

LOS ANGELES UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION

745

LAW AND RULES

(Reissue) August 3, 1987

745 VOLUNTARY DEMOTION OR REDUCTION IN STATUS OR ASSIGNED TIME

A. REDUCTIONS

1. A voluntary demotion is an action initiated by a regular employee resulting in assignment to a class with a lower maximum regular salary rate. (For a class with both confidential and represented positions, the regular salary rates are those of the range negotiated in collective bargaining.) Voluntary demotion may be made if comparison of the employee's regular class and the class to which assignment is proposed indicates similarity of duties, examination content, entrance qualifications, and other factors listed in Rule 715, Paragraph D. The degree to which the two classes must be comparable may vary as provided by Paragraph E. of Rule 715.
2. Reduction in status is an action initiated by a regular employee that changes the employee's status to substitute or relief.

B. SUBSEQUENT REASSIGNMENTS

(Rule 740, Paragraph C., outlines rights of employees who have taken voluntary demotion, voluntary reduction in status, or voluntary reduction to part-time employment in lieu of layoff.)

1. A permanent employee who has taken a voluntary demotion or a reduction in status may be considered for assignment without competitive procedures to a vacancy in any class to which the employee was regularly appointed or in any class that is not higher than a class in which probationary or permanent status was achieved. The determination of "higher class" shall be based on comparison of maximum regular salary rates. For a class with both confidential and represented positions, regular salary rates are those of the range negotiated in collective bargaining. If the employee has not previously been in regular status in the class of the proposed assignment, an appointment may be made provided that comparison of the employee's former class and the class of the proposed assignment indicates they meet the criteria for relatedness outlined in Rule 715.
 - a. If the employee has an earned salary status in accordance with Rule 582, the salary rate shall be determined by application of that Rule. If a regular appointment is to be made in accordance with this Rule, based upon former probationary status in a higher class, the salary step shall be that which provides a minimum increase over the step in the current regular assignment, not including any differential, or over the employee's earned salary status, if applicable.

CHANGE:

Paragraph A. and B.1 amended to reflect salary variations due to the designation of some positions as confidential.
Remove: August 3, 1987, page 1 of 3. Add: (Reissue) August 3, 1987, page 1 of 2.

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- b. The extent to which the tests of similarity must be met varies. In general, more latitude may be allowed
 - (1) as the employee's length of service with the District increases
 - (2) when the request is based on layoff, reclassification, or reasons of health
 - (3) when there is no eligibility list for the class to which assignment is proposed.
 - c. Any proposed assignment to a class in which the employee has not served and which is not within the same Group of classes as the class upon which eligibility for assignment is based must be reviewed and approved by the Personnel Director or designee based on tests of similarity as set forth above.
2. The benefits of this Rule shall be available for 39 months after the date of voluntary demotion or voluntary reduction in status, except that no time limitation for return to former class shall apply to permanent employees who took voluntary demotions in lieu of layoff on or after March 7, 1973. A permanent full-time employee who has taken a voluntary reduction in assigned hours to part-time status shall also be eligible for return to full-time status without regard to the 39-month time limit.
 3. The above provisions apply even in cases where there has been an intervening separation, provided this separation was not for cause. This Rule shall not apply in cases where demotion was the result of misconduct or inefficiency.
 4. If service requirements for step advancement were met before demotion from or reduction in status in the former class, but not previously credited in that class, salary-step advancement shall be allowed when the employee is restored to former class or to regular status.
 5. Refusal of three offered certifications or appointments cancels the privilege accorded by this Rule.
- C. An employee who has probationary status only and takes a voluntary demotion or a voluntary reduction in status may have his/her name restored to its proper place according to score on the eligibility list from which appointment was made.
 - D. No appointment under this Rule shall supersede reemployment rights of other persons, but persons who have accepted demotions or reductions in status in lieu of layoffs shall be held not to have forfeited their reemployment rights.

CHANGE:

Rule amended to update outdated language and clarification of existing procedures.

Remove: August 28, 2002, page 2 of 3 . Add: September 8, 2008, page 2 of 2.

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