

Merit Rules Advisory Committee Meeting Minutes

February 7, 2024 – 10:00 a.m.

1900 Pico Blvd, Business Building, Room 117

<p>DEPARTMENTS: PLEASE POST</p> <p>Academic Affairs: Sharon Thomas</p> <p>Accounts Payable: Cherry Aquino</p> <p>Admissions & Records: Jackson Edwards</p> <p>African American Center: Sherri Bradford</p> <p>Athletics: Theresa Tang</p> <p>Auxiliary Services: Ofelia Meza</p> <p>Bundy: Beverly Redd-Walker</p> <p>Business Department: Peter Murray</p> <p>Campus Police Office: Jennifer Jones</p> <p>Campus Store: Elease Juarez</p> <p>Career Services: Vicky Rothman</p> <p>Cashier's Office: Veronica Romo</p> <p>Center for Media & Design: Angela Valentine</p> <p>Community & Academic Relations: Christina Marcial</p> <p>Community Education:</p> <p>Counseling Office: Allison Kosich</p> <p>Custodian Time Clock: Anthony Williams</p> <p>Disabled Students Center: Nathalie Laille</p> <p>Early Childhood Ed.: L. Manson</p> <p>Emeritus Department: V. Rankin-Scales</p> <p>English Dept.: Martha Hall</p> <p>EOP&S: Gina Brunell</p> <p>ESL Office: Jocelyn Alex</p> <p>Events Office: Vinnessa Cook</p> <p>Faculty Association: Peter Morse</p> <p>Financial Aid Office: Sandra Hernandez</p> <p>Health Sciences: Clarenda Stephens</p> <p>Health Office: Nancy Alfaro</p> <p>Human Resources: Yesenia Penate & Delia Padilla</p> <p>HSS: Carolyn Baugh</p> <p>Institutional Research:</p> <p>International Education Center: Ana Jara</p> <p>KCRW:</p> <p>Latino Center: Maria Martinez</p> <p>Madison: Gail Johnson</p> <p>Maintenance/Operations: Kasey Garland</p> <p>Malibu: Angela Bice</p> <p>Math Village: Kristina Fukuda</p> <p>Media Center: L. Nakamura</p> <p>Modern Language: Travis Grant</p> <p>Music: Lori Geller</p> <p>Outreach & Recruitment: Giselle Gradilla</p> <p>Payroll: Ian Fraser</p> <p>Science: Ingrid Cardwell</p> <p>Student Life: Amelia Trejo</p> <p>Superintendent/Presidents Office: L. Kilian</p> <p>STEM: Vanan Yahnian</p> <p>Theater Arts:</p> <p>W& ED/Bundy: Tricia Ramos</p>	<p>ADMINISTRATORS AND MANAGERS</p> <p>Emeritus: Guadalupe Salgado</p> <p>Noncredit Programs: Scott Silverman</p> <p>Facilities: Dennis Biddle</p> <p>HR: Tre'Shawn Hall-Baker</p> <p>Info Tech: Calvin Madlock</p> <p>IEC: N. Pressian</p> <p>Instructional Technology:</p> <p>Maintenance: Terry Kamibayashi</p> <p>Operations: Darryl Gray</p> <p>Felicia Hudson</p> <p>Robert Villanueva</p> <p>Receiving: Lisa Davis</p> <p>Supplemental Instruction: Wendi DeMorst</p> <p>SMCPA: Susan Hudelson</p>	<p>SUPERINTENDENT/PRESIDENT AND SENIOR STAFF</p> <p>Superintendent/President: Kathryn Jeffery</p> <p>Executive VP:</p> <p>VP Academic Affairs: Jason Beardsley</p> <p>VP Business/Admin: Chris Bonvenuto</p> <p>VP Enroll. Services: T. Rodriguez</p> <p>VP Human Resources: Sherri Lee-Lewis</p> <p>VP Student Affairs: M. Tuitasi</p> <p>Senior Director Government Relations & Institutional Communications: Don Girard</p> <p>Community Relations: Kiersten Elliott</p> <p>Public Information: Grace Smith</p> <p>PUBLIC POSTING LOCATION</p> <p>Online: www.smc.edu</p> <p>EMPLOYEE ORGANIZATIONS</p> <p>CSEA Labor Rep.: Derek Eckstein</p> <p>CSEA Chapter Pres.: Cindy Ordaz</p> <p>CSEA Chapter 1st V.P.: Martha Romano</p> <p>CSEA Chapter 2nd V.P.: Kennisha Green</p> <p>CSEA Chief Job Steward: Jonathan Rosas</p> <p>CSEA Treasurer: Dagmar Gorman</p> <p>CSEA Secretary: Judith Mosher</p> <p>CSEA Chief Development Officer: Luis Martin</p> <p>CSEA Communications Officer: David Mendoza</p> <p>SMC POA President: Officer Cadena</p> <p>Management Association: Scott Silverman</p> <p>IF YOU NEED AN ACCOMMODATION</p> <p>Written requests for disability-related modifications or accommodations that are needed in order to participate in the Commission meeting are to be directed to the Personnel Commission Office as soon in advance of the meeting as possible.</p> <p>Revised 1/24/2024</p>
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PUBLIC PARTICIPATION DURING MERIT RULES ADVISORY COMMITTEE MEETINGS

