



PERSONNEL COMMISSION

PLEASE POST

MEETING AGENDA

Testing Room
Personnel Commission Office
999 Atlantic Avenue, Third Floor
Long Beach, California 90813

**JUNE 12, 2014
THURSDAY
8:15 A.M.**

1. CALL TO ORDER

2. PRELIMINARY

2.1 Pledge of Allegiance to the Flag

2.2 Commissioners roll call

Stacey Lewis, Chairperson
Linda Vaughan, Vice-Chairperson
Terry Ulaszewski, Member

Present _____
Present _____
Present _____

2.3 Introduction of Guests

**3. HEARING OF PUBLIC TESTIMONY AND QUESTIONS
FROM THE FLOOR ON ITEMS NOT LISTED ON AGENDA**

4. REPORT FROM THE EXECUTIVE OFFICER

5. HEARINGS

None

6. MINUTES

6.1 Approval of Minutes for May 29, 2014

Action

7. ITEMS FOR DISCUSSION AND/OR ACTION

**7.1 Classification/Restructure Recommendations per
Education Code 45246**

Action

**7.2 Revision to the Rules and Regulations of the
Classified Service, Chapter XIII, XIV & XV
(First Reading)**

Discussion

8. BULLETINS AND TESTING ACTIONS

8.1 Bulletins – Per Personnel Commission Rule 4.3.B

Action

8.2 Eligibility Lists – Per Personnel Commission Rule 5.1.B

Action

9. OTHER ITEMS

10. The next regular scheduled meeting of the Personnel Commission will be held on June 26, 2014 at 8:15 a.m. in the Testing Room of the Personnel Commission Office at 999 Atlantic Avenue, Long Beach, California.

11. CLOSED SESSION

12. ADJOURNMENT

ACCESS TO PUBLIC DOCUMENTS

Public records related to the open session agenda, that are distributed to the Personnel Commission members less than 72 hours prior to a regular meeting, may be inspected by the public at the Personnel Commission Office, 999, Atlantic Avenue, Third Floor, Long Beach, CA 90813, during regular business hours (Monday through Thursday, 8:00 a.m. to 4:40p.m.).

Persons requiring accommodation in order to view the agenda or participate in the meeting, may make the request for accommodation to the Executive Officer, Personnel Commission at 562-435-5708 at least 24 hours in advance of the meeting pursuant to Government Code 54954.2 (a) 1.

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Minutes for May 29, 2014

PAGES: 6.1.1 – 6.1.6

Date: June 12, 2014

Reason for
Consideration: Action

Testing Room
Personnel Commission Office
999 Atlantic Avenue, Third Floor
Long Beach, CA 90813

Chairperson Stacey Lewis called the meeting of the Personnel Commission to order at 8:16 a.m. and led the Commissioners, staff and audience in the pledge of allegiance.

COMMISSION MEMBERS PRESENT

Stacey Lewis, Chairperson
Terence Ulaszewski, Member
Linda Vaughan, Vice-Chairperson

STAFF MEMBERS PRESENT

Gail McMahon, Ed.D., Executive Officer
Marilyn Balmer, Personnel Analyst
Susan Leaming, Personnel Analyst
Dale Culton, Certification Services Manager
Maria Braunstein, Associate Personnel Analyst
Mary Cates, Human Resources Supervisor
Adriana Araujo-Honorio, Staff Secretary

PRELIMINARY

Guests: Les Leahy, Business Services Administrator; Valeeta Pharr, CSEA Chapter 2 President; Donald Bennett, Area Custodial Manager; Lee Darrington Jr., Area Custodial Manager; Jose Delamora and Sam Dimas, Area Custodial Manager.

**HEARING OF PUBLIC TESTIMONY AND
QUESTIONS FROM THE FLOOR ON
ITEMS NOT LISTED ON THE AGENDA**

HEARING OF PUBLIC TESTIMONY AND
QUESTIONS FROM THE FLOOR ON
ITEMS NOT LISTED ON THE AGENDA

None

REPORT FROM THE EXECUTIVE OFFICER

REPORT FROM THE EXECUTIVE OFFICER

Dr. Gail McMahon, Executive Officer, reported on the success of the Classified Employee Celebration stating nearly 600 employees attended the event. Dr. McMahon expressed a sincere thank you to the Commissioners and Board of Education members who were able to attend this event.

Marilyn Balmer, Personnel Analyst, provided the Commission an update on existing and upcoming recruitments reporting staff is working on approximately 23 recruitments.

Susan Leaming, Personnel Analyst, reported approximately 31% of incumbents in the Child Care and Instructional job family are participating in the study. Ms. Leaming thanked CSEA for encouraging their members to participate.

Dale Culton, Certification Services Manager, reported online VA training was conducted for school secretaries. He also reported 62 probationary and 46 substitute employees have been processed.

Mary Cates, Human Resources Supervisor, reported summer assignments for over 145 employees have been made. Additionally, Special Education continues to make summer assignments as the number of students who will be attending the extended school year session is finalized. The goal is to have summer assignment notifications sent out to all employees at their school sites before they leave for the summer recess.

At 8:24 a.m., Vice-Chairperson Vaughan arrived.

MINUTES

MINUTES

The Commission approved the minutes of the May 15, 2014, Personnel Commission meeting. It was moved by Vice-Chairperson Vaughan to approve the minutes. Commissioner Ulaszewski seconded the motion.

The motion carried. The vote was unanimous with all three members participating in the vote.

CLASSIFICATION/RESTRUCTURE

CLASSIFICATION/RESTRUCTURE

The Personnel Commission acted to approve the following classification recommendations per Education Code 45256 and according to Personnel Commission Rules.

ABOLISHMENT OF A CLASSIFICATION

Fleet Maintenance Supervisor

It was moved by Vice-Chairperson Vaughan and seconded by Commissioner Ulaszewski to approve the classification recommendation. The motion carried. The vote was unanimous with all three members participating in the vote.

REVISIONS TO CLASS SPECIFICATION

Instructional Aide Interpreter – Deaf/Hard of Hearing

It was moved by Commissioner Ulaszewski and seconded by Vice-Chairperson Vaughan to approve the classification recommendation. The motion carried. The vote was unanimous with all three members participating in the vote.

RECLASSIFY AN EXISTING POSITION

<u>Name</u>	<u>Position</u>
Laura Hardie	From: Plant Supervisor – Headquarters To: Plant Supervisor II

ABOLISH A CLASSIFICATION

Plant Supervisor – Headquarters
Salary Range 21 (S1)

REVISIONS TO CLASS SPECIFICATION

Plant Supervisor II

It was moved by Commissioner Ulaszewski and seconded by Vice-Chairperson Vaughan to approve the classification recommendations. The motion carried. The vote was unanimous with all three members participating in the vote.

CREATE A NEW CLASSIFICATION

Custodial Services Inspector

ALLOCATE NEW CLASSIFICATION

Custodial Services Inspector

Salary Range 30 (S1)

Sam Dimas, Area Custodial Manager, presented the Commission an informational packet for their review and consideration before acting on this item. It was moved by Vice-Chairperson Vaughan and seconded by Commissioner Ulaszewski to table the classification recommendations for Custodial Services Inspector until such time as the Commissioners could review the material. The motion carried. The vote was unanimous with all three members participating in the vote.

ABOLISH A CLASSIFICATION

Facilities Project Manager
Salary Range 46 (M2)

CREATE A NEW CLASSIFICATION

Facilities Project Manager – Construction

ALLOCATE NEW CLASSIFICATION

Facilities Project Manager – Construction
Salary Range 46 (M2)

CREATE A NEW CLASSIFICATION

Facilities Project Manager – Planning

ALLOCATE NEW CLASSIFICATION

Facilities Project Manager – Planning
Salary Range 46 (M2)

RECLASSIFY AN EXISTING POSITION

<u>Name</u>	<u>Position</u>
Susan Ahn	From: Facilities Project Manager To: Facilities Project Manager – Planning

<u>Name</u>	<u>Position</u>
Edith Florence	From: Facilities Project Manager To: Facilities Project Manager – Planning

It was moved by Commissioner Ulaszewski and seconded by Vice-Chairperson Vaughan to approve the classification recommendations. The motion carried. The vote was unanimous with all three members participating in the vote.

BULLETINS

BULLETINS

Personnel Commission Rule 4.3.B.1, states that the Personnel Commission Executive Officer shall be responsible for issuing job announcement bulletins to publicize recruitment and examination processes. It was moved by Commissioner Ulaszewski to ratify the bulletins. Vice-Chairperson Vaughan seconded the motion.

The motion carried. The vote was unanimous with all three members participating in the vote.

Accountant	Open/Promotional	14-0102-0358
Administrative Coordinator - Construction	Dual	14-0111-5187
High School Office Supervisor	Promotional	14-0109-3349
Instructional Assistant – Intensive Behavioral Treatment	Dual	14-0107-5035
Student Evaluation Technician	Dual	14-0106-0399
Plant Supervisor I	Promotional	14-0108-5026

ELIGIBILITY LISTS

ELIGIBILITY LISTS

Personnel Commission Rule 5.1.B, states that the Personnel Commission Executive Officer shall be responsible for establishing eligibility lists as a result of examination processes authorized by these rules. Commissioner Ulaszewski moved for the abolishment of eligibility list to be discussed in closed session and for the approval of the eligibility lists. The motion was seconded by Vice-Chairperson Vaughan.

The motion carried. The vote was unanimous with all members present participating in the vote. The following eligibility lists were approved. The abolishment of the eligibility list was moved to closed session.

Contract Manager Dual 14-0079-0216

List Valid: 05/12/14 – 05/12/15

Total applications received: 38

Total invited to exam: 13

No. Passed: 9 No. Failed: 0 No. Withdrew: 4 No. Screened Out: 25

Health Assistant Dual 14-0087-5170

List Valid: 05/23/14 – 05/123/15

Total applications received: 78

Total invited to exam: 50

No. Passed: 23 No. Failed: 11 No. Withdrew: 16 No. Screened Out: 28

Instructional Assistant Gardening Dual 14-0091-0460

List Valid: 05/16/14 – 05/16/15

Total applications received: 29

Total invited to exam: 13

No. Passed: 6 No. Failed: 3 No. Withdrew: 4 No. Screened Out: 16

Inventory Control Technician Dual 14-0094-5126

List Valid: 05/29/14 – 05/29/15

Total applications received: 75

Total invited to exam: 35

No. Passed: 12 No. Failed: 11 No. Withdrew: 12 No. Screened Out: 40

Migrant Education Recruiter

Bilingual Spanish Dual 14-0092-5180

List Valid: 05/22/14 – 05/22/15

Total applications received: 98

Total invited to exam: 35

No. Passed: 7 No. Failed: 21 No. Withdrew: 7 No. Screened Out: 63

Speech Language Pathology**Assistant****Dual****14-0080-5024**

List Valid: 05/14/14 – 05/14/15

Total applications received: 32

Total invited to exam: 11

No. Passed: 8 No. Failed: 3

No. Withdrew: 0 No. Screened Out: 21

Technology Services Inventory**Technician****Dual****14-0093-5168**

List Valid: 05/30/14 – 05/30/15

Total applications received: 41

Total invited to exam: 19

No. Passed: 8 No. Failed: 7

No. Withdrew: 4

No. Screened Out: 22

OTHER ITEMS**OTHER ITEMS**

Ms. Valeeta Pharr, CSEA Chapter 2 President, thanked everyone for their hard work on the Classified Employee Week Celebration.

Commissioner Ulaszewski thanked the Committee for putting on a successful Classified Employee Celebration. He also stated the PCASC (Personnel Commissioners Association of Southern California Conference) he and staff attended on May 16, was very informative.

Chairperson Lewis recognized Beatriz Nieves, the 2014 Classified Employee of the Year indicating Ms. Nieves represents everything that is good in what we do.

NEXT MEETING**NEXT MEETING**

The next regular meeting of the Personnel Commission will be held on Thursday, June 12, 2014, at 8:15 a.m. at 999 Atlantic Avenue, Third Floor, Long Beach, California.

