



# MERIT RULES ADVISORY COMMITTEE MEETING MINUTES

Wednesday, December 1, 2021 at 10:00 a.m.

**\*\*VIRTUAL MEETING\*\***

<p><b>DEPARTMENTS: PLEASE POST</b>          3400 Airport/SBDC: Sasha King          Academic Affairs: Sharon Thomas          Accounts Payable: Cherry Aquino          Admissions &amp; Records: Esau Tovar          African American Center: Sherri Bradford          Athletics: Sandra Hernandez          Auxiliary Services: Ofelia Meza          Bundy: Beverly Redd-Walker          Business Department: Peter Murray          Campus Police Office: Jennifer Jones          Campus Store: Elease Juarez          Career Services: Vicky Rothman          Cashier's Office: Veronica Romo          Center for Media &amp; Design:          Community Education: Alice Meyering          Counseling Office: Laurie Guglielmo          Custodian Time Clock: Anthony Williams          Disabled Students Center: Nathalie Laille          Early Childhood Ed.: L. Manson          Emeritus College: V. Rankin-Scales          English Dept.: Martha Hall          EOP&amp;S: Nick Mata          ESL Office: Jocelyn Alex          Events Office: Yesenia Penate          Faculty Association: Peter Morse          Financial Aid Office: Stacy Neal          Health Sciences: Clarenda Stephens          Health Office: Nancy Alfaro          HSS: Carolyn Baugh          Institutional Research:          International Education Center: Ana Jara          KCRW:          Latino Center: Maria Martinez          Madison: Gail Johnson          Maintenance/Operations: A. DiGregorio          Math Village: Kristina Fukuda          Media Center: L. Nakamura          Modern Language: Travis Grant          Music: Lori Geller          Outreach &amp; Recruitment: Will Taylor          Payroll: Ian Fraser          Science: Ingrid Cardwell          Student Life: Amelia Trejo          Superintendent/Presidents Office: L. Kilian          STEM: Vanan Yahnian          Theater Arts: Judy Louff          W&amp; ED/Bundy: Tricia Ramos</p>	<p><b>ADMINISTRATORS and MANAGERS</b></p> <p>Emeritus: Scott Silverman          Facilities: Dennis Biddle          HR: Tre'Shawn Hall-Baker          Info Tech: Marc Drescher          IEC: N. Pressian          Instructional Technology:          Maintenance:          Devin Starnes          Terry Kamibayashi          Operations:              Anthony Barlow              Felicia Hudson              Robert Villanueva          Receiving: Lisa Davis          Supplemental Instruction:          Wendi DeMorst</p>	<p><b>PRESIDENT/SUPERINTENDENT and SENIOR STAFF</b></p> <p>Superintendent/President: Kathryn Jeffery          Executive VP:          VP Academic Affairs: Bradley Lane          VP Business/Admin: Chris Bonvenuto          VP Enroll. Services: T. Rodriguez          VP Human Resources: Sherri Lee-Lewis          VP Student Affairs: M. Tuitasi          Senior Director Government Relations &amp; Institutional Communications: Don Girard          Community Relations: Kiersten Elliott          Public Information: Grace Smith</p> <p><b>PUBLIC POSTING LOCATIONS</b></p> <p>2714 Pico: exterior display box          Online: <a href="http://www.smc.edu">www.smc.edu</a></p> <p><b>EMPLOYEE ORGANIZATIONS</b></p> <p>CSEA Labor Rep.: Jessica Gonzalez          CSEA Chapter Pres.: Mike Roberts          CSEA Chapter 1<sup>st</sup> V.P.: Kennisha Green          CSEA Chapter 2<sup>nd</sup> V.P.: Cindy Ordaz          CSEA Chief Job Steward: Lee Peterson          CSEA Treasurer: Dagmar Gorman          CSEA Secretary: Judith Mosher          CSEA Chief Development Officer:          Luis Martin          CSEA Communications Officer:          James Stevenson          SMC POA President: Officer Cadena          Management Association: Susan Fila</p> <p style="text-align: right;">Revised 8/18/2021</p> <p><b>IF YOU NEED AN ACCOMMODATION</b>          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>
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## PUBLIC PARTICIPATION FOR VIRTUAL MEETINGS

During the COVID-19 (Coronavirus) Global Pandemic, the Board of Trustees has determined in accordance with Government Code Section 54953 that as a result of the ongoing emergency that meeting in person would present imminent risks to the health and safety of the attendees at public meetings. The Zoom format used for College public meetings ensures public participation and provides an opportunity for the public to directly address the body. Members of the public have the right to request to make public comments until such time as the public comment period is over. Members of the public may address the Committee and public participation can occur in one of two ways. Members of the public can submit written comments to be read during the public meeting or they may speak during the Zoom meeting.

