

AP 7240 CONFIDENTIAL EMPLOYEES

Reference:

Government Code Section 3540.1(c)

Confidential employees shall receive the same salary and health benefits as non-confidential employees who work under the same job titles or, in the case of classified employees, who work in the same classifications.

NOTE: The following language is from current CLPCCD Policy 4230.

The salary schedule for confidential employees provides for compensation on the basis of 12 months per academic year for full-time service and will be expressed in terms of dollars for the working days in a calendar month. The schedule will be set forth in a schematic arrangement of job families, class titles, pay ranges, and salary steps. For each class of positions, there will be computed the yearly, monthly, and hourly rates. Positions established on any basis other than 12 months per year and full-time service per week will be compensated proportionately.

Step placement on the Confidential/Supervisory Personnel Classified Salary Schedule is as follows:

- A. Credit for full-time work in an occupation directly related to the confidential/supervisory classified position hired shall be allowed at the rate of one step for each complete year of full-time work experience up to a maximum of Step 5.
- B. Credit for previous related work experience for placement purposes shall not be granted for the following:
 - 1) Part-time work experience or partial years;
 - 2) Work experience as a substitute, on-the-job training, etc., in the related confidential/supervisory position to be hired.
 - 3) A confidential/supervisory employee who is promoted to a higher position will be placed at the highest step possible in accordance with Paragraph A or will be placed on the lowest step which provides a minimum five percent upward adjustment where possible within the designated pay range.

A person from within the District who first enters a confidential/supervisory position will be placed at the highest step possible in accordance with paragraph A above, unless that step is less than the person's current annual salary. If so, the individual shall start at the lowest step that avoids a loss in annual salary.

A confidential/supervisory employee who changes to a confidential/supervisory position with a lower salary range the same criteria for placement (as stated above) shall be applied.

The appropriate manager will be responsible for obtaining letter(s) of full-time work related experience prior to Board submission for hire.

An employee occupying a position for a period of no less than six months in an academic year will be advanced to the next higher step of the salary range assigned to the position class on the person's anniversary date, providing that the performance evaluation for that year has been satisfactory. With satisfactory performance evaluation, subsequent service increments shall be granted on each anniversary date until the maximum step of the employee's salary range is reached. The Board may upon recommendation of the Chancellor, withhold a service increment for less than satisfactory service, upon providing notice to the employee and for an opportunity to be heard.

The terms and conditions of employment for confidential employees shall be provided for as necessary by additional procedures developed by the Chief Human Resources Officer.

NOTE: The **red ink** signifies language that is **suggested as good practice** by the Policy and Procedure Service and its legal counsel. The language in **green ink** was added during the review by Wyman, David, and Kit on August 12, 2013 and on March 28, 2014 with Wyman, David, and Kit.

Date Approved:

(This is a new procedure recommended by the Policy and Procedure Service)

Legal Citation for AP 7240

Government Code Section 3540.1(c)

3540.1. As used in this chapter:

(a) "Board" means the Public 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 is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.