CLOSED SESSION**CLOSED SESSION**

The Personnel Commission adjourned to closed session at 9:12 a.m. to review the abolishment of eligibility list.

RETURN TO OPEN SESSION**RETURN TO OPEN SESSION**

The Personnel Commission returned to Open Session at 9:23 a.m. The following reportable action was taken during Closed Session:

ABOLISHMENT OF ELIGIBILITY LIST**Assistant Purchasing and Contracts Director Dual 13-0013-0777**

Extended list expiration date: 10/19/14

Extend list period: 1 year

Total eligibles on list: 4

The Commission acted to approve the abolishment of eligibility list. The vote was unanimous with all three members participating in the vote.

The Commission directed the Executive Officer to notify the Area Custodial Managers, the Custodial Services Inspector agenda item will be on the June 26, 2014 agenda as the Chair will be unable to attend the Commission meeting on June 12, 2014.

ADJOURNMENT

ADJOURNMENT

There being no further business, at 9:24 a.m. Chairperson Lewis adjourned the meeting.

Respectfully submitted,

Gail McMahon

Gail McMahon, Ed.D.
Executive Officer

GM/mb

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Classification/Restructure
Recommendations

PAGES: 7.1.1 – 7.1.2

Date: June 12, 2014

Reason for
Consideration: Action

One of the specific requirements of Education Code 45256 is that "the Commission shall classify all employees and positions within the jurisdiction of the governing board or of the Commission, except those that are exempt from the classified services as specified..." In accordance with the Personnel Commission Rules, staff submits the attached classification recommendations for the consideration of the Commission.

ABOLISHMENTMENT OF CLASSIFICATIONS

PAGE

Intermediate Office Assistant – BL Khmer

2

Intermediate Office Assistant/Schools – BL Khmer

Senior Office Assistant – BL Khmer

Senior Office Assistant/Schools – BL Khmer



PERSONNEL COMMISSION

"Supporting student achievement through quality service."

June 5, 2014

TO: Personnel Commission

FROM: Executive Officer, Personnel Commission and Classified Employment

SUBJECT: Abolishment of Classifications

Background and Findings

The classifications of Intermediate Office Assistant – BL Khmer and Intermediate Office Assistant/Schools – BL Khmer were created in 2004. The classifications of Senior Office Assistant – BL Khmer and Senior Office Assistant/Schools – BL Khmer were created in 2005.

The Commission created the BL Spanish and BL Khmer classifications at the same time in anticipation of the District's future needs. While the BL Spanish classifications have been utilized by the District, the BL Khmer classifications have never been filled.

Recommendations

Staff recommends the Personnel Commission:

1. Abolish the classifications of:

- Intermediate Office Assistant – BL Khmer
- Intermediate Office Assistant/Schools – BL Khmer
- Senior Office Assistant – BL Khmer
- Senior Office Assistant/Schools – BL Khmer

Prepared by:

Susan Leaming
Personnel Analyst

Approved and Recommended:

Gail McMahon, Ed.D.
Executive Officer

PERSONNEL COMMISSION CORE VALUES

Integrity – Respect – Effective Communication – Commitment to Excellence – Compassion – Teamwork

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Revisions to the Rules and
Regulations of the Classified Service,
Chapter XIII, XIV & XV (First Reading)

PAGES: 7.2.1- 7.2.23

Date: June 12, 2014

**Reason for
Consideration:** Discussion

One of the specific requirements of Education Code 45260 is that "The Commission shall prescribe, amend and interpret, subject to this article, such rules as may be necessary to insure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness." In accordance with the Personnel Commission Rules, staff submits the attached revision, for the first reading.

PAGE

REVISION OF RULES AND REGULATIONS

Chapter XIII, XIV & XV (First Reading)

2

CHAPTER XIII CERTIFICATION OF PAYROLLS

13.1 INSPECTION OF PAYROLLS

~~EDUCATION CODE 45310 CERTIFICATION FOR PAYMENT: APPOINTMENT IN VIOLATION OF ARTICLE OR RULES. No warrant shall be drawn by or on behalf of the governing board of any district for the payment of any salary or wage to any employee in the classified service unless the assignment bears the certification of the personnel director that the person named in the assignment has been employed and assigned pursuant to this article (commencing with Section 45240) and the rules of the commission.~~

~~Whenever the commission, after a public hearing, finds that any appointment has been made in violation of this article (commencing with Section 45240) or the rules of the commission as they apply to examination procedures, the commission may order that no salary warrant shall thereafter be drawn to the employee so appointed, for services rendered after the date of said order. Any violation of this article (commencing at Section 45240) or the rules of the commission as they apply to examination procedures shall constitute grounds for the dismissal of the employee or employees guilty of such violation.~~

- A. **EMPLOYEE ROSTER TO BE MAINTAINED.** The ~~Executive Officer of the Personnel Commission~~**Personnel Director** shall maintain employee records containing the names and complete employment records of all employees holding positions under the provisions of the Act, and such other records as are necessary for carrying out the provisions of the Act and these rules.
- B. **INSPECTION OF PAYROLLS.** Payroll records of the District shall be made available for inspection by the Commission or the ~~Executive Officer~~**Personnel Director** upon demand. If, upon examination of a payroll at any time, it is found that any person named thereon has been appointed, elected, or employed in violation of any of the provisions of the Act or of the Rules of the Commission, notice of such violation shall be served upon the Board and the disbursing officers that said person has been paid salary or received compensation in an unlawful manner.

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CHAPTER XIV PERFORMANCE REPORTS

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~~14.0~~ RATING PROCEDURES

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~~EDUCATION CODE 45261-SUBJECTS OF RULES. The rules shall provide for the procedures...regarding...performance evaluations...~~

14.1 RATING PERFORMANCE REPORTS FOR REGULAR EMPLOYEES

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- A. **REPORTS REQUIRED.** There shall be filed with Human Resource Services a periodic performance report of each probationary employee and each employee in the permanent classified service, evaluating his/her performance on the job for the period covered in the report. The rating intervals shall be as determined by the Commission.

- B. **DESIGNATED REVIEWERSRATERS.** Each employee's performance is to be reviewedrated by his/her immediate supervisor, who is defined as the person who assigns, checks, and supervises the work of the employee and who is immediately responsible for the employee, or is most closely acquainted with the employee's performance. If the employee has more than one immediate supervisor, each such supervisor may rate review and evaluate the employee's work performance.

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The performance reportrating of each employee shall be reviewed by the next higher level supervisor, usually the immediate supervisor of the reviewerater.

- C. **RATING PROCEDURES.** Performance reports shall be made on forms prescribed by the Commission, and following procedures established by the Commission.

The performance reviewrating intervals shall be as indicated below:

- 1) Probationary employees serving in positions which require a six month probationary period shall be reviewedrated at the end of the second, fourth, and sixth month from the date of appointment in that position. Probationary employees serving in a position requiring a one year probationary period shall be reviewedrated at the end of the fourth, eighth, and twelfth month from the date of appointment in that position.
- 2) Permanent employees shall be rated annually. The period of the annual reviewrating shall be twelve (12) months following the date the employee gains permanence in his/her present position or twelve (12) months following subsequent regular or revised reviewrating reports, except when the end of the reviewrating period falls during a non-work period for ten (10) or eleven (11) month employee. Such employee shall be reviewedrated within sixty (60) days prior to the last working day of the assigned work year.
- 3) Employees will receive a warning and counsel from the reviewerater within ten (10) days of the occurrence of less-than-satisfactory performance. If the less-than-satisfactory performance occurs less than ten (10) days prior to an employee's formal reviewrating, the rater shall warn and counsel the employee prior to the formal reviewrating. The employee may request that a warning be put in writing. The employee may also request the name of the complainant(s) for any report of less-than-satisfactory performance which results in warning and counsel.

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4) ~~ReviewersRaters~~ shall include a statement of the facts and suggestions for improvement in any ~~reviewrating~~ that includes a "needs to improve" (N) or "unsatisfactory" (U). Content of the comments shall not be grievable.

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5) A special ~~reviewrating~~ may be submitted any time upon evidence of changed work habits or performance on the part of the employee.

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D. EMPLOYEE'S COPY. Whenever a ~~reviewrating~~ is made, a conference shall be held to review the rating and a copy of the full report shall be given by the rater to the employee being ~~reviewedrated~~.

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E. ~~RATINGPERFORMANCE REPORT~~ OF RECORD. When an employee terminates employment, his/her most recent ~~reportrating~~ on file shall be the ~~reportrating~~ of record, and no additional ~~reportrating~~ need be made unless his/her performance has changed to unsatisfactory.

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F. APPEAL OF ~~RATINGPERFORMANCE REPORT~~. An employee may within 15 days of receipt of his/her ~~reviewrating~~ request a conference with the reviewer of the ~~reportrating~~ to discuss the content of the ~~reviewrating~~.

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If still dissatisfied with the ~~reviewrating~~ content, the employee may, within 15 days from the conference with the reviewer, file with the next higher supervisor a written appeal of the ~~reviewrating~~. The next higher supervisor will have 10 days from receipt of a written appeal to determine if the content of the ~~reviewrating~~ is accurate or inaccurate. If the next higher supervisor determines that the ~~ratingreview~~ content is inaccurate, he/she shall order that within 10 days a new rating be written, give a copy of the new ~~reportrating~~ to the employee and place the new ~~reportrating~~ in the employee's personnel file. If the appeal is denied, the original ~~reportrating~~, together with the written appeal, shall be placed in the employee's personnel file. No ~~reportrating~~ that is being appealed shall be placed in an employee's personnel file until the appeal process has been completed.

G. "Days" as defined in this rule are workdays when both parties are on duty.

H. PERSONNEL FILE. Each employee shall have the right, by appointment, to review the contents of his/her personnel file. At the employee's request a representative may accompany the employee in this review. Normally, such review shall be permitted twice per fiscal year.

14.2 | ~~RATINGPERFORMANCE REPORTS~~ PROCEDURE FOR LIMITED TERM/PROVISIONAL EMPLOYEES

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A. Performance reports for employees in limited term/provisional status shall be made on the Personnel Commission prescribed form at the discretion of the site manager or supervisor.

~~CHAPTER XV EMPLOYER-EMPLOYEE RELATIONS~~

~~GOVERNMENT CODE 3540 PURPOSE OF ARTICLE~~

~~Article 1. GENERAL PROVISIONS~~

~~3540. PURPOSE OF THE CHAPTER. It is the purpose of this chapter to promote the improvement of personnel management and employer-employee relations within the public school systems in the State of California by providing a uniform basis for recognizing the right of public school employees to join organizations of their own choice, to be represented by such organizations in their professional and employment relationships with public school employers, to select one employee organization as the exclusive representative of the employees in an appropriate unit, and to afford certificated employees a voice in the formulation of educational policy. Nothing contained herein shall be deemed to supersede other provisions of the Education Code and the rules and regulations of public school employees which establish and regulate tenure or a merit or civil service system or which provide for other methods of administering employer-employee relations, so long as the rules and regulations or other methods of the public school employer do not conflict with lawful collective agreements.~~

~~It is the further intention of the Legislature that this chapter shall not restrict, limit, or prohibit the full exercise of the functions of any academic senate or faculty council established by a school district in a community college to represent the faculty in making recommendations to the administration and governing board of such school district with respect to district policies on academic and professional matters, so long as the exercise of such functions do not conflict with lawful collective agreements~~

~~It is the further intention of the Legislature that any legislation enacted by the Legislature governing employer-employee relations of other public employees shall be incorporated into this chapter to the extent possible. The Legislature also finds and declares that it is an advantageous and desirable state policy to expand the jurisdiction of the board created pursuant to this chapter to cover other public employers and their employees, in the event that such legislation is enacted, and if this policy is carried out, the name of the Educational Employment Relations Board shall be changed to the "Public Employee Relations Board."~~

~~3540.1. DEFINITIONS AS USED IN THIS CHAPTER.~~

~~(a) "Board" means the Educational Employment Relations Board created pursuant to Section 3541.~~

~~(b) "Certified organization" or "certified employee organization" means an organization which has been certified by the board as the exclusive representative of the public school employees in an appropriate unit after a proceeding under Article 5 (commencing with Section 3544.)~~

~~(c) "Confidential employee" means any employee who, in the regular course of his duties, has access to, or possesses information relating to, his employer's employer-employee relations.~~

~~(d) "Employee organization" means any organization which includes employees of a public school employer and which has as one of its primary purposes representing such employees in their relations with that public school employer. "Employee organization" shall also include any person such an organization authorizes to act on its behalf.~~

Comment [GD1]: The entire chapter is recommended for deletion as the Rules and Regulations of the Classified Service are based on the Merit System provisions of the Education Code and is within the oversight of the Personnel Commission. Employer-Employee Relations is School Board/District Function and is separate and apart from the Personnel Commission.

