

**LASSEN COMMUNITY COLLEGE DISTRICT  
BOARD POLICY**

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## **Definition of Management Employees**

The management staff consists of those employees identified as contract, supervisory, and confidential by the Governing Board. They supervise other members of the College staff and are salaried.

### **Administration**

District Superintendent/President  
 Assistant Superintendent/Vice President – Instruction  
 Dean of Administrative Services  
 Dean of Student Personnel Services

### **Management**

Administrative Assistant III/Office of Human Resources  
 Administrative Assistant III/Office of Instruction  
 Administrative Assistant III/Student Personnel Services  
 Administrative Assistant IV/Assistant to the President  
 Administrative Services Fiscal Analyst  
 Assistant to the President for College Research/Grants  
 Child Development Center Site Supervisor  
 Coordinator of Student Health Services  
 Data Processing Manager  
 Director of Admissions & Records/Instructional Services  
 Director of Facilities  
 Director of Financial Aid  
 Director of Fund Development and the College Foundation  
 Director of Human Resources  
 Director of Student Life  
 Manager, Coppervale Ski Hill  
 Manager of Custodial Services  
 Outreach/Admin. Of Justice/Corrections/Fire  
     Science/Driver's Training  
 Purchasing Agent  
 Workability III/Job Placement Specialist

Adopted: 05/16/89  
 Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
 Susanville, California

**Management Employees**

All management employees have the following responsibilities:

1. To promote the educational leadership necessary to achieve the goals and objectives of the District.
2. To formulate and recommend District policies.
3. To administer District programs.
4. To supervise other members of the College staff.
5. To evaluate employees in accordance with District procedures.
6. To make recommendations to the Governing Board, through the Superintendent/President, regarding the selection, employment, promotion, transfer, suspension, and discharge of employees.
7. To adjudicate grievances of employees under their supervision.

Adopted: 05/16/89  
Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**Management Organization**

Management employees have the right to form their own employee organization consistent with Government Code 3543.4, however, they do not have the right to meet and negotiate, nor do they have the right to an exclusive representative. Their management organization does have the right to address the Governing Board on matters pertaining to the terms and conditions of their employment.

The Governing Board delegates the responsibilities for meeting and consulting to the Superintendent/President or designee.

Legal Reference: Government Code 3543.4

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**Recruitment and Selection of Management Employees**

Job vacancies and new positions in management may be advertised on campus, or both on and off-campus, according to district procedures. Internal candidates who qualify are invited to submit their applications for management positions and will be considered along with external candidates who apply.

Adopted: 05/16/89  
Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**Salary Placement**

Employees will be classified upon initial employment. The classification shall include placement on the current salary schedule and a current job description. In setting the salary of employees, credit for experience or specialized training shall be used in determining placement on the salary schedule.

Qualifying experience may be counted on a year for year basis for placement purposes up to Step E.

Adopted: 05/16/89  
Revised: 02/21/95  
Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**Salary Schedule and Pay Periods**

For regularly employed management employees, a pay period is the calendar month, with warrants issued on the last college business day of the month.

The Governing Board shall adopt salary schedules from management staff.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

## **Personnel - Health and Welfare Benefits**

The District shall provide health and welfare benefits, such as major medical, dental and vision for each employee and eligible dependents and \$50,000 decreasing term life insurance policy for each employee. All employees of the District are covered by job-related liability and indemnity insurance carried by the District.

All insurance programs are subject to carrier requirements for eligibility and enrollment and processing claims.

Confidential employees and administrators working less than full-time are entitled to premium payments prorated at the same ratio as their workload bears to full-time. For purposes of this policy, employees who work ten (10) or more months shall be considered full-time.

For each confidential employee and administrator, the District shall pay a monthly premium for medical/hospital coverage, dental coverage, vision coverage, and life insurance subject to a total premium cap. The Board shall designate the amount of coverage for each benefit prior to June 30 each year. Employees shall be individually responsible for any balance due insurance carriers. Payments of such monthly amounts shall be made by payroll deduction.

All confidential employees and classified administrators who were hired as confidential employees or classified administrators prior to June 30, 1989, who retire before age 65 and have served the District for at least ten (10) years as confidential employees or classified administrators will be covered, along with eligible dependents, at District expense under the District's medical and dental insurance until the employee reaches the age of 65, or to the date of death, whichever is earlier.

