

**ARTICLE 7
EMPLOYMENT PRACTICES**

7.1 Probationary Employment

- 7.1.1 Workers and classified hourly employees who are employed for the first time or are re-employed by the District after resignation serve for a period of one year from the date of employment or re-employment as probationary workers. At the end of the second and fifth months of employment workers will receive written evaluations of their work and their progress towards permanency. Classified hourly employees are evaluated at the end of the sixth month of employment.
- 7.1.2 A probationary worker may be released at any time that the supervising manager and the Office of Human Resources determine that the worker's performance is unsatisfactory. The notice of release will be presented to the worker in writing with a copy to the Union. The probationary worker shall receive five (5) days pay. These five days do not extend the probationary period.
- 7.1.3 Promotional Probationary Period: For a permanent worker who changes job classification due to promotion (except as noted in Section 7.5), probation shall be for six months, unless the worker is released from the new job before this time. At the end of the second month on the new job, the worker shall receive a written evaluation of his/her performance and progress towards permanency. The worker retains permanent status in the District and is only probationary in the new job. If he/she is released from the new job during the six-month probationary period, the Director of Human Resources shall assign the worker to a position in the class in which he/she holds permanency. He/she will be reinstated as a permanent worker, and his/her seniority at the higher position shall be credited to his/her seniority in the lower class. Workers who successfully complete probation shall have their annual step date adjusted to reflect the six-month probationary period.

7.2 Recommendation for Permanency

During the month before a worker completes his/her probationary period, he/she will be reviewed for advancement to permanency. At this time, the District must determine whether to grant permanency. The supervising manager will review all of the worker's evaluations in reaching this determination.

- 7.2.1 If the supervising manager decides that employment will be continued, permanency will be recommended in writing through the regular evaluation form and will be approved by the supervising manager. This decision will be reviewed with the worker. Recommendation for permanency for a classified hourly employee will be made in writing through a letter from the supervising manager. The recommendation will be forwarded to the Office of Human Resources.

- 7.2.2 If the supervising manager does not recommend that the worker or classified hourly employee be granted permanency, employment shall be terminated.
- 7.2.3 Once the worker has been granted permanency, he/she may only be dismissed for cause. (See Article 16, Disciplinary Action.)
- 7.2.4 A permanent worker remains subject to layoff for lack of work or lack of funds in accordance with his/her seniority and displacement rights, if any. (See Article 11, Section 11.1, Layoff.)
- 7.2.5 The permanent status of a worker who changes job classification by movement on a promotional ladder shall not be affected,

7.3 **Orientation and Professional Development Training**

- 7.3.1 The District shall provide an orientation program for all new workers, which shall include a scheduled time for a presentation by a designated ACE representative. ACE shall provide all materials for its presentation.
- 7.3.2 Professional Development Training: Each supervising manager or department head develops procedures whereby a worker or a classified hourly employee receives training in the job assignment and is encouraged to learn the complete function of the department. Professional Development training classes are organized when needed and all workers and classified hourly employees are encouraged to participate in such training.
- 7.3.3 Outside Courses: Workers are encouraged to enroll in outside courses in order to increase job knowledge and efficiency. Workers are also encouraged to attend conferences appropriate to their positions. (See Professional Growth Award, Section 8.5.)

If a worker and the supervising manager can make mutually agreeable arrangements for making up lost time, a worker may enroll in a class, typically on one of the campuses, during normal working hours. If a supervisor recommends that a worker enroll in a specific class in order to improve efficiency in the present position, the District will reimburse the worker after the class has been completed for any fees and/or books required for the class. If a supervising manager requires a worker to enroll in a class, the worker will receive released time for attendance if necessary and reimbursement for all fees and/or books required for enrollment in the class.

7.8 **Termination**

7.8.1 **Notice of Resignation**

A worker who wishes to leave the service of the District in good standing must file with the Board of Trustees through the supervisor a written resignation giving the District reasonable notice of the last date of service. The Chancellor or designee is authorized by the Board to officially accept the resignation of any worker. The resignation of the worker shall be final and effective at the time of receipt by the Chancellor or designee.

7.8.2 **Abandonment of Position**

If a worker is absent for three working days without leave or without having notified her/his supervisor, the absence will be an automatic resignation from the District. A worker may request reinstatement from such a resignation. If the District has given the worker written notice of the automatic resignation, any request for reinstatement must be filed with the Director of Human Resources within 15 days of this notice. Reinstatement may be granted only if the worker makes a satisfactory explanation of the cause of her/his absence and for failure to notify her/his supervisor. Reinstatement will be determined by the supervising manager in consultation with the Director of Human Resources or his/her designee.

7.8.3 **Paid Benefits and Leave Credit upon Termination**

A worker who terminates employment in the District shall receive paid benefits and leave credit through the end of the month in which the termination is effective.

7.9 **Reemployment**

If a former classified worker is re-employed within one calendar year of the last date of the former period of employment with the District and he/she left the District for any reason other than dismissal for cause or abandonment of position, he/she shall regain hours in paid status for seniority purposes, accumulated sick leave, unused personal leave, and former vacation status. A former worker is re-employed in probationary status in accordance with Section 7.1. A worker re-employed in the same classification shall be placed at his or her former step on the salary schedule.

7.10 **Evaluation of Performance**

Evaluations of worker performance are made on a regular schedule (see Sections 7.1.1 and 7.2). After successful completion of the probationary period, classified hourly employees shall be evaluated at least once in each 24-month period. The evaluation process serves as an opportunity for both the worker and the administrator to clarify expectations and goals for performance of the worker's job duties and responsibilities. The evaluation is a written

assessment of the worker's performance and enhances communication between the worker and administrator.

The performance evaluation should communicate performance standards for the position and encourage growth and development/improvement of performance for the future. Each evaluation must be signed by the supervising manager and the worker to indicate that it has been discussed. The worker may comment in writing on the evaluation form (within 10 days of receipt of evaluation), which then is filed in the official personnel file.

7.10.1 Responsibility for Performance Appraisals: Performance appraisals shall be prepared and presented by the worker's immediate supervisor/manager.

7.10.2 Performance Appraisal Process: Performance appraisal reports shall be written on forms provided by the District and shall be signed by the person making the appraisal. The worker shall sign the report as evidence of his/her knowledge of its contents. A copy of the report shall be maintained in the official personnel file.

7.10.3 Any negative documentation will be shared with the employee prior to inclusion in any performance evaluation.

7.10.4 The Director of Human Resources shall hold the performance appraisal for ten (10) working days before filing it. If a response is submitted within ten (10) working days of the appraisal, the Director of Human Resources, prior to the materials being placed in the worker's personnel file, will review both the response and the appraisal. However, a written response may be submitted at any time and directly placed in the personnel file.

7.10.5 Salary Impact Review: Any worker who has their advancement withheld due to their performance evaluation may request a review by the Director of Human Resources of the appraisal. The Director of Human Resources shall meet with the worker and the worker's ACE representative and issue his/her decision.

7.11 Personnel Records

All personnel files shall be kept in confidence and shall be available for inspection only to officials of the District in the proper administration of the District's affairs or the supervision of the worker. Information from the employment records of a classified worker shall not be released outside of the District without the consent of the classified worker unless the release is compelled by law or by a judicial order or lawfully issued subpoena. A steward or other representative of the Union shall be authorized to review a personnel file only with written consent of the worker.

The Office of Human Resources maintains a complete file of records on each classified worker of the District. Except for routine records, no items will be placed in a personnel file without the knowledge of the worker. A worker may examine the contents of this file, with the exception of confidential letters of reference and comments of interviewers. No