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~~(e) "Exclusive representative" means the employee organization recognized or certified as the exclusive negotiating representative of certificated or classified employees in an appropriate unit of a public school employer.~~

~~(f) "Impasse" means that the parties to a dispute over matters within the scope of representation have reached a point in meeting and negotiating at which their differences in positions are so substantial or prolonged that future meetings would be futile.~~

~~(g) "Management employee" means any employee in a position having significant responsibilities for formulating district policies or administering district programs. Management positions shall be designated by the public school employer subject to review by the Educational Employment Relations Board.~~

~~(h) "Meeting and negotiating" means meeting, conferring, negotiating, and discussing by the exclusive representative and the public school employer in a good faith effort to reach agreement on matters within the scope of representation and the execution, if requested by either party, of a written document incorporating any agreements reached, which document shall, when accepted by the exclusive representative and the public school employer, become binding upon both parties, and notwithstanding Section 3543.7, shall not be subject to subdivision 2 of Section 1667 of the Civil Code. The agreement may be for a period of not to exceed three years.~~

~~(i) "Organizational security" means either of the following:~~

~~(1) An arrangement pursuant to which a public school employee may decide whether or not to join an employee organization, but which requires him or her, as a condition of continued employment, if he or she does join, to maintain his or her membership in good standing for the duration of the written agreement. However, no such arrangement shall deprive the employee of the right to terminate his or her obligation to the employee organization within a period of 30 days following the expiration of a written agreement; or~~

~~(2) An arrangement that requires an employee, as a condition of continued employment, either to join the recognized or certified employee organization, or to pay the organization a service fee in an amount not to exceed the standard initiation fee, periodic dues, and general assessments of the organization for the duration of the agreement, or a period of three years from the effective date of such agreement, whichever comes first.~~

~~(j) "Public school employee" or "employee" means any person employed by any public school employer except persons elected by popular vote, persons appointed by the Governor of this state, management employees, and confidential employees.~~

~~(k) "Public school employer" or "employer" means the governing board of a school district, a school district, a county board of education, or a county superintendent of schools.~~

~~(l) "Recognized organization" or "recognized employee organization" means an employee organization which has been recognized by an employer as the exclusive representative pursuant to Article 5 (commencing with Section 3544.)~~

~~(m) "Supervisory employee" means any employee, regardless of job description, having authority in the interest of the employer to hire, transfer, suspend, lay off, 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 that authority is not of a merely routine or clerical nature, but requires the use of independent judgment.~~

~~Article 2. ADMINISTRATION~~

~~3541. PUBLIC EMPLOYMENT RELATIONS BOARD.~~

~~(a) There is in state government the Public Employment Relations Board which shall be independent of any state agency and shall consist of five members. The members of the board shall be appointed by the Governor by and with the advice and consent of the Senate. One of the original members shall be chosen for a term of one year, one for a term of three years, and one for a term of five years. The first term for the two new members of the board resulting from the expansion of the board to five members shall be reduced by the Governor as necessary so that the term of only one member of the board shall expire in any given year. Thereafter terms shall be for a period of five years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Members of the board shall be eligible for reappointment. The Governor shall select one member to serve as chairperson. A member of the board may be removed by the Governor upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.~~

~~(b) A vacancy in the board shall not impair the right of the remaining members to exercise all the powers of the commission, and three members of the board shall at all times constitute a quorum.~~

~~(c) The board may delegate its powers to any group of three or more board members. Nothing shall preclude any board member from participating in any case pending before the board.~~

~~(d) Members of the board shall hold no other public office in the state, and shall not receive any other compensation for services rendered.~~

~~(e) Each member of the board shall receive the salary provided for by Chapter 6 (commencing with Section 11550) of Part 1 of Division 3 of Title 2. In addition to his or her salary, each member of the board shall be reimbursed for actual and necessary expenses incurred by him or her in the performance of his or her duties, subject to the rules of the Department of Personnel Administration relative to the payment of such expenses to state officers generally.~~

~~(f) The board shall appoint an executive director who shall be the chief administrative officer. The executive director shall appoint * * * other persons that may, from time to time, be deemed necessary for the performance of the board's administrative functions, prescribe their duties, fix their compensation, and provide for reimbursement of their expenses in the amounts made available therefor by appropriation. The executive director shall be a person familiar with employer-employee relations. The executive director shall be subject to removal at the pleasure of the board. The Governor shall appoint a general counsel, upon the~~

~~recommendation of the board, to assist the board in the performance of its functions under this chapter. The general counsel shall serve at the pleasure of the board.~~

~~(g) The executive director and general counsel serving the board on December 31, 1977, shall become employees of the Public Employment Relations Board and shall continue to serve at the discretion of the board. A person so employed may, independently of the Attorney General, represent the board in any litigation or other matter pending in a court of law to which the board is a party or in which it is otherwise interested.~~

~~(h) The Governor shall appoint one legal adviser for each member of the board upon the recommendation of that board member. Each appointee shall serve at the pleasure of the recommending board member and shall receive a salary as shall be fixed by the board with the approval of the Department of Personnel Administration.~~

~~(i) Attorneys serving the board on May 19, 1978, shall not be appointed as legal advisers to board members pursuant to subdivision (h) until the time that they have attained permanent civil service status.~~

~~(j) Notwithstanding subdivision (a), the member of the board appointed by the Governor for the term beginning on January 1, 1991, shall not be subject to the advice and consent of the Senate.~~

~~3541.3. POWERS AND DUTIES OF THE BOARD. The board shall have all of the following powers and duties:~~

~~(a) To determine in disputed cases, or otherwise approve, appropriate units.~~

~~(b) To determine in disputed cases whether a particular item is within or without the scope of representation.~~

~~(c) To arrange for and supervise representation elections which shall be conducted by means of secret ballot elections, and certify the results of the elections.~~

~~(d) To establish lists of persons broadly representative of the public and qualified by experience to be available to serve as mediators, arbitrators, or fact finders. In no case shall such lists include persons who are on the staff of the board.~~

~~(e) To establish by regulation appropriate procedures for review of proposals to change unit determinations.~~

~~(f) Within its discretion, to conduct studies relating to employee-employer relations, including the collection, analyses, and making available of data relating to wages, benefits, and employment practices in public and private employment, and, when it appears necessary in its judgment to be accomplishment of the purposes of this chapter, recommend legislation. The board shall report to the Legislature by February 15th of each year on its activities during the immediately preceding calendar year. The board may enter into contracts to develop and maintain research and training programs designed to assist public employers and employee organizations in the discharge of their mutual responsibilities under this chapter.~~

- ~~— (g) To adopt, pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2, rules and regulations to carry out the provisions and effectuate the purposes and policies of this chapter.~~
- ~~— (h) To hold hearings, subpoena witnesses, administer oaths, take the testimony or deposition of any person, and, in connection therewith, to issue subpoenas duces tecum to require the production and examination of any employer's or employee organization's records, books, or papers relating to any matter within its jurisdiction. Notwithstanding Section 11425.10, Chapter 4.5 (commencing with Section 11400) of Part 1 of Division 3 of Title 2 does not apply to a hearing by the board under this chapter, except a hearing to determine an unfair practice charge.~~
- ~~— (i) To investigate unfair practice charges or alleged violations of this chapter, and take any action and make any determinations in respect of these charges or alleged violations as the board deems necessary to effectuate the policies of this chapter.~~
- ~~— (j) To bring an action in a court of competent jurisdictions to enforce any of its orders, decisions, or ruling or to enforce the refusal to obey a subpoena. Upon issuance of a complaint charging that any person has engaged in or is engaging in an unfair practice, the board may petition the court for appropriate temporary relief or restraining order.~~
- ~~— (k) To delegate its powers to any member of the board or to any person appointed by the board for the performance of its functions, except that no fewer than two board members may participate in the determination of any ruling or decision on the merits of any dispute coming before it and except that a decision to refuse to issue a complaint shall require the approval of two board members.~~
- ~~— (l) To decide contested matters involving recognition, certification, or decertification of employee organizations.~~
- ~~— (m) To consider and decide issues relating to rights, privileges, and duties of an employee organization in the event of a merger, amalgamation, or transfer jurisdiction between two or more employee organizations.~~
- ~~— (n) To take any other action as the board deems necessary to discharge its powers and duties and otherwise to effectuate the purposes of this chapter.~~
- ~~— 3541.4. INTERFERENCE WITH PERFORMANCE OF BOARD DUTIES; OFFENSE. Any person who shall willfully resist, prevent, impede or interfere with any member of the board, or any of its agents, in the performance of duties pursuant to this chapter, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000.)~~
- ~~— 3541.5. UNFAIR PRACTICES; JURISDICTION; PROCEDURES FOR INVESTIGATION, HEARING AND DECISION; ENFORCEMENT. The initial determination as to whether the charges of unfair practices are justified, and, if so, what remedy is necessary to effectuate the purposes of this chapter, shall be a matter within the exclusive jurisdiction of the board. Procedures for investigating, hearing, and deciding these cases shall be devised and promulgated by the board and shall include all of the following:~~

~~(a) Any employee, employee organization, or employer shall have the right to file an unfair practice charge, except that the board shall not do either of the following:~~

~~(1) Issue a complaint in respect of any charge based upon an alleged unfair practice occurring more than six months prior to the filing of the charge.~~

~~(2) Issue a complaint against conduct also prohibited by the provisions of the agreement between the parties until the grievance machinery of the agreement, if it exists and covers the matter at issue, has been exhausted, either by settlement or binding arbitration. However, when the charging party demonstrates that resort to contract grievance procedure would be futile, exhaustion shall not be necessary. The board shall have discretionary jurisdiction to review such settlement or arbitration award reached pursuant to the grievance machinery solely for the purpose of determining whether it is repugnant to the purposes of this chapter. If the board finds that such settlement or arbitration award is repugnant to the purposes of this chapter, it shall issue a complaint on the basis of a timely filed charge, and hear and decide the case on the merits. Otherwise, it shall dismiss the charge. The board shall, in determining whether the charge was timely filed, consider the six-month limitation set forth in this subdivision to have been tolled during the time it took the charging party to exhaust the grievance machinery.~~

~~(b) The board shall not have authority to enforce agreements between the parties, and shall not issue a complaint on any charge based of alleged violation of such an agreement that would not also constitute an unfair practice under this chapter.~~

~~(c) The board shall have the power to issue a decision and order directing an offending party to cease and desist from the unfair practice and to take such affirmative action, including but not limited to the reinstatement of employees with or without back pay, as will effectuate the policies of this chapter.~~

~~Article 3. JUDICIAL REVIEW~~

~~3542. UNIT DETERMINATIONS; RIGHT TO JUDICIAL REVIEW; PETITIONS FOR WRIT OF EXTRAORDINARY RELIEF; ENFORCEMENT OF FINAL DECISION OR ORDER.~~

~~(a) No employer or employee organization shall have the right to judicial review of a unit determination except: (1) when the board in response to a petition from an employer or employee organization, agrees that the case is one of special importance and joins in the request for such review; or (2) when the issue is raised as a defense to an unfair practice complaint. A board order directing an election shall not be stayed pending judicial review.~~

~~Upon receipt of a board order joining in the request for judicial review, a party to the case may petition for a writ of extraordinary relief from the unit determination decision or order.~~

~~(b) Any charging party, respondent, or intervenor aggrieved by a final decision or order of the board in an unfair practice case, except a decision of the board not to issue a complaint in such case, may petition for a writ of extraordinary relief from such decision or order.~~

~~(c) Such petition shall be filed in the district court of appeal in the appellate district where the unit determination or unfair practice dispute occurred. The petition shall be filed within 30 days~~

after issuance of the board's final order, order denying reconsideration, or order joining in the request for judicial review, as applicable. Upon the filing of such petition, the court shall cause notice to be served upon the board and thereupon shall have jurisdiction of the proceeding. The board shall file in the court the record of the proceeding, certified by the board, within 10 days after the clerk's notice unless such time is extended by the court for good cause shown. The court shall have jurisdiction to grant to the board such temporary relief or restraining order it deems just and proper and in like manner to make and enter a decree enforcing, modifying, or setting aside the order of the board. The findings of the board with respect to questions of fact, including ultimate facts, if supported by substantial evidence on the record considered as a whole, are conclusive. The provisions of Title 1 (commencing with Section 1067) of Part 3 of the Code of Civil Procedure relating to writs shall, except where specifically superseded herein, apply to proceedings pursuant to this section.