Individuals wishing to speak or submit written comments to be read at the meeting shall send an email to [personnel\\_commission@smc.edu](mailto:personnel_commission@smc.edu), by no later than 9:00 a.m. on Wednesday, December 1, 2021. The email should include the following information:

- Name
- Department (optional)
- Topic or Agenda Item # to be addressed
- Comments to be read (if submitting written comments)

### Instructions for Speaking to the Commission through Zoom

Speakers may address any specific agenda item, or may provide general comments during the “Public Comments” period. When it is time for the speakers to address the Commission, their name will be called and the microphone on their Zoom account will be activated. A speaker’s Zoom Profile should match their real name to expedite this process. After the comment has been given, the microphone for the speaker’s Zoom profile will be muted.

All public comments will be subject to the general rules set forth below.

1. Five minutes is allotted to each speaker per topic. If there are more than four speakers on any topic or item, the Commission reserves the option of limiting the time for each speaker. A speaker’s time may not be transferred to another speaker.
2. Each speaker is limited to one presentation per specific agenda item before the Commission, and to one presentation per Commission meeting on non-agenda items.
3. Five minutes is allotted to each speaker per topic for general public comments. The speaker must adhere to the topic. Individuals wishing to speak during the Public Comments will be called upon during Public Comments.

Any person who disrupts, disturbs, or otherwise impedes the orderly conduct of any meeting 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.

*Reference: Merit Rule 2.2.8*

*Government Code sections 54954.2, 54954.3, 54957.9*

**PUBLIC SESSION: 10:00 a.m.**

**I. ORGANIZATIONAL FUNCTIONS**

- A. Call to Order 10:05 a.m.
- B. Roll Call

<b>Committee Members</b>	<b>Present</b>	<b>Absent</b>
Commissioner Lawrence Leone, Chair		<b>X</b>
Commissioner Barbara Greenstein	<b>X</b>	
Carol Long, Director of the Personnel Commission	<b>X</b>	
Tre'Shawn Hall Baker, Dean of Human Resources	<b>X</b>	
Lee Peterson, Commission Appointee	<b>X</b>	
Joshua Casillas, CSEA	<b>X</b>	
Ernesto Barba, CSEA	<b>X</b>	
Brent Heximer, CSEA	<b>X</b>	
Albert Echeverria, Police Officer Association		<b>X</b>

- C. Approval of Minutes:

**1. November 3, 2021**

**DISPOSITION BY THE COMMITTEE**

MOTION MADE BY: Lee Peterson  
 SECONDED BY: Tre'Shawn Hall Baker  
 AYES: 7  
 NAYS: 0  
 ABSTENTIONS: 0

Amendments/Comments

**II. PUBLIC COMMENTS (non-actionable comments from those in attendance)**

**No Comments**

**III. MAJOR ITEMS OF BUSINESS**

<b>1</b>	<b>CHAPTER III: POSITION CLASSIFICATION PLAN</b>
<b>2</b>	<b>CHAPTER XII: SALARIES, OVERTIME PAY AND BENEFITS</b>

A motion was made to send revisions of Merit Rules Chapter 12, Sections 12.2.2 through 12.2.11 (as renumbered) to the Personnel Commission for a First Reading.

