

Rule 2.08 Amendment and Suspension of the Rules – The Commission shall prescribe, amend, and suspend, subject to the provisions of the Act, such rules as may be necessary to insure the efficiency of the service and the selection and retention of classified employees upon a basis of merit and fitness. This provision shall not be construed as preventing the Board, subject to existing provisions of the law, from prescribing, amending or suspending such other rules governing classified employees as are deemed necessary in the conduct of school business.

Rule 2.1.1 Term(s) of Office and General Selection Procedures – The ~~Personnel~~ Commission is composed of three (3) individuals who must be registered voters, reside in the Manhattan Beach Unified School District, and be “known” adherents to the principle of the merit system. One member of the Commission is appointed by the Board ~~of Education~~, one member is appointed by the Board ~~of Education~~ upon recommendation of the classified employee organization which represents the largest number of the District’s classified employees, and the third member is appointed by the other two (2) members of the Commission. Subsequent to the initial staggered appointments at the formation of the District, the term of all the Commissioners is three (3) years. No member of the Board or the county board of education shall be eligible for appointment, reappointment, or continuance as a member of the Commission. A member of the Commission shall not be an employee of the District. [Ed. C. § 45244)]. Delete reference to “Personnel”.

~~Adopted 3-7-94~~

### ARTICLE III

#### **CLASSIFICATION AND COMPENSATION**

JOB CLASSIFICATIONS AND ~~DSE~~DESCRIPTIONS-DESCRIPTIONS – Job descriptions are written by the Human Resources Department subject to approval of the Commission and adoption by the Board. Compensation is subject to negotiation.

Rule 3.01 Establishment, Revision and Deletion of Job Classifications – The ~~Personnel~~ Commission shall be responsible for the establishment, development, revision, combination and deletion of job classifications used for employees in the classified service.

Rule 3.02 Job Classification – A job classification is defined as a job title which has a negotiated range of pay.

Rule 3.03 Job Description – For each job classification, a job description shall be developed by the Board and maintained in the administrative offices of the District. The job descriptions shall contain the following information:

- A. A title which is descriptive of the work functions described.

- B. A qualifying duties section in which the qualifying work functions of the classification shall be delineated. The tasks shall be described in a manner which makes it possible to distinguish the duties from those which are described in any other job description. Non-qualifying duties shall be identified by using such phrases as, "In connection with" or "May perform the following duties".
- C. A qualifications section which indicates the minimum qualifications for determining the eligibility of employees and other individuals who apply to take examinations for particular classifications. The information to be included in this section may cover education, experience, knowledge, skill, abilities, and personal characteristics needed to perform the duties of the classification.

Rule 3.04. Interpretation of Job Description – Job descriptions shall be interpreted in accordance with the following provisions:

- A. Each job description shall be interpreted in its entirety as a composite picture of the job requirements.
- B. An employee shall not be required to perform all of the work operations described in a job description in order to be eligible for the classification. An employee shall not be eligible for classification by reason of performing isolated or singular duties that are incidental to his job but which are described in another job description.
- C. To be entitled to a job classification, an employee must spend at least thirty-three and one-third percent (33 1/3%) of the time performing work operations which are representative of the requirements of the job description for the classification.
- D. It is expected that employees normally perform some of the work of higher rated job classifications in order to qualify for advancement and for purposes of training and cross-training, and some of the work described in lower rated job classifications when required.
- E. An employee is expected to perform the duties described by his job description under that degree or amount of guidance which is considered usual and normal for that classification.
- F. A job description shall not be construed to restrict in any manner the rights of the District to assign work to employees or to grant an employee or group of employees any right to refuse to perform assigned work for the reason that such work is not specifically described in the job description of his current classification or is described in another job description. It shall

be the sole and exclusive right of the District Administration to make all work assignments.

Rule 3.05 Performance of Job Analysis – Job analysis should be performed by the Personnel Director as required.  
~~Adopted: 7.11.94~~

#### ARTICLE IV

#### VACATIONS AND HOLIDAYS

\* Refer to Article 11 of the CSEA Agreement, and Board policy for unrepresented classified staff.

#### ARTICLE V

#### EXAMINATIONS

Rule 5.01 Need for Examinations -- An examination shall be held whenever it is necessary to fill existing or anticipated vacancies in the classified service or whenever it is necessary to replace an eligibility list which is to be abolished in accordance with the provisions of the law and these rules.