Adopted: 05/16/89  
 Revised: 08/01/56  
 Revised: 03/05/91  
 Reviewed: 12/12/00  
 Revised: 11/09/04

LASSEN COMMUNITY COLLEGE DISTRICT  
 Susanville, California

**Longevity Pay**

All regular classified management employees shall be provided the same longevity as provided to the CSEA members.

Adopted: 05/16/89  
Revised: 03/21/95  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Contracts**

Nothing in this policy shall provide confidential employees and administrators (classified or educational) with greater rights than those provided by the California Education Code.

Confidential employees shall receive a contract at the time of employment listing the salary schedule placement, the salary, and the length of the contract year. Employment shall be viewed as continuous unless the employee is laid off pursuant to the Educational Code or disciplinary action is taken.

Administrators shall receive an annual contract designating the salary and length of the contract year. Employment shall be viewed as continuous unless the employee is notified in writing by March 15<sup>th</sup> that service will not be required for the succeeding year or is laid off pursuant to the Education Code.

Adopted: 05/16/89  
Revised: 12/12/00  
Revised: 12/14/04

Lassen Community College  
Susanville, California

## **PERSONNEL-Confidential Employees/Administrators**

### **Non-Discrimination**

It is the policy of the Lassen Community College District to provide an employment environment in which no person shall be unlawfully denied full and equal access to, the benefits of, or be unlawfully subjected to discrimination on the basis of ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disabilities in any program or activity that is administered by, funded directly by or that receives any financial assistance from the State Chancellor or Board of Governors of the California Community College or the Federal Government.

It is the policy of the Lassen Community College District to provide an educational and employment environment free from unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communications constituting sexual harassment.

It is also the policy of the Lassen Community College District to prohibit the unlawful retaliation against someone who files an unlawful discrimination complaint, who participates in investigation of a complaint, who represents or serves an advocate for an alleged victim or alleged offender, or who otherwise furthers the principles of this unlawful discrimination policy.

Employees, students, or other persons acting on behalf of the District who engage in unlawful discrimination as defined in this policy or by state or federal law may be subject to discipline, up to and include discharge, expulsion or termination of contract.

Complaints of discrimination by students and staff shall be referred to the District's complaint resolution procedures, which are available in the District's Human Resources Office, the Office of the District President/Superintendent and the Office of the Dean of Student Services. (See Regulation 4111/4211)

Legal Authority:        Education Code  
                                  66250 et seq.

                                  Government Code  
                                  11135-11139.5

                                  Code of Regulations, Title 5  
                                  59300 et seq.

42 U.S.C. §2000D Title VI of the Civil Rights Act of 1964  
20 U.S.C. §1681 Title IX of the Education Amendments of 1972  
29 U.S.C. §794 Section 504 of the Rehabilitation Act of 1973  
42 U.S.C. §12100 ET SEQ. Americans with Disabilities Act of 1990  
42 U.S.C. §6101 ET SEQ. Age Discrimination Act  
34 C.F.R. §206.8

Adopted: 05/16/89  
Revised: 12/12/00  
Revised: 12/14/04

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators**

**Length of Contract Year**

The work year for twelve (12) month confidential employees is based on 260 working days, minus holidays and earned vacation time.

Vacation and sick days, longevity and all other benefits for confidential employees working less than twelve (12) months will be the prorate amount of the assignment compared to the twelve (12) month assignment.

Legal Authority:	Education Code
	72411.n5
	88003
	88013-88017
	88117
	88127

Adopted: 05/16/89  
 Reviewed: 12/12/00  
 Revised: 04/24/01  
 Revised: 12/14/04

LASSEN COMMUNITY COLLEGE DISTRICT  
 Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Retroactive Pay Increases**

Confidential employees who separate from service with the District must be in paid status at the time the Governing Board approves the increase in salary in order to receive any retroactive increase.

Adopted: 04/28/98  
Revised: 12/12/00  
Revised: 12/14/04

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Personnel Records**

The District shall maintain a confidential personnel record for each confidential employee and administrator.

No derogatory information will be entered into an employee's personnel file unless the employee is given notice and an opportunity to review and comment on that information. The employee shall have the right to enter, and have attached to any derogatory statement, his or her own comments. The review shall take place during normal business hours and the employee shall be released from duty for this purpose without salary reduction.

The employee shall not have the right to inspect records at a time when the employee is actually required to render services to the District.

Adopted: 05/16/89  
Revised: 12/12/00  
Revised: 12/14/04

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Evaluations**

All confidential employees and administrators shall be evaluated on an annual basis.