**DISPOSITION BY THE COMMITTEE**

MOTION MADE BY: Lee Peterson  
 SECONDED BY: Carol Long  
 AYES: 7  
 NAYS: 0  
 ABSTENTIONS: 0

Amendments/Comments

Rule 12.2

GENERAL SALARY PROVISIONS

~~Salary provisions for unit members are contained in Article 11 of the District/CSEA Contract.~~

12.2.1

INTERPRETATION OF THE SALARY SCHEDULE

- A. ~~The schedule of pay for each class represents the standard rate of pay for full-time employment, unless in the pay schedule it is specifically indicated that the rate is for part-time service. The employee's appropriate salary range and step shall be considered the employee's base salary.~~
- B. ~~The rates of pay as set forth in the pay schedules do not include longevity pay increments, differentials, stipends, or reimbursements for actual and necessary expenses for traveling, subsistence, car mileage, and similar purposes authorized and incurred as part of the employment.~~

12.2.2

TIME FOR PAYMENT  
(EDUCATION CODE SECTION 85244-)

- A. Payroll orders for the payment of wages shall be made to all ~~regular, full-time~~ classified employees twice during each calendar month, in accordance with provisions mandated by the Education Code and applicable bargaining agreements.
  - 1. ~~Work performed between the 1st and 15th days of the month shall be paid for on the 25th of the month.~~
  - 2. ~~Work performed between the 16th and the last day of the month, inclusive, shall be paid for on the 10th of the month.~~
  - 3. ~~Whenever the 10th or 25th falls on a weekend or holiday payroll checks shall be issued on the preceding workday.~~

Section 12.2.3

12.2.3

CORRECTION OF ERROR IN SALARY  
(EDUCATION CODE SECTION 88166,  
CODE OF CIVIL PROCEDURE 338)

- A. Whenever it is determined that an error has been made in the calculation or reporting in any classified employee's payroll or in the payment of any classified employee's salary, the ~~appointing authority~~ District shall, within five working days following such determination:
1. Provide the employee with a statement of correction.
  2. Issue a supplemental payment to cover ~~the entire underpayment against any available funds where the employee has been underpaid~~ any amount owed to the employee.
  3. Make equitable arrangement for repayment where the employee has been overpaid.
- B. The correction of errors made in the calculation, reporting, or in the payment of any classified employee's salary shall be limited to the three year period preceding the date a claim is filed, or the error is discovered.

12.2.4

SALARY ON EMPLOYMENT

A. New employees shall normally be hired at the first step in the salary range for the classification, except for cases in which an accelerated hiring rate or they have been approved for an Advanced Step Placement has been approved.

1. ~~An Accelerated Hiring Rate may also be approved for the classification by the Personnel Commission and the Board of Trustees prior to opening recruitment.~~

B. Advanced Step Placement

A new employee may be granted Advanced Step Placement on the salary schedule upon recommendation of the Director of ~~Classified the~~ Personnel Commission. The Director of ~~Classified the~~ Personnel Commission shall base ~~his/her~~their recommendation on a determination that Advanced Step Placement is necessary due to labor market conditions, or to properly compensate a new employee for previous training, experience, and qualifications which greatly exceed the standard expectations of a new employee on entry into the classification. Input from subject matter experts and the hiring manager regarding the criteria for advanced step placement will be considered when making this determination.

1. Placement at the second step may be approved if the employee has had at least two (2) additional years of training and experience beyond the years indicated in the class qualifications, and two or more of the criteria listed in Section 12.2.4.B.3 are present.
2. Placement at the third step may be approved if the employee has had at least four (4) additional years of training and experience beyond the years indicated in the class qualifications, and two or more of the criteria listed in Section 12.2.4.B3 are present.

3. The following guidelines will be taken into account when making the final determination:
  - a. The candidate possesses value-added experience performing substantially the same duties listed in the class description, above and beyond standard expectations for a new hire.
  - b. The candidate possesses value-added training which is directly related to the required duties of the job, above and beyond standard expectations for a new hire.
  - c. Verifiable difficulty is experienced in attracting well-qualified candidates, or there is an insufficient number of eligible candidates ready and willing to accept a permanent assignment in spite of a targeted recruitment effort.