(d) If the time to petition for extraordinary relief from a board decision has expired, the board may seek enforcement of any final decision or order in a district court of appeal or a superior court in the district where the unit determination or unfair practice case occurred. The board shall respond within 10 days to any inquiry from a party to the action as to why the board has not sought court enforcement of the final decision or order. If the response does not indicate that there has been compliance with the board's final decision or order, the board shall seek enforcement of the final decision or order upon the request of the party. The board shall file in the court the record of the proceeding, certified by the board, and appropriate evidence disclosing the failure to comply with the decision or order. If, after hearing, the court determines that the order was issued pursuant to procedures established by the board and that the person or entity refuses to comply with the order, the court shall enforce such order by writ of mandamus. The court shall not review the merits of the order.

Article 4. RIGHTS, OBLIGATIONS, PROHIBITIONS, AND UNFAIR PRACTICES

3543. RIGHTS OF PUBLIC SCHOOL EMPLOYEES. Public school employees shall have the right to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Public school employees shall also have the right to refuse to join or participate in the activities of employee organizations and shall have the right to represent themselves individually in their employment relations with the public school employer, except that once the employees in an appropriate unit has selected an exclusive representative and it has been recognized pursuant to Section 3544.1 or certified pursuant to Section 3544.7, no employee in that unit may meet and negotiate with the public school employer.

Any employee may at any time present grievance to his employer, and have such grievances adjusted, without the intervention of the exclusive representative, as long as the adjustment is reached prior to arbitration pursuant to Sections 3548.5, 3548.6, 3548.7, and 3548.8 and the adjustment is not inconsistent with the terms of a written agreement then in effect; provided that the public school employer shall not agree to a resolution of the grievance until the exclusive representative has received a copy of the grievance and the proposed resolution and has been given the opportunity to file a response.

3543.1. RIGHTS OF EMPLOYEE ORGANIZATIONS.

(a) Employee organizations shall have the right to represent their members in their employment relations with public school employers, except that once an employee

organization is recognized or certified as the exclusive representative of an appropriate unit pursuant to Section 3544.1 or 3544.7, respectively, only that employee organization may represent that unit in their employment relations with the public school employer. Employee organizations may establish reasonable restrictions regarding who may join and may make reasonable provisions for the dismissal of individuals from membership.

(b) Employee organizations shall have the right of access at reasonable times to areas in which employees work, the right to use institutional bulletin boards, mailboxes, and other means of communication, subject to reasonable regulation, and the right to use institutional facilities at reasonable times for the purpose of meetings concerned with the exercise of the rights guaranteed by this chapter.

(c) A reasonable number of representatives of an exclusive representative shall have the right to receive reasonable periods of released time without loss of compensation when meeting and negotiating and for the processing of grievances.

(d) All employee organizations shall have the right to have membership dues deducted pursuant to sections 13532 and 13604.2 of the Education Code, until such time as an employee organization is recognized as the exclusive representative for any of the employees in an appropriate unit, and then such deduction as to any employee in the negotiation unit shall not be permissible except to the exclusive representative.

3543.2. SCOPE OF REPRESENTATION; REQUESTS TO MEET AND NEGOTIATE.

(a) The scope of representation shall be limited to matters relating to wages, hours of employment, and other terms and conditions of employment. "Terms and conditions of employment" mean health and welfare benefits as defined by Section 53200, leave, transfer and reassignment policies, safety conditions of employment, class size, procedures to be used for the evaluation of employees, organizational security pursuant to Section 3546, procedures for processing grievances pursuant to Sections 3548.5, 3548.6, 3548.7, and 3548.8, the layoff of probationary certificated school district employees, pursuant to Section 44959.5 of the Education Code, and alternative compensation or benefits for employees adversely affected by pension limitations pursuant to Section 22515 of the Education Code, to the extent deemed reasonable and without violating the intent and purposes of Section 415 of the Internal Revenue Code. In addition, the exclusive representative of certificated personnel has the right to consult on the definition of educational objectives, the determination of the content of courses and curriculum, and the selection of textbooks to the extent such matters are within the discretion of the public school employer under the law. All matters not specifically enumerated are reserved to the public school employer and may not be a subject of meeting and negotiating, provided that nothing herein may be construed to limit the right of the public school employer to consult with any employees or employee organization on any matter outside the scope of representation.

(b) Notwithstanding Section 44944 of the Education Code, the public school employer and the exclusive representative shall, upon request of either party meet and negotiate regarding causes and procedures for disciplinary action, other than dismissal, including a suspension of pay for up to 15 days, affecting certificated employees. If the public school employer and the exclusive representative do not reach mutual agreement, then the provisions of Section 44944 of the Education Code shall apply.

~~(c) Notwithstanding Section 44055 of the Education Code, the public school employer and the exclusive representative shall, upon request of either party, meet and negotiate regarding procedures and criteria for the layoff of certificated employees for lack of funds. If the public school employer and the exclusive representative do not reach mutual agreement, then the provisions of Section 44055 of the Education Code shall apply.~~

~~(d) Notwithstanding Section 45028 of the Education Code, the public school employer and the exclusive representative shall, upon * * * request of either party, meet and negotiate regarding the payment of additional compensation based upon criteria other than years of training and years of experience. If the public school employer and the exclusive representative do not reach mutual agreement, then the provisions of Section 45028 of the Education Code shall apply.~~

~~(e) Pursuant to Section 45028 of the Education Code, the public school employer and the exclusive representative shall, upon the request of either party, meet and negotiate a salary schedule based on criteria other than a uniform allowance for years of training and years of experience. If the public school employer and the exclusive representative do not reach mutual agreement, then the provisions of Section 45028 of the Education Code requiring a salary schedule based upon a uniform allowance for years of training and years of experience shall apply. A salary Schedule established pursuant to this subdivision shall not result in the reduction of the salary of any teacher.~~

~~3543.3. NEGOTIATIONS; PARTIES; SUBJECT MATTER. A public school employer or such representatives as it may designate who may, but need not be, subject to either certification requirements or requirements for classified employees set forth in the Education Code, shall meet and negotiate with and only with representatives of employee organizations selected as exclusive representatives of appropriate units upon request with regard to matters within the scope of representation.~~

~~3543.4. MANAGEMENT POSITIONS; CONFIDENTIAL POSITIONS; REPRESENTATION. No person serving in a management position, senior management position or a confidential position shall be represented by an exclusive representative. Any person serving in such a position may represent himself or herself individually or by an employee organization whose membership is composed entirely of employees designated as holding such positions, in his or her employment relationship with the public school employer, but, in no case, shall such an organization meet and negotiate with the public school employer. No representative shall be permitted by a public school employer to meet and negotiate on any benefit or compensation paid to persons serving in a management position, senior management position, or a confidential position.~~

~~3543.5. INTERFERENCE WITH EMPLOYEES' RIGHTS PROHIBITED. It shall be unlawful for a public school employer to do any of the following:~~

~~(a) Impose or threaten to impose reprisals on employees, to discriminate or threaten to discriminate against employees, or otherwise to interfere with, restrain, or coerce employees because of their exercise of rights guaranteed by this chapter. For purposes of this subdivision, "employee" includes an applicant for employment or reemployment.~~

~~(b) Deny to employee organizations rights guaranteed to them by this chapter.~~

~~(c) Refuse or fail to meet and negotiate in good faith with an exclusive representative.~~

~~(d) Dominate or interfere with the formation or administration of any employee organization, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another.~~

~~(e) Refuse to participate in good faith in the impasse procedure set forth in Article 9 (commencing with Section 3548.)~~

~~3543.6. UNLAWFUL ACTS OF EMPLOYEE ORGANIZATION. It shall be unlawful for an employee organization to:~~

~~(a) Cause or attempt to cause a public school employer to violate Section 3543.5.~~

~~(b) Impose or threaten to impose reprisals on employees, to discriminate or threaten to discriminate against employees, or otherwise to interfere with, restrain, or coerce employees because of their exercise of rights guaranteed by this chapter.~~

~~(c) Refuse or fail to meet and negotiate in good faith with public school employer of any of the employees of which it is the exclusive representative.~~

~~(d) Refuse to participate in good faith in the impasse procedure set forth in Article 9 (commencing with Section 3548.)~~

~~3543.7. DUTY TO MEET AND NEGOTIATE IN GOOD FAITH; TIME. The duty to meet and negotiate in good faith requires the parties to begin negotiations prior to the adoption of the final budget for the ensuing year sufficiently in advance of such adoption date so that there is adequate time for agreement to be reached, or for the resolution of an impasse.~~

~~Article 5. EMPLOYEE ORGANIZATIONS: REPRESENTATION, RECOGNITION, CERTIFICATION, AND DECERTIFICATION~~

~~3544. REQUEST FOR RECOGNITION; PROOF OF MAJORITY SUPPORT; NOTICE.~~

~~(a) An employee organization may become the exclusive representative for the employees of an appropriate unit for purposes of meeting and negotiating by filing a request with a public school employer alleging that a majority of the employees in an appropriate unit wish to be represented by such organization and asking the public school employer to recognize it as the exclusive representative. The request shall describe the grouping of jobs or positions which constitute the unit claimed to be appropriate and shall be based upon of majority support on the basis of current dues deduction authorizations or other evidence such as notarized membership lists, or membership cards, or petitions designating the organization as the exclusive representative of the employees. Notice of any such request shall immediately be posted conspicuously on all employee bulletin boards in each facility of the public school employer in which members of the unit claimed to be appropriate are employed.~~

~~(b) The employee organization shall submit proof of majority support to the board. The information submitted to the board shall remain confidential and not be disclosed by the board. The board shall obtain from the employer the information necessary for it to carry out its~~

responsibilities pursuant to this section and shall report to the employee organization and the public school employer as to whether the proof of majority support is adequate.