During a confidential employee's initial one (1) year probationary period, he/she shall be evaluated during third, seventh and eleventh months.

The President shall develop the guidelines and procedures for evaluation of confidential employees and administrators.

Adopted: 05/16/89  
Revised: 05/27/97  
Revised: 12/12/00  
Revised: 12/14/04

LASSEN COMMUNITY COLLEGE  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators**

**Overtime and Compensatory Time**

Administrators, educational and classified, are exempt from overtime provisions.

Confidential employees may only work overtime upon approval of his/her supervisor. Overtime shall be compensated at a rate of one (1) and one half (1/2) times his/her regular rate for time worked in excess of eight hours a day or **37.5 hours a week**.

Confidential employees who are required to work on a holiday will be compensated at a rate of one (1) and one half (1/2) of his or her regular rate for all hours worked. Compensatory time may be in lieu of overtime pay.

Legal Reference:	Education Code
	88027
	88028
	88029

Adopted: 05/16/89  
 Revised: 12/12/00  
 Revised: 12/14/04  
 Revised: 03/08/05

LASSEN COMMUNITY COLLEGE DISTRICT  
 Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Extra Duty Assignments**

Confidential employees and Administrators may not perform other duties for additional compensation during his or her regular work day.

Confidential employees and Administrators may perform other duties for compensation outside the regular workday, but all such assignments must be reviewed and approved by the Superintendent/President in advance.

Adopted: 05/16/89  
Reviewed: 12/12/00  
Revised: 12/14/04

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Attendance Reporting**

Confidential employees shall report their attendance on monthly time cards. The employee records attendance, sick leave, vacation, and holidays. Vacation and sick leave usage should be used in one-quarter hour increments. The time cards shall be signed by the appropriate supervisor and are turned in to the Business Office at the end of the month.

All administrators shall notify his or her supervisor as soon as they know they will not be reporting to work or will be leaving work and the reason for the absence.

Adopted: 05/16/89  
Revised: 12/12/00  
Revised: 12/14/04

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

## **Outside Employment and Education**

Members of the Classified and Educational Administrators staff are not permitted to engage in employment outside the District during the normal work hours (8 a.m. – 4:30 p.m., Monday through Friday), or to engage in outside employment which may interfere with the employee's ability to carry out his/her assignment or which is contrary to the law.

Classified and Educational Administrators are not permitted to enroll in any classes offered by the District during normal work hours (8 a.m. – 4:30 p.m., Monday through Friday), unless the enrollment in the class is required for licensing or the maintenance of required certificates.

Adopted: 05/16/89  
Revised: 12/12/00  
Revised: 12/14/04  
Revised: 12/19/06

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

## **PERSONNEL-Confidential Employees/Administrators**

### **Transfers/Promotions/Reassignment**

A transfer is defined as the movement of an employee from a position to one of equal or lesser classification in management or in a bargaining unit.

A promotion is defined as the movement of an employee to a higher classification. Employees who wish to apply for promotions must do so in accordance with Board Policy 4305.

Transfer and promotion of management personnel shall be made by the Governing Board upon the recommendation of the Superintendent/President. Transfers may be voluntary or involuntary.

1. Voluntary Lateral Transfer –  
Requests for lateral transfer will be initiated by the employee through the supervisor to move laterally to another position either within or across classification lines. Consideration shall be given to factors such as comparable duties and responsibilities, levels of compensation, qualifications, and employee performance.

In the case where a position vacancy is opened to District recruitment and selection procedures, applicants requesting transfer shall be considered along with other applicants.

2. Involuntary Transfer –  
Management employees may be transferred to fulfill District needs because of vacancies, surplus staff, lack of work, lack of funds, or administrative requirements. Except in the case of emergency, no transfer shall be made without five (5) calendar days notice to the employee.

Seniority and related employment rights will be based upon the original date of hire in the District.

If the management employee is reassigned to a position in a bargaining unit, the employee shall be granted year-for-year credit on the salary schedule for each year of employment with the District. These apply to seniority rights, vacation, and other such rights in existence at the time of the transfer.

Adopted: 05/16/89  
Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Temporary Reassignment**

A management employee may be assigned to assume the duties and responsibilities of a higher level management classification on an acting basis. The employee shall be notified in writing of such action and shall be requested to perform all duties pertaining to that classification.

The salary shall be adjusted for the time period the person is serving in that position.

This assignment must be approved by the Superintendent/President in advance.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators**

**Professional Growth**

All regular classified management employees shall be provided the same professional growth as provided to the CSEA members.