Rev. approved by the Personnel Commission on 3/15/17

4. The maximum initial salary placement is the third step on the salary schedule, unless approval for higher initial salary placement is granted by the Personnel Commission, Superintendent/President, and the appropriate appointing authority. In order to be considered for initial salary placement above Step C, candidates must have more than four (4) additional years of training and experience beyond the years indicated in the class qualifications, and two or more of the criteria listed in 12.2.4.B.3. must be present.
5. The initial offer or denial of Advanced Step Placement will be made as part of the job offer, and will be subject to receipt of written verification submitted by the new employee indicating that relevant criteria as outlined in Section 12.2.4 (B) have been met. Failure of the employee to submit the verification by the start date of employment shall result in ineligibility for Advanced Step Placement.

C. Accelerated Hiring Rate

An Accelerated Hiring Rate may be set prior to opening recruitment with the approval of the Personnel Commission and the Board of Trustees, at any step of the schedule of the class. Accelerated Hiring Rates may be utilized for classes where past recruitment efforts have indicated difficulty in recruiting at the first step. If an Accelerated Hiring Rate is approved, all current employees in the class shall be advanced to that rate and shall begin a new cycle of step advancement.

Rev. approved by the Personnel Commission on 11/18/15



Section 12.2.5

12.2.5

SALARY INCREMENTS

- A. Upon completion of ~~the probationary period~~six months of satisfactory service, a regular classified employee initially hired at step A shall advance to step B on the appropriate range of the salary schedule.
- B. Notwithstanding the provisions of paragraph A, a new employee who has served ~~continuously~~ continuously in limited-term or provisional status immediately prior to appointment to a regular position in the same class shall, for purposes of salary increment advancement, be credited back to the original date of hire in the class. The maximum amount of time which may be credited is six months.
- C. After receipt of the initial salary increment, each regular classified employee shall advance one step on the appropriate salary range upon completion of each year of continuous ~~and satisfactory~~ service until the maximum is reached: An employee must have been in paid status for a minimum of fifty percent (50%) of their assigned work days, computed on a monthly basis, to qualify for annual step advancement. Unpaid leaves in excess of fifty percent of the calendar month shall cause the anniversary date to be adjusted in one-month increments.
1. ~~For purposes of this rule, a year shall be defined as the number of months in the employee's assignment during the college year.~~
  2. ~~For purposes of this rule, an uncleared disciplinary action, a formal reprimand, or Unsatisfactory Work Performance Notice received in the preceding year shall disqualify an employee from receiving an increment as provided in Rule 12.2.7.~~
- D. A regular classified employee initially hired at step B or ~~C~~ higher shall advance to the next step on the appropriate range of the salary schedule upon satisfactory completion of one year of service.



Section 12.2.6

12.2.6

SPECIAL SALARY INCREMENTS FOR MANAGEMENT  
AND CONFIDENTIAL EMPLOYEES

- A. A permanent classified management or confidential employee may be granted a special one-step salary increment in advance of the scheduled increment subject to the following conditions:
1. When the employee's supervisor wishes to request a special salary increment, ~~he/she~~they shall submit to the ~~College Personnel Administrator~~Vice President of Human Resources or designee a recommendation with documentation of outstanding and meritorious service in the improvement of the educational service to students or the administration of the District. The recommendation shall include a specific listing of the accomplishments and achievements of the employee which exceeds the performance standards of the class.
  2. The recommendation shall be submitted ~~for approval to the Superintendent/President. If approved by the Superintendent/President it shall be forwarded to the Board of Trustees for action by a District Personnel Committee which shall be composed of the District Personnel Administrator, the Personnel Director, the employee's supervisor, and one at large employee.~~
  3. The recommended employee has not received a regular salary increment within the preceding six months.
  4. The employee shall be eligible for no more than one special one-step salary increment within a three and one-half year period.
  5. Upon receipt of a special salary increment, the employee salary increment anniversary date shall be adjusted and the date of the special increment shall become the employee's new

increment date.