~~3544.1. GRANT OF REQUEST FOR RECOGNITION; EXCEPTIONS. The public school employer shall grant a request for recognition filed pursuant to Section 3544 unless:~~

~~(a) The public school employer desires that representation election be conducted or doubts the appropriateness of a unit. If the public school employer desires a representation election, the question of representation exists and the public school employer shall notify the board, which shall conduct a representation election pursuant to Section 3544.7, unless subdivision (c) or (d) applies.~~

~~(b) Another employee organization either files with the public school employer a challenge to the appropriateness of the unit or submits a competing claim of representation within 15 workdays of the posting of notice of the written request. The claim shall be evidenced by current dues deductions, authorizations or other evidence such as notarized membership lists or membership cards, or petitions signed by employees in the unit indicating their desire to be represented by the organization. The evidence shall be submitted to the board, and shall remain confidential and not be disclosed by the board. The board shall obtain from the employer the information necessary for it to carry out its responsibilities pursuant to this section and shall report to the employee organizations seeking recognition and to the public school employer as to the adequacy of the evidence. If the claim is evidenced by the support of at least 30 percent of the members of an appropriate unit, a question of representation exists and the board shall conduct a representation election pursuant to Section 3544.7, unless subdivision (c) or (d) of this section applies.~~

~~(c) There is currently in effect a lawful written agreement negotiated by the public school employer and another employee organization covering any employees included in the unit described in the request for recognition, unless the request for recognition is filed less than 120 days, but more than 90 days, prior to the expiration date of the agreement; or~~

~~(d) The public school employer has, within the previous 12 months, lawfully recognized another employee organization as the exclusive representative of any employees included in the unit described in the request for recognition.~~

~~3544.3. REPRESENTATION ELECTION; PETITION; NOTICE; BALLOT. If, by January 1 of any school year, no employee organization has made a claim of majority support in an appropriate unit pursuant to Section 3544, a majority of employees of an appropriate unit may submit to a public school employer a petition signed by at least a majority of the employees in the appropriate unit requesting a representation election. An employee may sign such a petition though not a member of any employee organization.~~

~~Upon the filing of such a petition, the public school employer shall immediately post a notice of such request upon all employee bulletin boards at each school or other facility in which members of the unit claimed to be appropriate are employed.~~

~~Any employee organization shall have the right to appear on the ballot if, within 15 workdays after the posting of such notice, it makes the showing of interest required by subdivision (b) of Section 3544.1.~~

~~Immediately upon expiration of the 15-workday period following the posting of the notice, the public school employer shall transmit to the board the petition and the names of all employee organizations that have the right to appear on the ballot.~~

~~3544.5. INVESTIGATIONS; PETITIONS; SELECTION OF EXCLUSIVE REPRESENTATION; APPROPRIATENESS OF UNIT. A petition may be filed with the board, in accordance with its rules and regulations, requesting it to investigate and decide the question of whether employees have selected or wish to select an exclusive representative or to determine the appropriateness of a unit, by:~~

~~(a) A public school employer alleging that it doubts the appropriateness of the claimed unit; or~~

~~(b) An employee organization alleging that it has filed a request for recognition as an exclusive representative with a public school employer and that the request has been denied or has not been acted upon within 30 days after the filing of the request; or~~

~~(c) An employee organization alleging that it has filed a competing claim of representation pursuant to subdivision (b) of Section 3544.1; or~~

~~(d) An employee organization alleging that the employees in an appropriate unit no longer desire a particular employee organization as their exclusive representative, provided that such petition is supported by evidence of support such as notarized membership lists, cards, or petitions from 30 percent of the employees in the negotiating unit indicating support for another organization or lack of support for the incumbent exclusive representative. Such evidence of support shall be submitted to the board, and shall remain confidential and not be disclosed by the board. The board shall obtain from the employer the information necessary for it to carry out its responsibilities pursuant to this section and shall report to the employee organizations seeking recognition and to the public school employer as to the adequacy of the evidence of support.~~

~~3544.7. INVESTIGATIONS OR HEARINGS; PETITION QUESTIONS; ELECTION; DISMISSAL OF PETITION.~~

~~(a) Upon receipt of a petition filed pursuant to Section 3544.3, or 3544.5, the board shall conduct inquiries and investigations or hold any hearings as it deems necessary in order to decide the questions raised by the petition. The determination of the board may be based upon the evidence adduced in the inquiries, investigations, or hearing. However, if the board finds on the basis of the evidence that a question of representation exists, or a question of representation exists pursuant to subdivision (a) or (b) of Section 3544.1 it shall order than an election shall be conducted by secret ballot and it shall certify the results of the election on the basis of which ballot choice received a majority of the valid votes cast. There shall be printed on each ballot the statement: "no representation." No voter shall record more than one choice on his ballot. Any ballot upon which there is recorded more than once choice shall be void and shall not be counted for any purpose. If at any election no choice on the ballot receives a majority of the votes cast, a runoff election shall be conducted. The ballot for the runoff election shall provide the selection between the two choices receiving the largest and second largest number of valid votes cast in the election.~~

~~(b) No election shall be held and the petition shall be dismissed whenever either of the following exist:~~

~~(1) There is currently in effect a lawful written agreement negotiated by the public school employer and another employee organization covering any employees included in the unit described in the request for recognition, or unless the request for recognition is filed less than 120 days, but more than 90 days, prior to the expiration date of the agreement.~~

~~(2) The public school employer has, within the previous 12 months, lawfully recognized an employee organization other than the petitioner as the exclusive representative of any employees included in the unit described in the petition.~~

~~3544.9. EXCLUSIVE REPRESENTATIVE; DUTY. The employee organization recognized or certified as the exclusive representative for the purpose of meeting and negotiating shall fairly represent each and every employee in the appropriate unit.~~

~~Article 6. UNIT DETERMINATIONS~~

~~3545. APPROPRIATENESS OF UNITS; BASIS.~~

~~(a) In each case where the appropriateness of the unit is an issue, the board shall decide the question on the basis of the community of interest between and among the employees and their established practices including, among other things, the extent to which such employees belong to the same employees organization, and the effect of the size of the unit on the efficient operation of the school district.~~

~~(b) In all cases:~~

~~(1) A negotiating unit that includes classroom teachers shall not be appropriate unless it at least includes all of the classroom teachers employed by the public school employer, except management employees, supervisory employees, and confidential employees.~~

~~(2) Except as provided in subdivision (c) a negotiating unit of supervisory employees shall not be appropriate unless it includes all supervisory employees employed by the district and shall not be represented by the same employee organization as employees whom the supervisory employees supervise.~~

~~(3) Classified employees and certificated employees shall not be included in the same negotiating unit.~~

~~(c) In the case of a district which employs 20 or more supervisory peace officer employees, a negotiating unit of supervisory employees shall be appropriate if it includes any of the following:~~

~~(1) All supervisory nonpeace officer employees employed by the district and all supervisory peace officer employees employed by the district.~~

~~(2) All supervisory nonpeace officer employees employed by the district, exclusively.~~

~~(3) All supervisory peace officer employees employed by the district, exclusively.~~

~~A negotiating unit of supervisory employees shall not be represented by the same employee organization as employees whom the supervisory employees supervise.~~

~~Article 7. ORGANIZATIONAL SECURITY~~

~~3546. AGREEMENT BY BOTH PARTIES; SEVERABILITY; APPROVAL; RESCISSION. Subject to the limitations set forth in this section, organizational security, as defined, shall be within the scope of representation.~~

~~(a) An organizational security arrangement, in order to be effective, must be agreed upon by both parties to the agreement. At the time the issue is being negotiated, the public school employer may require that the organizational security provisions be severed from the remainder of the proposed agreement and cause the organizational security provision to be voted upon separately by all members in the appropriate negotiating unit, in accordance with rules and regulations promulgated by the board. Upon such a vote, the organizational security provision will become effective only if a majority of those members of the negotiating unit voting approve the agreement. Such vote shall not be deemed to either ratify or defeat the remaining provisions of the proposed agreement.~~

~~(b) An organizational security arrangement which is in effect may be rescinded by majority vote of the employees in the negotiating unit covered by such arrangement in accordance with rules and regulations promulgated by the board.~~

~~3546.3 RELIGIOUS OBJECTIONS TO EMPLOYEE ORGANIZATIONS; MEMBERSHIP EXCEPTION; ALTERNATIVE FEES. Notwithstanding subdivision (i) of Section 3540.1, Section 3546, or any other provision of this chapter, any employee who is a member of a religious body whose traditional tenets or teachings include objections to joining or financially supporting employee organizations shall not be required to join, maintain membership in, or financially support any employee organization as a condition of employment; except that such employee may be required, in lieu of a service fee, to pay sums equal to such service fee either to a nonreligious, nonlabor organization, charitable fund exempt from taxation under Section 501 (c) (3) of Title 26 of the Internal Revenue Code, chosen by such employee from a list of at least three such funds, designated in the organizational security arrangement, or if the arrangement fails to designate such funds, then to any such fund chosen by the employee. Either the employee organization or the public school employer may require that proof of such payments be made on an annual basis to the public school employer as a condition of continued exemption from the requirement of financial support to the recognized employee organization. If such employee who holds conscientious objections pursuant to this section requests the employee organization to use the grievance procedure or arbitration procedure on the employee's behalf, the employee organization is authorized to charge the employee for the reasonable cost of using such procedure.~~

~~3546.5. Every recognized or certified employee organization shall keep an adequate itemized record of its financial transactions and shall make available annually, to the board and to the employees who are members of the organization, within 60 days after the end of its fiscal year, a detailed written financial report thereof in the form of a balance sheet and an operating statement, signed and certified as to accuracy by its president and treasurer, or corresponding principal officers. In the event of failure of compliance with this section, any employee within the organization may petition the board for an order compelling such compliance, or the board may issue such compliance order on its motion.~~

~~Article 8. PUBLIC NOTICE~~

~~3547. PROPOSALS RELATING TO REPRESENTATION; INFORMING PUBLIC; ADOPTION OF PROPOSALS AND REGULATIONS.~~

~~(a) All initial proposals of exclusive representatives and of public school employers, which relate to matters within the scope of representation, shall be presented at a public meeting of the public school employer and thereafter shall be public records.~~

~~(b) Meeting and negotiating shall not take place on any proposal until a reasonable time has elapsed after the submission of the proposal to enable the public to become informed and the public has the opportunity to express itself regarding the proposal at a meeting of the public school employer.~~

~~(c) After the public has had the opportunity to express itself, the public school employer shall, at a meeting which is open to the public, adopt its initial proposal.~~

~~(d) New subjects of meeting and negotiating arising after the presentation of initial proposals shall be made public within 24 hours. If a vote is taken on such subject by the public school employer, the vote thereon by each member voting shall be made public within 24 hours.~~

~~(e) The board may adopt regulations for the purpose of implementing this section, which are consistent with the intent of the section; namely that the public be informed of the issues that are being negotiated upon and have full opportunity to express their views on the issues to the public school employer, and to know of the positions of their elected representatives.~~

~~3547.5 MAJOR PROVISIONS OF EXCLUSIVE REPRESENTATIVE AGREEMENT; DISCLOSURE FORMAT. Before a public school employer enters into a written agreement with an exclusive representative covering matters within the scope of representation, the major provisions of the agreement, including, but not limited to, the costs that would be incurred by the public school employer under the agreement for the current and subsequent fiscal years, shall be disclosed at a public meeting of the public school employer in a format established for this purpose by the Superintendent of Public Instruction.~~

~~Article 9. IMPASSE PROCEDURES~~

~~3548. DECLARATION OF IMPASSE; APPOINTMENT OF MEDIATOR; SELECTION OF PROCEDURE; COSTS. Either a public school employer or the exclusive representative may declare that an impasse has been reached between the parties in negotiations over matters within the scope of representation and may request the board to appoint a mediator for the purpose of assisting them in reconciling their differences and resolving the controversy on terms which are mutually acceptable. If the board determines that an impasse exists, it shall, in no event later than five working days after the receipt of a request, appoint a mediator in accordance with such rules as it shall prescribe. The mediator shall meet forthwith the parties or their representatives, either jointly or separately, and shall take such other steps as he may deem appropriate in order to persuade the parties to resolve their differences and effect a mutually acceptable agreement. The services of the mediator, including any per diem fees, and actual and necessary travel and subsistence expenses, shall be provided by the board without cost to the parties. Nothing in this section shall be construed to prevent the parties~~

~~from mutually agreeing upon their own mediator procedure and in the event of such agreement, the board shall not appoint its own mediator, unless failure to do so would be inconsistent with the policies of this chapter. If the parties agree upon their own mediation procedure, the cost of the services of any appointed mediator, unless appointed by the board, including any per diem fees, and actual and necessary travel and subsistence expenses, shall be borne equally by the parties.~~