Rule 5.02 Promotional Examinations – Upon the approval of the **Personnel** Commission, the Personnel Director shall announce and hold promotional examinations which shall be limited to those employees with permanent classified service status in lower level classifications. In order for an exclusively promotional examination to be held, a minimum of three (3) District employees must be deemed to meet the minimum qualifications of the promotional position by the Personnel Director.

Rule 5.03 Notice of Examination – The **Personnel** Commission may direct the holding of an examination to provide eligibles. Public notice of such examinations shall be given no less than fifteen (15) working days prior to the closing date of said position. Each notice of examination shall contain the following information and shall be developed by the Personnel Director:

- A. The last date for filing an application;
- B. Data concerning conditions of employment such as salary or other compensation, location of employment and expected number of vacancies;
- C. A summary of the duties and responsibilities of the position which are contained in the classification job description;
- D. The minimum desirable or required qualifications for the classification;

- E. The standards of proficiency and the relative weights for each portion of the examination;
- F. Such other information as will assist the public in understanding fully the nature of the employment and the procedure necessary to participate in the examination.

Rule 5.04 Advertisement for Examination Applicants – ~~The Personnel Director shall be responsible to advertise for applicants for classification examinations. Notices of promotional examinations shall be mailed to all those eligible to take the examination within the District. Advertisement for all examination applications shall be posted in each school, maintenance shop, bus garage, warehouse and administration office of the District and on the public notices board in the City Hall of Manhattan Beach and public library branches in Manhattan Beach. Additional advertising shall be provided, if deemed necessary, by the Personnel Director. Written notices concerning tests, vacancies, transfer opportunities and other selection of shifts, positions, assignments, classifications, or locations shall be posted at all work locations of employees who may be affected, not later than 15 working days prior to the closing date of filing appropriate applications, together with the normal use of newspaper and bulletins for public notice for open or promotional vacancies. If the subject of those notices affects a probationary or permanent classified employee who will not be reporting at his or her work location during periods when that employee is not normally required to work, and other paid or unpaid leaves of absence, and who has previously requested notification, those notices shall be mailed to the employee. The Personnel Director may publish and distribute the information by electronic means.~~

[Ed. C. § 45278]

Rule 5.05 Location of Examinations -- Examinations shall be held at locations designated by the Personnel ~~Commission~~ Director.

Rule 5.06 Who May Compete – Examinations for position openings in the classified service shall be open to all applicants who meet the minimum qualifications of education, experience, and training as well as the preliminary requirements provided by the Act and these rules.

While it is the policy of the MBUSD and ~~Personnel~~ Commission to base personnel decisions such as hiring, promoting, and transferring on merit and qualifications, employment under any of the following circumstances is believed to have the actual or apparent potential of creating either personal or business conflicts of interest and is prohibited:

1. When there is a supervisory/subordinate relationship between relatives, excluding staffing actions, which are required by classified collective bargaining agreements, or
2. When an "immediate family" relationship exists between a potential applicant and a District employee at the level of principal, or director, and above.
3. When an "immediate family" relationship exists between a potential applicant and an employee in any of the following departments: payroll, personnel, and information systems.
4. Immediate family relationships are defined as father (or stepfather), mother (or stepmother), spouse, grandparent, grandchild, niece, nephew, aunt, uncle, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, or any relative living in the immediate household.
5. This policy applies to employees hired after December 1, 1997.
6. Paragraph 2 and 3 above do not apply to temporary summer help.

Adopted 12-1-97

Rule 5.07 Notice to Applicants – Each applicant whose application is completed in a satisfactory manner shall be notified of the time and place of the examination in a reasonable time, normally a minimum of five (5) working days before the examination is to be given.

Rule 5.08 Authorization to Take Examinations – Each applicant's notice of examination shall serve as the authorization to take the examination. No candidate shall be admitted to any examination without an authorization or other satisfactory evidence of having filed an acceptable application, and picture I.D. ~~or other satisfactory evidence of having filed an acceptable application.~~

Rule 5.09 Types of Examination – Examinations may be in any form deemed suitable by the ~~Personnel~~ Commission including written, oral, technical or a practical demonstration of skill and ability or any combination of the foregoing. The ~~Personnel~~ Commission may authorize any investigation of education, experience, character or identify and any test of knowledge, manual skill, or physical and mental fitness.

Rule 5.10 Examination Procedure

- A. Examinations shall be approved by the Personnel Director in advance of the examination and, after their preparation, the examination questions shall be maintained in a secure location.
- B. All competitors in any written examination must take the examination on the prescribed date, unless expressly approved in writing by the Personnel Director.

