

Classified Management and Confidential: Reduction In Workload

This procedure applies only to Classified Management and Classified Confidential Employees.

If classified management/confidential employees wish to reduce their workload and maintain retirement benefits pursuant to Section 20819 of the Government Code, they must first meet the following regulations of Education Code Section 88038:

- (a) The classified management/confidential employee shall have reached the age of 55 prior to reduction in workload.
- (b) The classified management/confidential employee shall have been employed full time in a classified management/confidential position for at least 15 years of which the immediately preceding ten years were full-time employment.
- (c) During the period immediately preceding a request for a reduction in workload, the classified management/confidential employee shall have been employed full time in a classified position for a total of at least five years without a break in service.
- (d) The option of part-time employment shall be exercised at the request of the classified management/confidential employee and can be revoked only with the mutual consent of the employer and the classified management/confidential employee.
- (e) The classified management/confidential employee shall be paid a salary which is the pro rata share of the salary he or she would be earning had he or she not elected to exercise the option of part-time employment but shall retain all other rights and benefits for which he or she makes the payments that would be required if he or she remained in full-time classified employment.

The classified management/confidential employee shall receive health benefits as provided in Section 53201 of the Government Code in the same manner as a full-time classified employee.

- (f) The minimum part-time employment shall be the equivalent of one-half of the number of days of service required by the classified management/confidential employee's contract of employment during his or her final year of service in a full-time classified position.
- (g) The period of the part-time classified management/confidential employment shall not exceed five years.
- (h) The period of the part-time classified management/confidential employment shall not extend beyond the end of the school year during which the classified employee reaches his or her 70th birthday.

If the above minimum requirements are met, the employee shall provide written notice to his or her immediate supervisor indicating the request to reduce workload from full-time to part-time.

The supervisor shall immediately notify the appropriate Administrator and the Human Resources Manager.

The Human Resources Manager shall confirm that the requirements of Ed. Code § 88038 have been met, and advise whether there is an existing part-time position or new-Board approved position available.

Subject to availability of a part-time position, the employee's request shall be forwarded to the Superintendent/President, along with a request to backfill the employee's current position, for consideration. If approved by the Superintendent/President, the requests shall be submitted for confirmation at the next regularly scheduled meeting of the Board.

If there is no part-time position available, the employee will be notified that the request has been denied, however he or she will have right of first refusal of the next available "non-represented" part-time position.

Exercise of this privilege shall be at the discretion of the District.

See also BP/AP 7240 - Confidential Employees
See also BP 7260 - Classified Supervisors and Managers

3/5/09 College Council Approval
3/24/09 Board First Read
4/28/09 Board Second Read and Approval