~~Section 12.2.7~~

~~12.2.7 WITHHOLDING SALARY INCREMENTS~~

~~A. A salary increment shall be withheld when an employee has received a Notice of Unsatisfactory Service, a formal reprimand or a Disciplinary Action Notice within the one year period preceding the due date for the increment, subject to the following conditions:~~

~~1. The increment may be withheld for a maximum period of 90 working days.~~

~~2. Upon clearance of the Unsatisfactory Notice, a formal reprimand or Disciplinary Action Notice by issuance of a Job Performance Progress Report by the employee's immediate supervisor, the increment shall be approved effective the first of the month following the filing of the clearance notice.~~

~~B. Withholding of a salary increment for permanent employees shall be subject to appeal to the Personnel Commission as part of the appeal of disciplinary action.~~

12.2.87 SALARY ON PROMOTION

- A. When an employee is promoted to a position on a higher salary range, they shall receive at least a one step (5%) salary increase.
- B. If the amount of the first step of the new salary range is less than a one step salary increase, the employee shall be placed at the next higher step which will ensure a minimum of a one-step or 5% salary increase.
- C. A promotional employee may be granted Advanced Step Placement on the salary schedule upon recommendation of the Director of the Classified Personnel Commission.
  - 1. The Director of the Classified Personnel Commission shall base their recommendation to properly compensate a promotional employee for previous training, experience, and qualifications which greatly exceed the standard expectations of a new employee on entry into the classification, provided advanced step placement was not awarded at the time of initial hire within the same job family, or for previous promotions within the same job family.
  - 2. Advanced Step Placement for promotional employees shall otherwise be in accordance with Merit Rule 12.2.4.
- D. After promotion, an employee shall advance one step on the salary schedule after satisfactory completion of a probationary period in the new class. This shall become the employee's new increment anniversary date.
- E. Thereafter, salary increment advancement shall be in accordance with Rule 12.2.5.

Rev. approved by Personnel Commission on 4/15/15

Revision approved by Personnel Commission on 6.17.2020.

12.2.98 SALARY ON DEMOTION

- A. An employee who accepts voluntary demotion for any reason other than disqualification from probationary or permanent status shall be placed in the step of the lower salary range that provides the least amount of reduction in salary.
- C. If the employee is eligible for an increment in their own class at the time a voluntary demotion is taken, the employee shall be credited with the increase before salary adjustment is made.
- D. When an employee is involuntarily demoted during probation, as provided in Rule 9.3.2, salary placement shall be at the step of the lower salary range to which the employee would have progressed had the employee served continuously in the lower class. The employee's previous salary increment date shall be used to determine advancement on the salary schedule.
- E. When the demotion is due to a disciplinary action, the Disciplinary Action Notice shall specify the step of the salary range on which the employee shall be placed.

PC approved: 9-18-91

Section 12.2.~~409~~

12.2.~~409~~

SALARY ON RECLASSIFICATION

- A. When an employee is reclassified with ~~his/her~~ their position to a class with a higher salary range, the employee shall be placed on the same step on the higher range with the same increment date as held in the lower range.
- B. When an employee is ineligible for reclassification with ~~his/her~~ their position but qualifies for the higher class through the appropriate examination process, the change of classification shall be treated as a promotion under Rule 12.2.~~87~~.
- C. ~~When an employee remains assigned to a position which has been reclassified to a class on a lower salary range, the employee's salary shall be Y-rated as provided by Rules 3.3.4 and 12.2.13.~~

12.2.~~410~~

SALARY ON REALLOCATION

- A. When a class is reallocated to a higher salary range, all employees in the class shall be placed on the new salary range on the same step which they held prior to the reallocation. ~~The employee's s~~Step placement and ~~increment~~ anniversary increment date shall not change.

12.2.~~411~~

SALARY ON TRANSFER

- A. When an employee is transferred from one position to another in the same class, or a related class on the same salary range, the employee's step placement and ~~increment~~ anniversary increment date shall not change.

**V. MEETING ADJOURNED at 11:02 a.m.**

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**DISPOSITION BY THE COMMITTEE**

MOTION MADE BY: Lee Peterson  
SECONDED BY: Tre'Shawn Hall Baker  
AYES: 7  
NAYS: 0

ABSTENTIONS: 0

Amendments/Comments

As required by law, the agenda for the Wednesday, December 1, 2021 Regular Meeting of the Santa Monica College Merit Rules Advisory Committee was posted 72 hours in advance of the meeting.

<b>FY 2021-2022 Merit Rules Meeting Schedule</b>
Wednesday, January 5, 2022
Wednesday, February 2, 2022
Wednesday, March 2, 2022
Wednesday, April 6, 2022
Wednesday, May 4, 2022
Wednesday, June 1, 2022