Adopted: 05/16/89  
Revised: 03/21/95  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**Vacation**

A confidential employee or administrator may not carry-over more than 30 days vacation each year effective June 30, 2006.

Any vacation entitlement during the year that exceeds 30 days will be placed in the employee's flex account to replenish the employees' vacation account only when the vacation account drops below 30 days. On June 30<sup>th</sup> of each year any flex days remaining will be permanently transferred to the employees' sick leave account.

Any vacation which is approved then denied or initial approval is denied which cannot be rescheduled during the fiscal year, shall be paid out by the District

Adopted: 05/16/89  
Revised: 12/12/00  
Revised: 01/25/05  
Revised: 12/19/06

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators**

**Holidays**

All confidential employees shall be provided the same holidays as provided to classified bargaining unit members.

No administrator will be required to work on a Board approved holiday.

Adopted: 05/16/89  
Revised: 03/21/95  
Revised: 12/09/97  
Revised: 01/25/05

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Leaves**

The Governing Board may grant leaves of absence without pay. Such leaves must be requested in writing through the Superintendent/President at least thirty (30) days prior to the proposed date of such leave. Leaves in excess of one (1) week in length must be approved by the Governing Board.

Confidential employees shall be entitled to all leaves available to classified bargaining unit members.

Legal Reference: Education Code 87763, 88190

Adopted: 05/16/89  
Revised: 12/12/00  
Revised: 01/25/05

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Sick Leave**

Management employees on twelve (12) month contracts are entitled to twelve (12) days leave for illness or injury with full pay. This entitlement shall be credited at the beginning of employment or at the start of each succeeding fiscal year (July 1). Eleven (11) and ten (10) month employees receive the pro-rata amounts.

New employees of the District shall not be eligible to take more than six (6) days or the proportionate amount to which they would be entitled until the first day of the calendar month after completion of six (6) complete months of active service with the District.

Sick leave may be used for visits to medial doctors, dentists, optometrists, oculists, chiropodists, chiropractors, and psychiatrists and for other reasons the Governing Board determines are legitimate. Such leave shall be scheduled so as to minimize conflicts with District operations. Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery there from, are temporary disabilities and shall be treated as illness.

All sick leave shall be reported in writing on the monthly time card and may be taken in one-quarter hour increments.

If the employee does not take the full amount of leave allowed in any year, the amount not taken shall be accumulated from year to year.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Personal Necessity Leave/Personal Business Leave**

A management employee may be granted a maximum of seven (7) days of personal necessity leave without loss of pay upon approval by the Superintendent/President.

Such leaves shall be deducted from the employee's accumulated sick leave.

Personal necessities are limited to serious illness or death of a member of the immediate family, an accident involving the person or property, or the person or property of a member of the immediate family, or appearance in court as a litigant or witness.

This leave does not include any recreational use.

Each employee shall be entitled to use two (2) of these Personal Necessity days as Personal Business Leave days. These days can be taken in half-day increments.

Adopted: 05/16/89  
Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Jury Duty**

Lassen College management employees shall be granted a leave of absence without loss of pay for the time the employee is required to perform jury duty during the employee's regularly assigned work hours. Request for jury duty should be made by presenting the court summons to the employee's immediate supervisor. The employee is to reimburse the District for monies earned as a juror, except for mileage.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Bereavement Leave**

Employees shall be granted a leave with full pay in the event of the death of any member of the employee's immediate family. The leave shall be for three (3) days within a two hundred and fifty (250) mile radius and five (5) days outside of two hundred and fifty (250) miles. The immediate family is defined as husband, wife, mother, father, sister, brother, son, daughter, mother-in-law, father-in-law, grandfather, grandmother, son-in-law, daughter-in-law, grandchild, foster parent, step-parent, step-son, step-daughter, foster son, foster daughter, brother-in-law, sister-in-law, niece, nephew, or any relative of either spouse living in the immediate household of the employee.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Military Leave**

Military Leave will be granted to management employees pursuant to the provisions of the Military and Veteran's Code of the State of California. Such leave must be verified by a copy of the military orders requiring duty.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**Child-Rearing Leave**

A Lassen College employee who is the natural or adoptive parent of a child shall be entitled to an unpaid leave of absence for a period not to exceed three (3) months. Such leave must be approved by the Governing Board, upon the recommendation of the Superintendent/President.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Industrial Accident or Illness Leave**

Management employees shall receive seventy-five (75) days leave with pay in one fiscal year for an industrial accident or illness. An industrial accident or illness is defined as one in which the employee becomes ill or is injured while she/he is serving the District and the illness or accident is reported to the worker's compensation insurance carrier who accepts responsibility for the treatment of the employee.