Members of the public may address the Committee by oral presentation concerning any subject that lies within the jurisdiction of the Merit Rules Advisory Committee provided the requirements and procedures herein set forth are observed. All public comments will be subject to the general rules set forth below.

- Generally, three minutes is allotted to each speaker per topic for general public comments or per agenda item.
- Individuals wishing to speak during Public Comments or on a specific item on the Agenda will be called upon during Public Comments.
- Individuals wishing to speak on a specific item will be called upon at the time that the Committee reaches that item in the agenda.
- Each speaker is limited to one presentation per specific agenda item before the Committee, and to one presentation per Committee meeting on non-agenda items.

Exception: This time allotment does not apply to individuals who address the Committee at the invitation or request of the Committee.

Any person who disrupts, disturbs, or otherwise impedes the orderly conduct of any meeting of the Committee by uttering loud, threatening, or abusive language or engaging in disorderly conduct shall, at the discretion of the presiding officer or majority of the Committee, be requested to be orderly and silent and/or removed from the meeting.

No action may be taken on items of business not appearing on the agenda.

Instructions for Submitting a Request to Speak at In-Person Meeting

Individuals wishing to address the Committee during Public Comments or regarding item(s) on the agenda must complete a request form with name, address, name of organization (if applicable) and the topic or item on which comment is to be made. This must be submitted to Tatiana Morrison, Personnel Technician, at the meeting before the Committee reaches the applicable section in the agenda.

Instructions for Submitting Written Comments via E-Mail

Individuals wishing to submit written comments to be read at the Merit Rules Advisory Committee Meeting should send an email to morrison_tatiana@smc.edu by 9:30 a.m. for the regular session starting at 10:00 a.m. The email should contain the following information:

- Name
- Address
- Name of organization (if applicable)
- Topic or specific item number
- Comment to be read.

*Reference: Committee Policy Section 2350
Education Code Section 72121.5
Government Code Sections 54950 et seq*

Public Session: 10:00 AM

I. Organizational Functions

A. Call to Order:

B. Roll Call

Committee Members	Present	Absent
Lawrence Leone, Personnel Commission	X	
Barbara Greenstein, Personnel Commission	X	
Carol Long, Personnel Commission	X	
Dr. Tre'Shawn Hall-Baker, Human Resources	X	
Lee Peterson, Personnel Commission		X
Cindy Ordaz, CSEA	X	
Kennisha Green, CSEA	X	
Brent Heximer, CSEA	X	
Alberto Echeverria, SMCPOA		X

