majority	13
4.09	Open Public Meetings	13
4.10	Agenda and Supporting Data	13
4.11	Official Minutes	13
4.12	Regular Meetings	13
4.13	Special Meetings	14
4.14	Closed Sessions	14
4.15	Personnel Commission Staff Director of Classified Personnel Services	14
4.16 4.17	Expenditure of Funds for Commission Staff Training	14 15
4.17	Non-Permanent Commission Employees and Positions	15
4.19	Official Communications	15
4.20	Budget of the Personnel Commission	16
4.21	Legal Counsel for the Commission	16
4.22	Annual Report of the Commission	16
4.23	Office Accommodations for the Commission	16
CHAPTER V	The Classified Service	
5.01	Positions Not Requiring Certification Qualifications	17
5.02	Commission Staff Positions	17
5.03	Senior Management Positions	17
5.04	Restricted Positions	17
5.05	Executive Secretarial Positions	18
5.06	Staff Assistant Positions	18
5.07	Exemption of Certain Employees and Positions	19
5.08	Exemption of Professional Expert Positions	19

5.09	Exemption of Community Representatives	19
CHAPTER VI	Position-Classification Plan	20
6.01	Classification Plan	20
6.02	Classifying Positions; Assignment of Duties	20
6.03	Class Specifications	21
6.04	Interpretation of Class Specifications	21
6.05	Creation of Positions	22
6.06	Positions with Special Requirements	22
6.07	Changes to Assigned Duties of Positions	22
6.08	Work Out-of-Class	22
6.09	Class Studies; Review of Positions	22
6.10	Alternate Class Series; Definition and Distinction	23
6.11	Alternate Class Series; Positions Designated	23
6.12	Alternate Class Series; Employees Advancing in Series	24
6.13	Alternate Class Series; Effective Date for Series Advancement	24
6.14	Reclassification of Positions; Basis for Reclassification	24
6.15	Reclassification Position Studies; Commission Approval	25
6.16	Reclassification Effective Date for Positions Approved	25
6.17	Reclassification Effects on Employees	26
CHAPTER VII	Examination Bulletins and Employment Applications	
7.01	Examination Bulletins	28
7.02	Filing of Applications and Materials; Filing Deadlines	28
7.03	Entrance Qualifications	29
7.04	Reasonable Accommodation	29
7.05	Who May Compete	29
7.06	Reason(s) for Rejection or Disqualification	29
7.07	Appeal from Disqualification or Rejection; Administrative Review	30
CHAPTER VIII	Examination and Testing	
8.01	Examination Plan	31
8.02	Types of Examinations	31
8.03	Examination Requirements for Certain Classes	31
8.04	Examination Test Parts	32
8.05	Examination Papers and Records	32
8.06	Test Administration	33
8.07	Qualification Appraisal Interview (QAI)	34
8.08	Bilingual Proficiency Tests	35
8.09	Employee Testing for Series Advancement	36
8.10	Reexamination of Disqualified Persons or Repeating Competitors	36
8.11	Service Credit	
8.12	Veteran's Credit	
8.13	Review of Test Parts or Materials	
CHAPTER IX	Eligibility and Employment Lists	
9.01	Preparation of Eligibility List; Arrangement of Eligible Persons	40
9.02	Establishment and Duration of Eligibility Lists	41
9.03	Duties of Eligible Persons	41
9.04	Reemployment List	42
9.05	Reinstatement List	42
9.06	Demotion List	42
CHAPTER X	Method of Filling Position Openings	
10.01		43
10.01	J r · · · · · · · · · · · · · · · · · ·	