~~3548.1. UNRESOLVED CONTROVERSY; FACT FINDING PANEL; SELECTION; CHAIRPERSON.~~

~~(a) If the mediator is unable to effect settlement of the controversy within 15 days after his appointment and the mediator declares that factfinding is appropriate to the resolution of the impasse, either part may, by written notification to the other, request that their differences be submitted to a factfinding panel. Within five days after receipt of the written request, each party shall select a person to serve as its member of the factfinding panel. The board shall, within five days after such selection, select a chairperson of the factfinding panel. The chairperson designated by the board shall not, without the consent of both parties, be the same person who served as mediator pursuant to Section 3548.~~

~~(b) Within five days after the board selects a chairperson of the factfinding panel, the parties may mutually agree upon a person to serve as chairperson in lieu of the person selected by the board.~~

~~3548.2. INVESTIGATIONS AND HEARINGS BY FACT FINDING PANEL; ACCESS TO RECORDS; CONSIDERATION IN ARRIVING AT FINDINGS.~~

~~(a) The panel shall, within 10 days after its appointment, meet with the parties or their representatives, either jointly or separately, and may make inquiries and investigations, hold hearings, and take any other steps as it may deem appropriate. For the purpose of the hearings, investigations, and inquiries, the panel shall have the power to issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence. The several departments, commissions, division, authorities, boards, bureaus, agencies, and officers of the state, or any political subdivision or agency thereof, including any board of education, shall furnish the panel, upon its request, with all records, papers and information in their possession relating to any matter under investigation by or in issue before the panel.~~

~~(b) In arriving at their findings and recommendations, the factfinders shall consider, weigh, and be guided by all the following criteria:~~

~~(1) State and federal laws that are applicable to the employer.~~

~~(2) Stipulations of the parties.~~

~~(3) The interests and welfare of the public and the financial ability of the public school employer.~~

~~(4) Comparison of the wages, hours, and conditions of employment of the employees involved in the factfinding proceeding with the wages, hours, and conditions of employment of other employees performing similar services and with other employees generally in public school employment in comparable communities.~~

~~(5) The consumer price index for goods and services, commonly known as the cost of living;~~

~~(6) The overall compensation presently received by the employees, including direct wage compensation, vacations, holidays, and other excused time, insurance and pensions, medical and hospitalization benefits; the continuity and stability of employment; and all other benefits received.~~

~~(7) Any other facts, not confined to those specified in paragraphs (1) to (6), inclusive, which are normally or traditionally taken into consideration in making such findings and recommendations.~~

~~3548.3. FINDING OF FACT AND RECOMMENDATION OF SETTLEMENT TERMS;
SUBMISSION TO PARTIES AND PUBLIC; COSTS.~~

~~(a) If the dispute is not settled within 30 days after the appointment of the panel, or, upon agreement by both parties, within a longer period, the panel shall make findings of fact and recommend terms of settlement, which recommendations shall be advisory only. Any findings of fact and recommended terms of settlement shall be submitted in writing to the parties privately before they are made public. The public school employer shall make such findings and recommendations public within 10 days after their receipt.~~

~~(b) The costs for the services of the panel chairperson selected by the board, including per diem fees, if any, and actual and necessary travel and subsistence expenses shall be borne by the board.~~

~~(c) The costs for the services of the panel chairperson agreed upon by the parties shall be equally divided between the parties, and shall include per diem fees and actual and necessary travel and subsistence expenses. The per diem fees shall not exceed the per diem fees stated on the chairperson's resume on file with the board. The chairperson's bill showing the amount payable by the parties shall accompany his final report to the parties and the board. The chairperson may submit interim bills to the parties in the course of the proceedings, and copies of such interim bills shall also be sent to the board. The parties shall make payment directly to the chairperson.~~

~~(d) Any other mutually incurred costs shall be borne equally by the public school employer and the exclusive representative. Any separately incurred costs for the panel member selected by each party, shall be borne by such party.~~

~~3548.4. CONTINUATION OF MEDIATION EFFORTS. Nothing in this article shall be construed to prohibit the mediator appointed pursuant to Section 3548 from continuing mediation efforts on the basis of the findings of fact and recommended terms of settlement made pursuant to Section 3548.3.~~

~~3548.5. FINAL AND BINDING ARBITRATION PROVISIONS. A public school employer and an exclusive representative who enter into a written agreement covering matters within the scope of representation may include in the agreement procedures for final and binding arbitration of such disputes as may arise involving the interpretation, application, or violation of the agreement.~~

~~3548.6. UNSPECIFIED ARBITRATION PROCEDURES; AGREEMENT BY PARTIES TO USE BOARD RULES. If the written agreement does not include procedures authorized by Section 3548.5, both parties to the agreement may agree to submit any disputes involving the interpretation, application, or violation of the agreement to final and binding arbitration pursuant to the rules of the board.~~

~~3548.7. FAILURE TO PROCEED TO ARBITRATION; COURT ORDER. Where a party to a written agreement is aggrieved by the failure, neglect, or refusal of the other party to proceed to arbitration pursuant to the procedures provided therefor in the agreement or pursuant to an agreement made pursuant to Section 3548.6, the aggrieved party may bring proceedings pursuant to Title 9 (commencing with Section 1280) of Part 3 of the Code of Civil Procedure for a court order directing that the arbitration proceed pursuant to the procedures provided therefor in such agreement or pursuant to Section 3548.6.~~

~~3548.8. ARBITRATION AMOUNT TO BE FINAL AND BINDING; ENFORCEMENT. An arbitration award made pursuant to Section 3548.5, 3548.6, or 3548.7 shall be final and binding upon the parties and may be enforced by a court pursuant to Title 9 (commencing with Section 1280) of Part 3 of the Code of Civil Procedure.~~

Article 10. MISCELLANEOUS

~~3549. CONSTRUCTION. The enactment of this chapter shall not be construed as making the provisions of Section 923 of the Labor Code applicable to public school employees and shall not be construed as prohibiting a public school employer from making the final decision with regard to all matters specified in Section 3543.2.~~

~~Nothing in this section shall cause any court or the board to hold invalid any negotiated agreement between public school employers and the exclusive representative entered into in accordance with the provisions of this chapter.~~

~~3549.1. PUBLIC MEETING PROVISIONS; EXEMPTIONS. All the proceedings set forth in subdivisions (a) to (d), inclusive, shall be exempt from the provisions of Sections 965 and 966 of the Education Code, the Bagley Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) and the Ralph M. Brown Act (Chapter 9 commencing with Section 54950) of Part 1 of Division 2 of Title 5), unless the parties mutually agree otherwise:~~

~~(a) Any meeting and negotiating discussion between a public school employer and a recognized or certified employee organization.~~

~~(b) Any meeting of a mediator with either party or both parties to the meeting and negotiating process.~~

~~(c) Any hearing, meeting, or investigation conducted by a factfinder or arbitrator.~~

~~(d) Any executive session of the public school employer or between the public school employer and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives.~~

~~3549.3. SEVERABILITY. If any provisions of this chapter or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this chapter or the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.~~

Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Bulletins

PAGE: 8.1.1 – 8.1.10

Date: June 12, 2014

Reason for
Consideration: None

Personnel Commission Rule 4.3.B.1, states that the Personnel Commission Administrator shall be responsible for issuing job announcement bulletins to publicize recruitment and examination processes. All job bulletins issued are then to be ratified at the first reasonable opportunity at a Personnel Commission meeting. Accordingly, staff submits the following bulletin(s) for the consideration of the Personnel Commission:

<u>TITLE</u>	<u>TYPE</u>	<u>NUMBER</u>	<u>PAGE</u>
Chief Business and Financial Officer	Dual	14-0113-0689	2
Custodian	Dual	14-0116-0139	4
Energy Conservation Specialist	Dual	14-0115-5175	5
Human Resources Assistant	Dual	14-0114-3350	7
Translator-Interpreter- BL Spanish	Promotional	14-0100-5079	9

ABOUT OUR DISTRICT

The Long Beach Unified School District has earned a reputation as one of America's finest school systems, winning many awards as a national model of excellence. The school district was named a national winner of the Broad Prize for Urban Education, recognizing America's best urban school system for increasing student achievement. LBUSD also has been a five-time finalist for the prize.

LBUSD educates 81,000 students in 84 public schools in the cities of Long Beach, Lakewood, Signal Hill, and Avalon on Catalina Island, and over 1,700 Head Start pupils in 21 Head Start centers. The third largest school district in California, it serves the most diverse large city in the United States, with dozens of languages spoken by local students. The district employs more than 3,000 people, making it the largest employer in Long Beach.

LBUSD is one of the world's top 20 school systems — and one of the top three in the U.S. — in terms of sustained and significant improvements, according to a report described as the most comprehensive analysis of global school system reform ever assembled. The study was conducted by McKinsey & Company, a trusted advisor and counselor to many of the most influential businesses and institutions in the world. McKinsey serves more than 70 percent of Fortune magazine's most admired companies.

The school district has won widespread recognition for establishing high standards of dress, behavior and achievement. Its successes have been featured on Good Morning America, NBC's Today Show, CBS's This Morning, CNN Headline News and in Newsweek, Time, U.S. News and World Report, Parade, Sports Illustrated and other national news media.

These are the hallmarks of one of America's finest school systems. A total commitment to continuous improvement is what makes the Long Beach Unified School District a national leader in preparing young men and women for success.

Long Beach, the international City and home of the Queen Mary and the Aquarium of the Pacific, is a modern, progressive city with a population of approximately 492,000, the second largest city in Los Angeles County. Long Beach enjoys a moderate year-round climate. The city's location offers easy access to several major freeways, airports and seaports, and the many famous recreational and cultural sites throughout the Southern California area.

Personnel Commissioners
Stacey Lewis Linda Vaughan Terence Ulaszewski

WE ARE AN EQUAL OPPORTUNITY/TITLE VII/MERIT SYSTEM EMPLOYER



**An Exciting Career
Opportunity
Awaits You At**

**LONG BEACH UNIFIED
SCHOOL DISTRICT**

**CHIEF BUSINESS
AND
FINANCIAL OFFICER**

\$161,940 - \$190,162 Annually

JOIN OUR WINNING TEAM

The Long Beach Unified School District is one of the best urban school districts in the nation. We are seeking the expertise of a knowledgeable, collaborative and visionary leader to fill the position of Chief Business and Financial Officer. The new Chief Business and Financial Officer has the opportunity to plan, organize and direct the business and fiscal operations of the District, and ensure the integrity of the District's financial reports and solvency in accordance with state and federal law.

MINIMUM QUALIFICATIONS

The minimum qualifications for this position are:

- 1) A Bachelor's degree in Finance, Accounting, Business Administration, Public Administration, or related field.
 - 2) Additionally, candidates will have at least seven years of business or financial operation administration management experience in a full-service school District or a full-service municipal, State or Federal public agency with an annual budget of \$100 million or greater.
 - 3) At least three of these years must have been in a senior administrative management capacity, overseeing multiple business or financial operations functions and staff.
- The ideal candidate will also have an MBA, MPA, or Master's in School Business Administration, and CPA or CMA licensure, and directly related school district experience.

Other combinations of training and experience that could likely provide the required knowledge or abilities may be considered.

SPECIAL REQUIREMENTS

Position requires the use of a personal automobile and possession of a valid California class C Driver's license.

Additionally, an applicant for this classification will be required to obtain, at his/her own expense, and submit his/her motor vehicle driving record at the time of appointment. The record must meet and be maintained at the District's safe driving standard. Failure to meet this requirement will result in the disqualification and/or rejection of the eligible regardless of any other standing.

SALARY AND BENEFITS

The salary for the Chief Business and Financial Officer is \$161,940 to \$190,162 annually, with excellent benefits and retirement package with access to IRS Codes 403(b) or 457(b) savings opportunities.