Industrial accident or illness leave will commence on the first day of absence. Allowable leave shall not accumulate from year to year. When an industrial accident or illness occurs at a time when the full seventy-five (75) days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the illness or injury occurred, for the same illness or injury.

Payment for wages lost on any day shall not, when added to an award granted the employee under the State's Workmen's Compensation law, exceed the normal wage for the day. Industrial accident leave will be reduced by one (1) day for each day of authorized absence regardless of a compensation award made under Workmen's Compensation.

Adopted: 05/16/89  
Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Community Service Leave**

When a management employee holds a responsible position in a community or professional organization, the employee may be granted up to three (3) days per year to attend conferences or meetings relating to this organization without loss of pay. Such leave must be arranged a month in advance with the supervisor and approved by the Superintendent/President.

Adopted: 05/16/89  
Reviewed: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Freedom of Speech**

The Governing Board recognizes the rights of any employee to take, or refrain from taking, a stand on an issue and to support, or oppose, any issue or candidate or position. Such activities must be conducted on the employee's own time. The employee will exercise reasonable care to show that he/she is acting in his/her capacity as a private citizen.

Adopted: 05/16/89  
Reviewed: 12/12/00  
Reviewed: 01/25/05

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Grievance Procedure**

1. Definition
  - A. A grievance is a formal written allegation by a grievant that he/she has been adversely affected by a violation of District policies.
  - B. A grievant is a management employee filing a grievance.
  - C. A day is any day in which Lassen Community College District is open for business.
  - D. The immediate supervisor is the lowest level manager having immediate jurisdiction over the grievant.
2. Procedure
  - A. Informal Level

**Step I**

- 1) Within fifteen (15) days after the occurrence of the act or omission giving rise to the grievance, or within fifteen (15) work days after which the grievant could reasonably have been expected to have known of the act or omission which give rise to the grievance, the grievant must present the grievance in writing to his/her immediate supervisor. This shall be a clear and concise statement of the grievance, the circumstances involved, including the specific board policy violated, and the specific remedy sought.
- 2) The immediate supervisor shall communicate a decision in writing to the employee with ten (10) working days after receiving the grievance. If the immediate supervisor fails to respond within the time limits, the grievant may appeal to the next level.
- 3) Within the above time limits, either party may request a personal conference with the other in an attempt to resolve the problem. At any time the grievant may wish to do so, he/she may withdraw the grievance.

**Step II**

- 1) In the event that the grievant is not satisfied with the decision at Step I, he/she may appeal the decision within ten (10) working days after the receipt of the decision to the next higher supervisor as identified on the organizational chart. This statement should include a copy of the original grievance, the decision rendered, and a clear and concise statement of the reasons of the appeal.
- 2) The next higher supervisor shall communicate a decision in writing to the employee with ten (10) working days after receiving the appeal. If the next higher supervisor fails to respond within the time limits, the grievant may appeal to the next step.
- 3) Within the above time limits, either party may request a personal conference with the other in an attempt to resolve the problem and end the matter. At any time the grievant may wish to do so, he/she may withdraw the grievance.

**Step III**

- 1) If the grievant is not satisfied with the decision at Step II, he/she may appeal the decision within ten (10) working days to the Superintendent/President. The statement shall include a copy of the original grievance and appeal, the
- 2) decisions rendered, and a clear and concise statement of the reason for the appeal.
- 3) The Superintendent/President shall communicate a decision in writing to the grievant within ten (10) working days. If the grievant is not satisfied with the decision rendered by the Superintendent/President, the grievant may request that the Superintendent/President confer with the Governing Board in Closed Session regarding the merits of the decision.

Adopted: 05/16/89  
Revised: 12/12/00

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California

**PERSONNEL-Confidential Employees/Administrators****Dismissal/Suspension**

Dismissal or suspension of confidential employees shall be restricted to cause as determined by the Board. The Board's determination of the sufficiency of cause for disciplinary action shall be conclusive. Dismissal shall include:

**Cause**

1. One or more of the following causes shall be grounds for suspension, demotion or dismissal of any person employed in the classified service.
2. Incompetency or inefficiency in the performance of the duties of this position.
3. Insubordination (including, but not limited to, refusal to do assigned work.)
4. Carelessness or negligence in the performance of duty or in the care or use of District property.
5. Discourteous, offensive or abusive conduct or language toward other employees, students, or the public.
6. Dishonesty.
7. Drinking alcoholic beverages on the job, or reporting for work while under the influence of alcohol or intoxicants.
8. Addiction to or the use of narcotics.
9. Personal conduct unbecoming an officer or employee of the District.
10. Engaging in political activity during assigned hours of employment.
11. Arrest for, commission of, or involvement in a sex offense as defined in the Education Code.
12. Repeated and unexcused absence or tardiness.
13. Abuse of illness leave privileges.

