



**CONFIDENTIAL & SUPERVISORY TEAM
GENERAL MEMBERSHIP MINUTES**

March 19, 2003

A meeting of the Confidential and Supervisory Group was held on Wednesday, March 19, 2003, at 2pm in room S-7

A. Call to Order

Jo Anne Giese called the meeting to order at 2:07 p.m.

B. Roll Call

Members Present: Jenny Atkins, Cheryl Ashour, Ralph Baker, Barbara Baldrige, Susan Coleman, Diane Cummins, Diane Dellner, Marsha Gable, Kara Garavito, Jo Anne Giese, Donna Greene, Nancy Horio, Rick Kratcoski, Lorraine Lopez, Jamie Moss, Donna Renner, Peggy Richardson and Jim Williamson

Members Absent: Jason Blacklock, Linda Cox, Jimmy Diaz, Ken Dodson, Judy Duncan, Dan Early, Terry Gray, Mike Hill, Lee Hoffmann, Suzanne Holt, Arlene Martinez, Diane McAllister, Frank Mendez, Christopher Miller, Phil Morgan, Josie Silva, Roy Vick and Stephanie Zimmerman

Guest: Dr. Jack Miyamoto

Recorder: Donna Renner

C. Minutes

There were no minutes to approve

D. Unfinished Business

There was none to report (first meeting).

E. New Business

1. Possible Position Eliminations/Bumping Rights

The CAST general membership meeting was assembled so that Dr. Miyamoto would be present to answer any questions that the membership may have regarding potential position eliminations as well as bumping rights.

Rick asked the question if a classified unit employee previously worked as a supervisor but now works in the classified unit, would that employee be able to bump a supervisor out of their position? Jack replied that there are no accessions up – employees can either lateral across or voluntarily demote.

Diane asked the question if a classified unit employee previously worked out-of-classification in a position that they now have been reclassified into, does that working-out-of-classification apply to their years of service. Jack initial response was no but then he replied that he would follow-up on that question with the District's attorney. Note: time out-of-classification counts toward current classification.

Cheryl asked the question if a confidential supervisory position was eliminated would the district look at the years of service this employee served in a lower classified unit position. Jack replied that the district will look

at each position separately including their paid hours. Time in the confidential supervisory group would add to time in lower classified unit position.¹

Rick asked the question if we have two employees with the same title and one employee has been on 100 days ½ paid sick leave and or workers compensation could that employee bump an employee with the same position title. Jack replied, yes.

Lorraine asked the question will the letters indicating the employee will be laid off also indicate, if the employee has bumping rights, the position title that the employee will be bumping. Jack replied, no. It will only indicate that the laid-off employee has bumping rights and has ten (10) days to bump, otherwise the employee will be laid-off. Of course, if the employee chooses to retire then the district will let them do so.
Bumping rights are only valid during layoffs

Lorraine asked the question if after a couple of years when the budget situation improves and the position that was eliminated re-opens will the employee who bumped to a lower position be able to assume that previous position. Jack replied that he would research this and get back with us.²

Rick asked the question if we have two employees – one employee's salary is paid with general funds and the other employee's salary is paid with designated funds would that impact the layoff/bumping rights. Jack replied that funding is not an issue during layoff – there are no protections in either group

Peggy asked the question you have an employee who received the laid-off letter indicating they have bumping rights and they choose to bump and the employee they bumped also has bumping rights how does the district determine which position is bumped. Jack replied that the least senior position would be affected. Jack declared that the first letters will be going to prospective employees in May 2003 (thirty-day notice). Human Resources, Information Services and Payroll Services are working together to determine each employee's classification status. As People Soft is not totally reliable we will need to compare data generated by PeopleSoft with information in the Personnel files to determine the correct information. Human Resources will notify everyone that is affected by a potential lay-off.

¹ 88127. Classified employees shall be subject to layoff for lack of work or lack of funds. Whenever a classified employee is laid off, the order of layoff within the class shall be determined by length of service. The employee, who has been employed the shortest time in the class, plus higher classes, shall be laid off first. Reemployment shall be in the reverse order of layoff. For purposes of this section, for service commencing or continuing after July 1, 1971, "length of service" means all hours in paid status, whether during the school year, a holiday, recess, or any period that a school is in session or closed, but does not include any hours compensated solely on an overtime basis as provided for in Section 88027. Nothing in this section shall preclude the governing board of a community college district from entering into an agreement with the exclusive representative of the classified employees that defines "length of service" to mean the hire date. If a governing board enters into an agreement with the exclusive representative of classified employees that defines "length of service" to mean the hire date, the governing board may define "length of service" to mean the hire date for a classification of employee not represented by any exclusive bargaining unit. Nothing in this section shall preclude the granting of "length of service" credit for time spent on unpaid illness leave, or unpaid industrial accident leave. In addition, for military leave of absence, "length of service" credit shall be granted pursuant to Section 88116. "Hours in paid status" shall not be interpreted to mean any service performed prior to entering into a probationary or permanent status in the classified service of the district except service in restricted positions as provided in this chapter.

² 88117. Persons laid off because of lack of work or lack of funds are eligible to reemployment for a period of 39 months and shall be reemployed in preference to new applicants. In addition, such persons laid off have the right to participate in promotional examinations within the district during the period of 39 months. Employees who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff or to remain in their present positions rather than be reclassified or reassigned, shall be granted the same rights as persons laid off and shall retain eligibility to be considered for reemployment for an additional period of up to 24 months; provided, that the same tests of fitness under which they qualified for appointment to the class shall still apply. The personnel commission shall make the determination of the specific period of eligibility for reemployment on a class-by-class basis. Employees who take voluntary demotions or voluntary reductions in assigned time in lieu of layoff shall be, at the option of the employee, returned to a position in their former class or to positions with increased assigned time as vacancies become available, and without limitation of time, but if there is a valid reemployment list they shall be ranked on that list in accordance with their proper seniority.

Lorraine asked the question if an employee worked for years in the classified unit then obtained a job in the confidential and supervisory group does the district count the years of service in both groups. Jack replied, yes – time and hire class will count toward time in lower class.

Cheryl asked the question if an employee receives a laid-off letter indicating they have bumping rights and they choose to bump, will that employee be Y-rated in their new position. Jack replied, no.

Donna Greene asked how many employees in the CAST group were notified of a potential lay-off. Jo Anne replied three employees.

Diane Dellner asked the question will SERP be offered to district employees. Jack replied that it is still on the table with the faculty (it is one of the items being discussed during faculty negotiations). Jo Anne shared that Jerry had indicated in the Resource Allocation Committee meeting that it was cost-prohibitive for the classified staff.

Rick asked the question if everyone in a department chose to cut their hours, would the district accept that choice as a way to keep an employee from being laid-off. Jack replied that a number of departments had indicated that they wanted to do this but it is not an option at this time.

Peggy asked the question who are the three CAST employees who have been notified that they may lose their jobs. Jo Anne replied, Jason Blacklock, Lorraine Lopez and Arlene Martinez.

Please remember that Dr. Amador is asking everyone to be cautious against speculation and rumor. If you have concerns about what you are hearing, check with your vice president or Dr. Amador. It serves no one to perpetuate incorrect information.

F. ADJOURNMENT

The meeting adjourned at 3:00 p.m.