OUR QUALIFYING PROCESS

Our process will consist of scoring candidates through a formal "Training & Experience" Evaluation of the information provided on the Application and Supplemental Application. Each section of these materials will be weighted and scored. Only those candidates whose application materials demonstrate the greatest depth and breadth of training and experience will be invited to participate in the interview process.

Candidates are encouraged to provide descriptive information related to their specific responsibilities for areas covered in the Supplemental Application. You are encouraged to be as clear and specific as possible regarding your direct responsibility over activities described in this application. Resumes may be submitted, but will not be scored in lieu of the required information on the application forms.

HOW TO APPLY

All applications must be submitted online via the Personnel Commission's website at www.lbschools.net/Main_Offices/Personnel_Commission/. The Personnel Commission has computer kiosks for your use, and staff will be available to offer assistance needed with completing your online application Monday-Thursday, 8:00 a.m. - 4:00 p.m. Completed online forms must be received no later than:

4:30 p.m., Friday, June 20, 2014

Long Beach Unified School District
Personnel Commission Office
999 Atlantic Avenue, 3rd Floor
Long Beach, California 90813
(562) 435-5708 FAX: (562) 435-1018
www.lbschools.net/Main_Offices/Personnel_Commission/

Applicants with disabilities who need a reasonable accommodation for any part of the application and hiring process should notify the Personnel Commission.

(Interviews are tentatively scheduled for Thursday, July 10, 2014)



2008 Finalist
the broad prize
for Urban Education



Classified Employment Opportunity

APPLY TO:

Personnel Commission, Long Beach Unified School District
999 Atlantic Avenue, 3rd Floor, Long Beach, CA 90813 Office: (562)435-5708

24 Hour Job Hotline: (562) 491-JOBS

www.lbschools.net/Main_Offices/Personnel_Commission/

CUSTODIAN - 0139

Final Filing Date: 4:30 p.m. Thursday, June 26, 2014.

APPLICATIONS WILL BE ACCEPTED FOR THREE DAYS ONLY, JUNE 24, 25, 26, 2014

<u>SALARY RANGE</u>	<u>START</u>	<u>6 MONTHS</u>	<u>1 ½ YEARS</u>	<u>2 ½ YEARS</u>	<u>3 ½ YEARS</u>
<u>HOURLY:</u>	\$16.05	\$16.93	\$17.86	\$18.84	\$19.87

JOB INFORMATION: The immediate need is for substitute Custodians. However, the eligible list may also be used to fill future vacancies as they occur.

APPLICATION: Candidates are strongly encouraged to submit applications online via the Personnel Commission website: www.lbschools.net/Main_Offices/Personnel_Commission/. The Personnel Commission has computer kiosks for your use, and staff will be available to offer any assistance needed with completing your online application Monday – Thursday; 8:00 – 4:00. Application must be made on official application and supplemental application forms obtained from the Personnel Commission.

Note: Before being considered for employment, all applicants who have prior convictions will be required to provide a certified copy of all relevant records including, but not limited to, conviction reports, probation reports, and other related court records.

JOB SUMMARY: Under close supervision, perform routine custodial activities at assigned school site(s) or other assigned District facilities; assist in the maintenance of buildings and adjacent grounds areas to assure a clean, orderly and secure condition; serve on a small crew to perform routine and/or periodic deep cleaning of District facilities; perform related duties as assigned.

MINIMUM QUALIFICATIONS INCLUDE:

Any combination of the following experience and education that could likely provide the required knowledge and abilities may be considered. Relevant training and experience would include:

TRAINING: Completion of the eighth grade.

EXPERIENCE: Six months of recent full-time paid janitorial or custodial experience OR successful completion of the Building Maintenance Custodial training course of at least 60 hours conducted by the Long Beach School for Adults. A copy of the Certificate of completion must be attached to employment application.

SPECIAL: (1) Positions assigned to a cleaning crew at the Operations Branch require the use of a personal automobile and possession of a valid California Class C driver's license. (2) Incumbents working on the Kitchen/Bathroom cleaning crew may be assigned to a weekend schedule. (3) Accepting employment in a permanent (non substitute) position in this classification requires the individual to either join the union and pay union dues or pay the union an agency fee.

SELECTION PROCEDURE: The examination process for this recruitment will consist of a paper screening of the applicant's training, background and experience; evaluation of responses on a supplemental application; a written examination (50%) and a qualifications appraisal interview (50%) scored on a job-related basis. Only the most highly qualified candidates will be invited to continue in the examination process. *Candidates who have completed the 60-hour Building Maintenance course at Long Beach School for Adults will have five (5) additional points added to their passing score. Successful candidates who pass all parts of the examination process will be placed on the eligibility list in order of their relative merit as determined by these competitive examinations.

This agency provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. The decision on granting reasonable accommodation will be on a case-by-case basis.

WE ARE AN EQUAL OPPORTUNITY TITLE VII/MERIT SYSTEM EMPLOYER

Attendance / Professional Growth Incentive approved by the Personnel Commission effective March 1, 2013

On February 14, 2013 the Personnel Commission approved the revision of Chapter IV of the Rules and Regulations of the Classified Service. One of the major changes to the chapter was the addition of Rule 4.3.F Attendance and/or Professional Growth Incentive. In addition to seniority points, you may be eligible to increase your final passing score on examinations by a maximum of 5 points.

Guidelines:

It is the responsibility of the promotional candidate to submit appropriate documentation at the time of application but in no event no later than the application deadline.

Attendance Incentive documentation: The Personnel Commission will accept the Lost Time Report, which is a payroll report that can be printed by your site payroll clerk. Only the three most recent fiscal years can be used to earn attendance incentive points.

Professional Growth Incentive documentation: Transcripts, final grade reports, certificates of completion, and other such documentation will be accepted. Classes, training or seminars must have been taken and successfully completed within the last two years from the closing date of the recruitment.

4.3.F. ATTENDANCE AND/OR PROFESSIONAL GROWTH INCENTIVE. An attendance incentive shall be added to the composite score of each promotional candidate competing in a promotional or dual certification examination. The attendance incentive shall be one point for each year of service in which the promotional candidate has had four (4) occurrences or less of sick leave used for each fiscal year up to a maximum of three (3) total points. Only the three most recent fiscal years can be used to earn attendance incentive points. An occurrence in this instance shall be defined as one full assignment day or days taken consecutively as sick leave.

A professional growth incentive shall be added to the composite score of each promotional candidate competing in a promotional examination or dual certification examination. The professional growth incentive shall be one point for each year within a two year period in which the applicant has successfully completed classes, training or seminars which would enhance his/her knowledge, skills and abilities in the promotional classification. A maximum of two (2) professional growth incentive points can be earned. Classes, training or seminars must have been taken and successfully completed within the last two years from the closing date of the recruitment.

The maximum attendance and/or professional growth incentive points a promotional candidate may earn is a total of five (5) points. Promotional candidates are responsible for providing proof of their attendance and/or completion of classes, training and seminars at the time of application but in no event no later than the application deadline. In circumstances in which there are multiple instances of sick leave use for FMLA, CFRA and IA, the matter will be considered on a cases by case basis by the administrator of the Personnel Commission.



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for Urban Education

Classified Employment Opportunity

long
beach
unified
school
district



APPLY TO:

Personnel Commission, Long Beach Unified School District
999 Atlantic Avenue, 3rd Floor, Long Beach, CA 90813 Office: (562)435-5708

24 Hour Job Hotline: (562) 491-JOBS
www.lbschools.net/Main Offices/Personnel Commission/

ENERGY CONSERVATION SPECIALIST - 5175

Final Filing Date: 4:30 p.m., Wednesday, June 25, 2014.

<u>SALARY RANGE</u>	<u>START</u>	<u>6 MONTHS</u>	<u>1 ½ YEARS</u>	<u>2 ½ YEARS</u>	<u>3 ½ YEARS</u>
<u>MONTHLY:</u>	\$4,410	\$4,653	\$4,910	\$5,180	\$5,464
<u>HOURLY:</u>	\$25.45	\$26.85	\$28.33	\$29.89	\$31.53

JOB INFORMATION:

Permanent 12 month, 100% FTE position. The current vacancy is located in Maintenance. Employment in the current vacancy is subject to continued funding through Proposition 39 (California Clean Energy Jobs Act) for a period of up to five years.

APPLICATION:

All applications must be submitted online via the Personnel Commission's website at www.lbschools.net/Main_Offices/Personnel_Commission/. The Personnel Commission has computer kiosks for your use, and staff will be available to offer any assistance needed with completing your online application Monday – Thursday; 8:00 – 4:00.

JOB SUMMARY: Under direction, an Energy Conservation Specialist analyzes energy systems and District energy consumption. An incumbent monitors, implements and encourages a program of energy conservation that District staff and students can understand and practice in their daily activities. An incumbent works closely with, and advises District facility planning and maintenance personnel on energy system replacement and installation. An incumbent communicates with personnel at all levels in the District to promote and encourage energy awareness across the District; perform related duties as assigned.

Note: Before being considered for employment, all applicants who have prior convictions will be required to provide a certified copy of all relevant records including, but not limited to, conviction reports, probation reports, and other related court records.

MINIMUM QUALIFICATIONS INCLUDE:

Any combination of the following experience and education that could likely provide the required knowledge and abilities may be considered. Relevant training and experience would include:

TRAINING:

Bachelor's degree in energy management, social sciences, business administration, public administration or a related field.

EXPERIENCE:

Some experience participating in the coordination or implementation of an energy conservation program and related activities. Additional energy conservation experience may be substituted for up to four years of the required education on a year-for-year basis, if proof of graduation from high school or equivalent is provided at time of application.

WORKING ENVIROMENT:

Indoors; offices, classrooms, auditoriums, school plant facilities and laboratories. Outdoors at school sites, at storage areas, and building exteriors. Drive a District vehicle to conduct site visits.

SPECIAL:

(1) Possession of a valid California Class C Driver's License is required at the time of appointment. An applicant for this class will be required to obtain, at his/her own expense, and submit his/her motor vehicle driving record at the time of appointment. The record must meet and be maintained at the district's safe driving record standard. Failure to meet this requirement will result in the disqualification and/or rejection of the eligible regardless of any other standing. (2) An incumbent will be required to work an irregular schedule that includes early and late hours, weekend and holidays. (3) Accepting employment in a position in this classification requires the individual to either join the union or pay union dues or to pay the union an agency fee.

SELECTION PROCEDURE: The examination process for this recruitment may be comprised of one or any combination of the following: a "paper screening" of the applicant's training, background, and experience; evaluation of responses on a supplemental application; written examination(s); qualifications appraisal oral examination; performance examination; or technical oral examination, scored on a job-related basis. Only the most highly qualified candidates will be invited to continue in the examination process. Successful candidates who pass all parts of the examination process will be placed on the eligibility list in order of their relative merit as determined by these competitive examinations.

This agency provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. The decision on granting reasonable accommodation will be on a case-by-case basis.

WE ARE AN EQUAL OPPORTUNITY TITLE VII/MERIT SYSTEM EMPLOYER

LBUSD Employees, please see reverse side for important information

Exam 14-0115-5175 DP
Dual Examination

Maria Braunstein

Attendance / Professional Growth Incentive approved by the Personnel Commission effective March 1, 2013

On February 14, 2013 the Personnel Commission approved the revision of Chapter IV of the Rules and Regulations of the Classified Service. One of the major changes to the chapter was the addition of Rule 4.3.F Attendance and/or Professional Growth Incentive. In addition to seniority points, you may be eligible to increase your final passing score on examinations by a maximum of 5 points.

Guidelines:

It is the responsibility of the promotional candidate to submit appropriate documentation at the time of application but in no event no later than the application deadline.

Attendance Incentive documentation: The Personnel Commission will accept the Lost Time Report, which is a payroll report that can be printed by your site payroll clerk. Only the three most recent fiscal years can be used to earn attendance incentive points.

Professional Growth Incentive documentation: Transcripts, final grade reports, certificates of completion, and other such documentation will be accepted. Classes, training or seminars must have been taken and successfully completed within the last two years from the closing date of the recruitment.