10.02	Request for Certification of Eligible Persons	43
10.03	Notices for Position Opening(s)	43
10.04	Order of Certification	43
10.05	Other Sources of Eligibility: Transfer, Demotion or Reinstatement	44
10.06	Method of Certification	45
10.07	Withholding Names from Certification	46
10.08	Waiver of Certification	47
10.09	Rules for Restoring Names to Eligibility List	47
10.10	Appointment	48
10.11	Provisional Appointment	48
10.12	Emergency Appointment	48
10.13	Substitute Appointment	48
10.14	Limited-term Appointment	49
10.15	Employment of Professional Expert Persons	49
10.16	Employment of CALPERS Retired Members	50
CHAPTER XI	In-Service Status and Transactions	
11.01	Employment Data	52
11.02	Probationary Period	52
11.03	Rights of Probationary Employees	53
11.04	Assignment of Disabled Employees	53
11.05	Performance Evaluations	53
11.06	Personnel Files	54
11.07	Resignation	54
11.08	Payroll	55
11.09	Benefits for Part-time Employees	55
11.10	Roster of Employees and Positions	56
11.11	Reports Relating to Personnel Matters	56
CHAPTER XII	Leaves and Holidays	
	Leaves and Holidays Vacation	57
CHAPTER XII 12.01 12.02	Vacation	57 58
12.01	•	
12.01 12.02	Vacation Interruption or Termination of Vacation Leave	58
12.01 12.02 12.03	Vacation Interruption or Termination of Vacation Leave Sick Leave	58 58
12.01 12.02 12.03 12.04	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL)	58 58 59
12.01 12.02 12.03 12.04 12.05	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave	58 58 59 60
12.01 12.02 12.03 12.04 12.05 12.06	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave	58 58 59 60
12.01 12.02 12.03 12.04 12.05 12.06 12.07	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence	58 58 59 60 60
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave	58 58 59 60 60 61 62
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave	58 58 59 60 60 61 62 62
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination	58 58 59 60 60 61 62 62 63
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments	58 58 59 60 60 61 62 62 63 63
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave	58 58 59 60 60 61 62 62 63 63 63
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards	58 58 59 60 60 61 62 62 63 63 63 63
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study	58 58 59 60 60 61 62 62 63 63 63 63
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13 12.14	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study Unpaid Leave of Absence Layoff and Reemployment Definitions	58 58 59 60 60 61 62 62 63 63 63 63 63
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13 12.14 12.15 CHAPTER XIII 13.01 13.02	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study Unpaid Leave of Absence Layoff and Reemployment Definitions Seniority (Order of Layoff)	58 58 59 60 60 61 62 62 63 63 63 63 63 63
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13 12.14 12.15 CHAPTER XIII	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study Unpaid Leave of Absence Layoff and Reemployment Definitions	58 58 59 60 60 61 62 62 63 63 63 63 63 63 65 65
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13 12.14 12.15 CHAPTER XIII 13.01 13.02 13.03 13.04	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study Unpaid Leave of Absence Layoff and Reemployment Definitions Seniority (Order of Layoff) Computation of Seniority Seniority Lists	58 58 59 60 60 61 62 63 63 63 63 63 63 65 65 66
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13 12.14 12.15 CHAPTER XIII 13.01 13.02 13.03 13.04 13.05	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study Unpaid Leave of Absence Layoff and Reemployment Definitions Seniority (Order of Layoff) Computation of Seniority Seniority Lists Reductions in Force (RIF)	58 58 59 60 60 61 62 63 63 63 63 63 65 65 66 66 67
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13 12.14 12.15 CHAPTER XIII 13.01 13.02 13.03 13.04 13.05 13.06	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study Unpaid Leave of Absence Layoff and Reemployment Definitions Seniority (Order of Layoff) Computation of Seniority Seniority Lists Reductions in Force (RIF) Rights in Lieu of Layoff	58 58 59 60 60 61 62 63 63 63 63 63 65 65 66 67 67
12.01 12.02 12.03 12.04 12.05 12.06 12.07 12.08 12.09 12.10 12.11 12.12 12.13 12.14 12.15 CHAPTER XIII 13.01 13.02 13.03 13.04 13.05	Vacation Interruption or Termination of Vacation Leave Sick Leave Personal Necessity Leave (PNL) Bereavement Leave Family Care Leave Extended Illness Absence Industrial Illness and Accident Leave Jury Duty and Witness Leave Absence for Examination Absence for Medical and Dental Appointments Military Leave Leave of Absence for Health and Safety Hazards Leave of Absence for Training and Study Unpaid Leave of Absence Layoff and Reemployment Definitions Seniority (Order of Layoff) Computation of Seniority Seniority Lists Reductions in Force (RIF)	58 58 59 60 60 61 62 63 63 63 63 63 65 65 66 66 67

13.09	Emergency, Provisional or Limited-Term Positions	69
CHAPTER XIV	Disciplinary Action and Appeal	
14.01	Definitions	70
14.02	Causes for Suspension, Demotion and Dismissal	70
14.03	Procedures for Suspension, Demotion and Dismissal	71
14.04	Appeal of Disciplinary Action	72
14.05	Hearing Procedure	72
CHAPTER XV	Wage and Salary Provisions	
15.01	Workday and Workweek	74
15.02	Overtime Defined	74
15.03	Compensation for Overtime	74
15.04	Classes Excluded from Overtime Provisions	74
15.05	Rest Periods	75
15.06	Initial Salary Placement	75
15.07	Salary Step Advancement	75
15.08	Salary Placement: Promotion	76
15.09	Salary Placement: Transfer (Reassignment)	76
15.10	Salary Placement: Alternate Class Series Advancement	76
15.11	Salary Placement: Return from Unpaid Leave of Absence	76
15.12	Salary Placement: Demotion	76
15.13	Salary Placement: Reclassification	76
15.14	Salary Placement: Position Reallocation	77
15.15	Salary Placement: Work Out-of-Class	77
15.16	Salary Differential (Differential Compensation)	77
15.17	Compensation for Bilingual or Biliterate Certification	78
15.18	Longevity or Length of Service Increments	78
15.19	Holiday Pay	78
15.20	Wage and Salary Administration	79
15.21	Wage and Salary Studies	80
15.22	Recommendations from Wage and Salary Study	80
CHAPTER XVI	Miscellaneous Provisions	
16.01	Conflict Resolution	81
16.02	Complaint Regarding Personnel Commission Rules	82
16.03	Nepotism	82
16.04	Political Activity	82
16.05	Wearing of Uniforms or Identification Badges	83
16.06	Physical Examinations	84
16.07	Reimbursement of Expenses of Employment Candidate	84
16.08	Fingerprinting of Prospective Classified Employees	84
16.09	Volunteers	84
16.10	Classified School Employee Week	85
APPENDIXES		
A	Classification Plan: Exempt (Managerial) Occupational Groups	I
В	Classification Plan: Non-Exempt (Represented) Occupational Groups	II
C	Classes with Alternate Class Series (ACS) Designations	VIII
D	Specific Merit Rule Adoptions and Amendments	IX