- C. All necessary explanations will be made to the whole group of examination candidates, and no question will be explained to any individual competitor-examinee. Examiners are forbidden to explain the meaning of, or to make remarks relating to any question that may assist in its solution.
- D. Communication between competitors-examinees during an examination is strictly forbidden, and competitor-examinees are forbidden to receive aid from one another or to use unauthorized help in any form. Before the commencement of an examination, competitors-examinees will be required to hand to the examiner any printed or written matter in their possession that might serve to aid them in the examination. Evidence of copying or collusion by an competitor-examinee will automatically result in the cancellation of his examination papers and the debarment of the competitor-examinee from such future examination(s) as determined by the Personnel Director. Copies of the questions in the examination shall not be made or taken from the examination room.
- E. Where written examinations are required, they shall be so managed that none of the examination papers will disclose the name of any competitor until all examination papers of all the competitors in a given examination have been marked and rated.

Rule 5.11 Rating of Examinations – All examination papers shall be marked and rated under the direction of the Personnel Director, unless rated by a contracting agency.

Rule 5.12 Notice of Result of Examination – As soon as practicable after the rating of an examination has been completed and the eligibility list established, each competitor shall be notified by-mail in writing of the result of his examination.

Rule 5.13 Appeal for Review of Written Examination – Any competitor-examinee may appeal to the Personnel Director for a review of his examination papers, presenting his reasons in writing therefore within ten (10) working days after the establishment of the eligibility list. The appeal must be specific and must state where in errors have occurred and the revision/adjustment to which the applicant-examinee believes he is entitled. If the appeal is found to be justified, a review shall be granted and the ratings of the competitor changed in accordance with the findings. If such review by the Personnel Director discloses errors affecting the examination papers of all the competitors/other examinees, then all the examination papers shall be reviewed in like manner. All action taken on appeals shall be presented to the Personnel Commission for ratification. No change in an eligibility list shall necessarily invalidate any appointment which was valid when made.

Rule 5.14 Inspection of Examination Papers – All examination papers prepared by competitor-examinees are the property of the Personnel Commission and are confidential records to the extent permitted by law. Competitors-Examinees may be

permitted to review their own examination papers, when available, in the presence of the Personnel Director or ~~his~~a designated representative.

Rule 5.15 Ties in Open Competitive Examinations – When two (2) or more ~~competitor~~examinees have the same final grade, placement on the eligibility list shall be accomplished according to the highest score attained in that portion of the examination concerned with either job knowledge and/or job performance. [???

Rule 5.16 Ties in Promotional Examinations -- When two (2) or more ~~competitors~~examinees have the same score in a promotional examination, the ~~employee with the greatest seniority~~y shall be placed in the same rank on the eligibility list ~~first~~.

Rule 5.17 Continuous Examinations – The ~~Personnel~~Commission may authorize the Personnel Director to provide for the continuous examination to fill openings which the Commission determines cannot be practicably filled by promotional or open examination only.

Rule 5.18 Veterans' Credits – ~~Competitors~~Examinees in entrance examinations who are veterans of the U.S. armed forces in time of war, with 30 or more days of service, shall have five (5) ~~percentage~~ points added to their passing examination score. ~~Such competitors who are disabled unless they are veterans disabled veterans of the U.S. armed forces, in which case they shall have to ten (10) percentage~~ points added to their passing examination scores. ~~(revised wording approved 4.22.02)~~ [Education C. §§ 45294-45296]

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Rule 5.19 Promotional Preference -- Five (5) percentage points shall be added to the total examination score ~~toof~~ employees of the ~~Manhattan Beach Unified School District~~ classified service who receive a passing grade in open or promotional examinations.

## ARTICLE VI

### APPLICATIONS

Rule 6.01 Filing of Applications -- All applications must be made on official application ~~blanks~~forms furnished by the Commission. Applications must be completed according to instructions on the application form and filed in the office of the Personnel Director on or before the closing date specified in the examination announcement or postmarked before midnight of that date. The applicant shall certify the truth of all statements made in the application by his signature on the application. All applications and related references shall become confidential records of the ~~Board of Trustees~~Commission and shall not be returned to the applicant under any circumstances. Names of applicants shall not be made public.

Rule 6.02 Qualifications of Applicants – Applicants must be of good moral character, and in all respects mentally and physically competent to perform the duties of the position for which applied. Applicants must possess all requirements specified in the minimum qualifications established for the class.