II. Approval of Minutes

A. Meeting Date: January 10, 2024

Disposition by the Committee	
Motion Made By	Tre'Shawn Hall Baker
Seconded By	Barbara Greenstein
Ayes	7
Nays	
Abstentions	
Amendments/Comments	

III. Public Comments (Non-Actionable Items from those in Attendance)

IV. Major Items of Business

Item	Subject Matter
1	Merit Rules Chapter 15
2	Merit Rule 11.10.5
3	Merit Rule 12.4.1
4	Merit Rule Chapter 10

1. A Motion was made to send Merit Rule Chapter 15, in its entirety, to the Personnel Commission for a First Reading.

CHAPTER XV

RESIGNATION AND REINSTATEMENT

Rule 15.1

RESIGNATION AND RETIREMENT (EDUCATION CODE SECTION 88201)

15.1.1

GENERAL PROVISIONS

- A. ~~The Board of Trustees may accept the resignation of any employee, and may fix the date on which the resignation shall take place, which shall not be later than the close of the school year during which the resignation is received.~~
- B. ~~When an employee desires to intends to resign from his/her/their position, he/she/they shall submit a Notice of Resignation/Retirement to the Classified Personnel Human Resources Department preferably at least 2 weeks prior to the intended date of resignation.~~
- C. A resignation may be withdrawn by the employee at any time prior to acceptance by the Board of Trustees.
- D. A resignation relates only to the specific position from which the employee resigns, ~~and does not impair his/her/their rights to other positions which he/she/they may hold on eligibility lists, except that an An employee who resigns shall not be removed from lists except for a promotiaonl eligibility list or a transfer list, a promotional eligibility list.~~
- E. When an employee intends to retire, ~~he/she/they shall submit a Notice of Resignation/Retirement to the Classified Personnel Human Resources Department, at least one month prior to the planned date of retirement. CalPERS recommends that the employee submit their retirement forms three to four months ahead of the retirement date.~~
- F. ~~The minimum age for retirement shall be 50 provided that the A retiring employee must shall meet all the eligibility requirements of the applicable retirement system. There shall be no compulsory mandatory retirement age for classified employees.~~

~~Section 15.1.1.G.~~

~~G. Employees who become members of the Public Employees Retirement System prior to July 1, 1980 will receive additional service credit on retirement of 0.004 years for each day of unused sick leave at the time of retirement. This benefit does not apply to any person who becomes a member on or after July 1, 1980.~~

15.1.2

~~CLASSIFIED EMPLOYEE EARLY RETIREMENT
INCENTIVE (BOARD POLICY) RETIREE
HEALTH BENEFITS~~

~~A. Regular classified management and confidential employees are eligible for retiree medical benefits. To be eligible for retiree medical, employees must retire from the District and retire from CalPERS or CalSTRS retirement system. Retired employees will receive the District's contribution amount towards retiree medical coverage.~~

~~B. The District shall provide supplemental health and welfare benefits for employees as stated in Merit Rule 12.4 who retire at or after the age of 55 years with 10 years of District service. Supplemental benefits shall be limited to medical, dental and vision insurance plans for the employee and eligible dependents. Dependents shall be as defined by the carrier.~~

~~As an early retirement benefit, the supplementary benefit plan shall be provided by the District until the retiree reaches their 65th birthday or the employee's death, whichever occurs first. Upon an employee's death, the supplemental benefit may be provided to the employee's eligible dependents, if the eligible dependents are receiving monthly survivor benefits from CalPERS or CalSTRS retirement system.~~

~~1. For management and confidential employees the early retirement schedule shall be:~~

~~a. at age 50 or thereafter with 10 years of continuous service in the District.~~

~~b. at age 55 or thereafter with 5 years of continuous service in the District.~~

~~C. For unit employees, the retiree health benefits shall be in accordance with the applicable bargaining agreement.~~

~~The District shall continue to provide health and welfare benefits for regular classified management, confidential and unit employees to age 65 or until the employee's death, whichever occurs first.~~

~~1. For management and confidential employees the retirement schedule shall be:~~