4.3.F. ATTENDANCE AND/OR PROFESSIONAL GROWTH INCENTIVE. An attendance incentive shall be added to the composite score of each promotional candidate competing in a promotional or dual certification examination. The attendance incentive shall be one point for each year of service in which the promotional candidate has had four (4) occurrences or less of sick leave used for each fiscal year up to a maximum of three (3) total points. Only the three most recent fiscal years can be used to earn attendance incentive points. An occurrence in this instance shall be defined as one full assignment day or days taken consecutively as sick leave.

A professional growth incentive shall be added to the composite score of each promotional candidate competing in a promotional examination or dual certification examination. The professional growth incentive shall be one point for each year within a two year period in which the applicant has successfully completed classes, training or seminars which would enhance his/her knowledge, skills and abilities in the promotional classification. A maximum of two (2) professional growth incentive points can be earned. Classes, training or seminars must have been taken and successfully completed within the last two years from the closing date of the recruitment.

The maximum attendance and/or professional growth incentive points a promotional candidate may earn is a total of five (5) points. Promotional candidates are responsible for providing proof of their attendance and/or completion of classes, training and seminars at the time of application but in no event no later than the application deadline. In circumstances in which there are multiple instances of sick leave use for FMLA, CFRA and IA, the matter will be considered on a cases by case basis by the administrator of the Personnel Commission.



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Classified Employment Opportunity

APPLY TO:

Personnel Commission, Long Beach Unified School District
999 Atlantic Avenue, 3rd Floor, Long Beach, CA 90813 Office: (562)435-5708

24 Hour Job Hotline: (562) 491-JOBS
www.lbschools.net/Main_Offices/Personnel_Commission

HUMAN RESOURCES ASSISTANT - 3350

Applications will be accepted online for two days ONLY, on Monday, June 23, 2014 and Tuesday, June 24, 2014

<u>SALARY RANGE</u>	<u>START</u>	<u>6 MONTHS</u>	<u>1 ½ YEARS</u>	<u>2 ½ YEARS</u>	<u>3 ½ YEARS</u>
<u>MONTHLY:</u>	\$2,936	\$3,098	\$3,268	\$3,448	\$3,637
<u>HOURLY:</u>	\$16.94	\$17.88	\$18.86	\$19.89	\$20.99

JOB INFORMATION: Permanent 12 month 100% position. The current vacancy is located in Human Resource Services.

APPLICATION: All applications must be submitted online via the Personnel Commission's website at www.lbschools.net/Main_Offices/Personnel_Commission/. The Personnel Commission has computer kiosks for your use, and staff will be available to offer any assistance needed with completing your online application Monday – Thursday; 8:00 – 4:00.

JOB SUMMARY: Under the direction of an assigned supervisor, perform a variety of responsible personnel and clerical duties related to certificated and classified staff; prepare and maintain personnel records and files; provide information and assistance to employees, administrators, job applicants and the general public regarding personnel functions, District policies and procedures; maintain confidentiality of sensitive and privileged information and perform related duties as assigned.

Note: Before being considered for employment, all applicants who have prior convictions will be required to provide a certified copy of all relevant records including, but not limited to, conviction reports, probation reports, and other related court records.

MINIMUM QUALIFICATIONS INCLUDE:

Any combination of the following experience and education that could likely provide the required knowledge and abilities may be considered. Relevant training and experience would include:

TRAINING: Graduation from high school is required. College coursework in human resources, English, sociology, business or related field is desirable.

EXPERIENCE: A minimum of one year of clerical experience, including 6 months working in a Human Resources or Personnel office, involving extensive public contact, or one year of experience with LBUSD at the level of Intermediate Office Assistant/Intermediate Office Assistant – Schools is required.

SPECIAL: (1) Some positions in this classification may require the use of a personal automobile and possession of a valid California driver's license. (2) Accepting employment in a position in this classification requires the individual to either join the union and pay union dues or to pay the union an agency fee.

SELECTION PROCEDURE: The examination process for this recruitment may be comprised of one or any combination of the following: a "paper screening" of the applicant's training, background, and experience; evaluation of responses on a supplemental application; written examination(s); qualifications appraisal oral examination; performance examination; or technical oral examination, scored on a job-related basis. Only the most highly qualified candidates will be invited to continue in the examination process. Successful candidates who pass all parts of the examination process will be placed on the eligibility list in order of their relative merit as determined by these competitive examinations.

SELF-CERTIFICATION: In addition, all candidates must self-certify accurate typing/keyboarding ability at a speed of not less than 35 net words per minute. Demonstrated proficiency will be expected during the probationary period for the class.

This agency provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify the agency. The decision on granting reasonable accommodation will be on a case-by-case basis.

WE ARE AN EQUAL OPPORTUNITY TITLE VII/MERIT SYSTEM EMPLOYER

Exam 14-0114-3350 SS
Dual Examination

LBUSD Employees, please see reverse side for important information

Attendance / Professional Growth Incentive approved by the Personnel Commission effective March 1, 2013

On February 14, 2013 the Personnel Commission approved the revision of Chapter IV of the Rules and Regulations of the Classified Service. One of the major changes to the chapter was the addition of Rule 4.3.F Attendance and/or Professional Growth Incentive. In addition to seniority points, you may be eligible to increase your final passing score on examinations by a maximum of 5 points.

Guidelines:

It is the responsibility of the promotional candidate to submit appropriate documentation at the time of application but in no event no later than the application deadline.

Attendance Incentive documentation: The Personnel Commission will accept the Lost Time Report, which is a payroll report that can be printed by your site payroll clerk. Only the three most recent fiscal years can be used to earn attendance incentive points.

Professional Growth Incentive documentation: Transcripts, final grade reports, certificates of completion, and other such documentation will be accepted. Classes, training or seminars must have been taken and successfully completed within the last two years from the closing date of the recruitment.

4.3.F. ATTENDANCE AND/OR PROFESSIONAL GROWTH INCENTIVE. An attendance incentive shall be added to the composite score of each promotional candidate competing in a promotional or dual certification examination. The attendance incentive shall be one point for each year of service in which the promotional candidate has had four (4) occurrences or less of sick leave used for each fiscal year up to a maximum of three (3) total points. Only the three most recent fiscal years can be used to earn attendance incentive points. An occurrence in this instance shall be defined as one full assignment day or days taken consecutively as sick leave.

A professional growth incentive shall be added to the composite score of each promotional candidate competing in a promotional examination or dual certification examination. The professional growth incentive shall be one point for each year within a two year period in which the applicant has successfully completed classes, training or seminars which would enhance his/her knowledge, skills and abilities in the promotional classification. A maximum of two (2) professional growth incentive points can be earned. Classes, training or seminars must have been taken and successfully completed within the last two years from the closing date of the recruitment.

The maximum attendance and/or professional growth incentive points a promotional candidate may earn is a total of five (5) points. Promotional candidates are responsible for providing proof of their attendance and/or completion of classes, training and seminars at the time of application but in no event no later than the application deadline. In circumstances in which there are multiple instances of sick leave use for FMLA, CFRA and IA, the matter will be considered on a cases by case basis by the administrator of the Personnel Commission.



Promotional Employment Opportunity

APPLY TO:

Personnel Commission, Long Beach Unified School District
999 Atlantic Avenue, 3rd Floor, Long Beach, CA 90813 Office: (562)435-5708

24 Hour Job Hotline: (562) 491-JOBS
www.lbschools.net/Main_Offices/Personnel_Commission/

TRANSLATOR-INTERPRETER-BL SPANISH - 5079

Final Filing Date: 4:30 p.m., Thursday, June 12, 2014.

<u>SALARY RANGE</u>	<u>START</u>	<u>6 MONTHS</u>	<u>1 ½ YEARS</u>	<u>2 ½ YEARS</u>	<u>3 ½ YEARS</u>
<u>MONTHLY:</u>	\$3,272	\$3,453	\$3,642	\$3,844	\$4,056
<u>HOURLY:</u>	\$18.88	\$19.92	\$21.02	\$22.18	\$23.40

PROMOTIONAL: Employees of the School District who have permanent status, whose most recent overall service rating is "Satisfactory" AND who meet the education and experience requirements are eligible to compete.

JOB INFORMATION: Permanent 10 months, 100% FTE position. The current vacancy is located in Palms Office.

APPLICATION: All applications must be submitted online via the Personnel Commission's website at www.lbschools.net/Main_Offices/Personnel_Commission/. The Personnel Commission has computer kiosks for your use, and staff will be available to offer any assistance needed with completing your online application Monday – Thursday; 8:00 – 4:00.

JOB SUMMARY: Under general supervision, Translator-Interpreter prepares District-wide written translations of technical, educational and general material for use by District departmental and school site personnel, parents and the public in a designated second language. Incumbents also provide simultaneous interpretations at a wide variety of District and school site meetings, conferences and workshops. Incumbents in this classification perform translation and interpretation work on a District-wide scope as opposed for a particular site or department, complete major and complex District-wide translation and interpretation projects and work under the direction of the Palms (Program Assistance for Language Minority Students) office; and perform related duties as assigned.

Note: Before being considered for employment, all applicants who have prior convictions will be required to provide a certified copy of all relevant records including, but not limited to, conviction reports, probation reports, and other related court records.

MINIMUM QUALIFICATIONS INCLUDE:

Any combination of the following experience and education that could likely provide the required knowledge and abilities may be considered. Relevant training and experience would include:

TRAINING: Graduation from high school supplemented by college-level coursework in a designated second language. An Associate's degree in a designated second language is preferred.

EXPERIENCE: One year of experience translating written documents and providing simultaneous oral interpretation services. Experience in a school district is preferred.

SPECIAL REQUIREMENTS: (1) Valid California Class C driver's license and use of a personal automobile. (2) Accepting employment in a position in this classification requires the individual to either join the union and pay union dues or to pay the union an agency fee. (3) This classification requires that incumbents be skilled in typing/keyboarding at a minimum of 40 words per minute. A typing test will not be given. Incumbents must certify in writing that they have such skills at the time of appointment to this class. Demonstrated proficiency will be expected during the probationary period for the class.

SELECTION PROCEDURE: The examination process for this recruitment may be comprised of one or any combination of the following: a "paper screening" of the applicant's training, background, and experience; evaluation of responses on a supplemental application; written examination(s); qualifications appraisal oral examination; performance examination; or technical oral examination, scored on a job-related basis. Only the most highly qualified candidates will be invited to continue in the examination process. Successful candidates who pass all parts of the examination process will be placed on the eligibility list in order of their relative merit as determined by these competitive examinations.

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WE ARE AN EQUAL OPPORTUNITY TITLE VII/MERIT SYSTEM EMPLOYER

Exam 14-0100-5079 ss
Promotional Examination

Attendance / Professional Growth Incentive approved by the Personnel Commission effective March 1, 2013

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Personnel Commission
LONG BEACH UNIFIED SCHOOL DISTRICT

SUBJECT: Eligibility Lists

PAGES: 8.2.1

Date: May 29, 2014

Reason for
Consideration: Action

Personnel Commission Rule 5.1.B, states that the Executive Officer shall be responsible for establishing eligibility lists as a result of examination processes authorized by these rules. All such eligibility lists shall then be certified at the first reasonable opportunity at a Commission meeting following the protest and review period. Accordingly staff submits the following eligibility lists for consideration of the Commission:

Nutrition Services Worker **Open** **14-0103-5068**
List Valid: 06/13/14 – 06/13/15
Total applications received: 102 Total invited to exam: 86
No. Passed: 36 No. Failed: 12 No. Withdrew: 38 No. Screened Out: 16

EXTEND ELIGIBILITY LIST

School Safety Communications Operator **Dual 13-0082-5013**
Extended list expiration date: 6/19/15 Extend list period: 1 year
Total eligibles on list: 12
No. of Current Eligibles: 8 No. of waivers or removals: 4

CERTIFIED TO BE CORRECT: Gail McMahon DATE: June 6, 2014