14. Falsifying any information to the District, including but not limited to, information supplied on application forms, employment records, or any other District records.
15. Persistent violation or refusal to obey safety rules or regulations made applicable to public schools by the Governing or by any appropriate state or local governmental agency.
16. Offering anything of value or service in exchange for special treatment in connection with the employee's job or employment, or accepting anything of value or any service in exchange for granting any special treatment to another employee or to any member of the public.
17. Willful or persistent violation of the Education Code or rules of the Governing Board.
18. Any willful conduct tending to injure the public service.
19. Abandonment of position.
20. Advocacy of overthrow of federal, state, or local government by force, violence or other unlawful means.

**3. Dismissal Procedure for Permanent Confidential Employees**

The President or his designee, shall inform the employee, by written notice, of the specific charges against him, a statement of his right to a hearing on such charges, and the time within which such hearing may be requested.

The written notice of dismissal shall contain a statement relative to the Board's intentions to dismissal said employee after 30 days from service of the notice.

The dismissal notice shall provide the employee with an opportunity for a hearing upon request which shall not be less than five working days after service of the intent to dismiss such employee. Failure on the part of the employee to request a hearing within the limit established in the notice, shall be deemed a refusal by said employee to a hearing.

The intent to dismiss shall also contain a card of paper, the signing of which shall constitute a demand for a hearing, and the denial of all charges.

If the employee requests a hearing within the time prescribed by the dismissal notice, the Board shall afford such employee with an opportunity for the hearing. The burden of proof for establishing sufficiency of cause shall remain with the Board.

No disciplinary action shall be taken for any cause which arose prior to the employee becoming permanent, not for any cause which arose more than two years preceding the date of filing of the notice of cause, unless such cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District.

**4. Dismissal Procedures for Probationary Confidential Employees**

Probationary employees may be dismissed at the discretion of the Board at any time during the probationary period. Upon request the probationer shall be provided with reason for dismissal or nonretention.

Probationary employees are not entitled to a hearing afforded permanent employees.

**Suspension**

An offense committed by a confidential employee which is not sufficiently severe to warrant termination, may result in suspension.

**Administrative Suspension**

The Superintendent/President may suspend a confidential employee for cause for a period not to exceed ten (10) days. The suspension may be with or without pay. The confidential employee will be provided with a statement of reasons for the suspension and may appear the suspension.

**Suspension by the Governing Board**

Upon the recommendation of the Superintendent/President the Governing Board may suspend a confidential employee for a period not to exceed thirty (30) calendar days. The suspension shall be for cause only and the reasons shall be stated in the recommendation of the Superintendent/President. A copy of the recommendation shall be presented in person to the employee, or deposited in the United States registered mail, with postage prepaid, addressed to the employee at

his last known address seven (7) days prior to its consideration by the Governing Board at a regular or special meeting. The employee may request a hearing before the Governing Board prior to any suspension decision of the Board. A written notice of the Governing Board's decision shall be forwarded to the employee by the Superintendent/President. The suspension may be with or without pay.

**Hearing Procedure**

Any confidential employee who has been recommended for suspension, pursuant to the provisions of this policy may appeal the recommendation of the superintendent/President within five (5) working days after receipt of the recommendation. Such an appeal must be made in writing to the Governing Board stating the exceptions taken to the recommendation of the Superintendent/President. The employee shall have the right to appear in person or with counsel to present his case to the Governing Board. The hearing shall be at the first regular or special meeting following the presentation of the written appeal.

The hearing shall be in either an open session or closed session of the Governing Board upon request of the employee. The decision of the Governing Board shall be final.

**PERSONNEL-Confidential Employees/Administrators****Layoffs**

Confidential employees and administrators may be laid off for lack of work or lack of funds. All layoffs will be in accordance with the applicable provisions of the education Code.

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Revised: 01/25/05

LASSEN COMMUNITY COLLEGE DISTRICT  
Susanville, California