~~a. at age 50 or thereafter with 10 years of continuous service in the District.~~

~~b. at age 55 or thereafter with 5 years of continuous service in the District.~~

~~2. For unit employees the retirement schedule shall be:~~

~~a. at age 55 or thereafter with 10 years of continuous service in the District.~~

~~B. Paid benefits shall be limited to health insurance for the employee only and a family dental and vision insurance plan. For specific provisions see Rule 12.4.~~

~~15.1.2 added P.C. 4/27/83~~

Rule 15.2

REINSTATEMENT (EDUCATION CODE SECTION 88128)

15.2.1

GENERAL PROCEDURES

- A. A permanent employee who resigned or retired in good standing may request to be reinstated in a vacant position in his/her within their former class and status within 39 months of the last date of paid service. ~~He/she-They~~ may also be reinstated in a vacant position in a lower related class, if qualified, or in limited-term status in the same or lower class. Such reinstatement is discretionary with the appointing authority.
- B. Reinstatement of a former employee shall have the following effects:
1. If ~~an/the~~ employee is reinstated to a permanent position in ~~his/her-their~~ former class or a lower related class, ~~he/she-they~~ shall be restored all the rights, benefits, and burdens of a classified employee.
 2. Restoration of salary shall be in accordance with Merit Rule Section 13 12.2.12 of Rule 12.2.

**Rule 15.3 EMPLOYMENT OF PERS OR STRS RETIREES
(EDUCATION CODE SECTION 88034)**

15.3.1 GENERAL POLICY

- A. Any person receiving a retirement allowance from the California Public Employees' Retirement System or California State Teachers' Retirement System may be employed and paid in accordance with the rules and regulations of the applicable retirement system.

~~Rev. approved by the Personnel Commission 6/10/10~~

~~15.3.2 COMPENSATION~~

~~A. A retired employee under authority of this Rule shall be entitled only to the appropriate salary earned, including to include overtime compensation as provided for in Section 2 of Rule 12.3.~~

~~AB. Retired employees appointed to positions in their previous class or classes shall be placed on the step of the salary schedule closest to their last regular rate of pay. Retired personnel appointed to positions in other classifications shall be placed on the first step of the appropriate range on the salary schedule.~~

~~15.3.2, 15.3.2, 15.3.2 added P.C. 4/27/83~~

~~Section 15.3.3~~

~~15.3.3 ASSIGNMENT~~

- ~~A. A retired employee employed under this Rule is not subject to reinstatement to PERS nor does the compensation period provide for retirement allowance adjustment.~~
- ~~B. The appointing authority shall certify to the Director of the Personnel Director Commission that a retired employee employed under this Rule meets the provisions thereof and his/her combined calendar year employment does not exceed 90 working days or 35 percent of the hours employed during the last fiscal year prior to retirement.~~

Disposition by the Committee	
Motion Made By	Barbara Greenstein
Seconded By	Kennisha Green
Ayes	7
Nays	
Abstentions	
Amendments/Comments	

2. A Motion was made to send Merit Rule 11.10.5 to the Personnel Commission for a First Reading.

11.10.5

**SICK LEAVE FOR TEMPORARY EMPLOYEES
(LABOR CODE SECTION 246).**

- A. This rule shall apply to any employee not covered by other provisions of this Chapter governing sick leave.
- B. An employee who, on or after July 1, 2015, works 30 or more days within a year from the commencement of employment is entitled to paid sick days as specified in this rule.
- C. An employee shall accrue paid sick days at the rate of one hour per every 30 hours worked from the commencement of employment or July 1, 2015, whichever is later. No employee shall be allowed to have an accrual of more than ~~48~~ 80 hours of sick leave.
- D. An employee shall be entitled to use accrued paid sick days beginning on the 90th day of employment, after which day the employee may use paid sick days as they are accrued.
- E. Upon the oral or written request of an employee, an employer shall provide paid sick days for the following purposes: (1) Diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member. (2) For an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in subdivision (c) of Section 230 and subdivision (a) of Section 230.1 of the Labor Code.
- F. No compensation shall be paid to an employee for accrued, unused paid sick days upon termination, resignation, retirement, or other separation from employment.
- G. If an employee separates and is rehired within one year from the date of separation, previously accrued and unused paid sick days shall be reinstated. The employee shall be entitled to use those previously accrued and unused paid sick days and to accrue additional paid sick days upon rehiring.

Disposition by the Committee	
Motion Made By	Barbara Greenstein
Seconded By	Cindy Ordaz
Ayes	7
Nays	
Abstentions	
Amendments/Comments	

3. A Motion was made to send Merit Rule 12.4.1 to the Personnel Commission for a First Reading.

12.4.1 HEALTH AND WELFARE BENEFITS (GOVERNMENT CODE SECTION 53200)

A. The Santa Monica Community College District shall provide a basic Health and Welfare Benefit Plan to all regular employees serving in positions assigned on a half time (20 hour) basis or more.

B. Costs of basic Health and Welfare Benefits shall be approved by the Board of Trustees annually.

C. The basic Health and Welfare Benefit Plan shall provide for a contribution by the District for group medical insurance, dental insurance and vision coverage.

D. Each regular eligible employee, shall select coverage from the group health insurance, dental program, and vision plan offered by the District within the first 30 days after initial employment. Thereafter, a covered employee may change plans or add eligible family members only during open enrollment periods.

E. Employees who work five days per week, seven to eight hours per day, 35 to 40 hours per week, and who are employed for the academic year, or instructional year, shall be considered full-time employees for the purposes of this rule.

F. Employees who work less than 35 hours per week, but 20 or more hours per week, shall receive a prorata share of the amounts which are authorized for a full-time employee if they elect to be enrolled in a health, vision, and dental care plan. The pro-ration shall be based on a 40 (forty) hour week.

G. Employees who work less than 20 hours per week shall not be eligible for benefits enumerated in the Rule.

H. The District shall provide the basic Health and Welfare ~~Benefit~~ Plan benefit to eligible employees who retire from the District. The benefit plan shall provide the group medical, ~~dental and vision care~~ coverage for the employee and eligible dependents as defined by the insurance carrier, provided the employee is at least 55 years old and has completed ten years of service. The amount of contribution shall be determined by the Board of Trustees. The Health Plan should provide group medical coverage. The District shall provide supplemental retirement benefits (medical, dental, and vision) to all retirees who meet the eligibility requirements as provided in Merit Rule 15.1.2.

I. The District shall provide the supplemental retirement benefit to all retired employees who meet the eligibility requirements for the District's Classified Employees' Early Retirement Program.

~~J. The District supplemental retirement benefit shall continue until the employee's 65th birthday or the employee's death, whichever occurs first. The supplemental benefit shall not be provided to the employee's estate or surviving dependents.~~

Disposition by the Committee	
Motion Made By	Barbara Greenstein
Seconded By	Kennisha Green
Ayes	7
Nays	
Abstentions	
Amendments/Comments	

- 4. Merit Rule Chapter 10 to be tabled until Board / District Policy regarding Classified Employee Evaluations is updated.

Meeting Adjourned: 10:21 a.m.

Disposition by the Committee	
Motion Made By	Tre'Shawn Hall Baker
Seconded By	Kennisha Green
Ayes	7
Nays	
Abstentions	
Amendments/Comments	

Weekday	Month	Day	Year	Time	Meeting Location
Wednesday	March	6	2024	10:00 a.m.	1900 Pico Blvd Business Rm 117
Wednesday	April	3	2024	10:00 a.m.	1900 Pico Blvd Business Rm 117
Wednesday	May	1	2024	10:00 a.m.	1900 Pico Blvd Business Rm 117
Wednesday	June	5	2024	10:00 a.m.	1900 Pico Blvd Business Rm 117

In accordance with the law, this regular meeting agenda was posted 72 hours in advance of the meeting.