

## **CHAPTER VIII TRANSFERS**

### **8.1. TRANSFER PROCEDURES**

#### **A. ADMINISTRATIVE TRANSFER**

1. **TRANSFER WITHIN THE SAME CLASS.** An employee may be transferred administratively from one position to another position in the same class to meet the needs of the District as determined by the District. Such transfer shall be at the discretion of the division head(s) where the positions are located. The Personnel Commission shall be notified in writing of such transfer prior to the effective date of the transfer.
2. **TRANSFER TO A RELATED CLASS.** Transfer of an employee to a position in a related class at the same or lower salary level may be authorized by the Personnel Commission upon the request of the division head(s) indicating the circumstances that necessitate the transfer.
3. **TRANSFER NOT TO ALTER LAYOFF.** Transfer shall not be used to alter the incidence of an impending layoff. However, when the elimination of a position at a worksite necessitates a transfer, the transfer will be accomplished as follows:
  - a. If there is only one person assigned to the class at the site where the position is eliminated, that person will be transferred.
  - b. If there are two or more people assigned to the class at the site where the position is eliminated, the manager will ask for volunteers for transfer.
    - (1) If two or more people volunteer for transfer, the employee with the most District seniority in the class will be transferred.
    - (2) If there are no volunteers for transfer, the employee with the least District seniority in the class at the site will be transferred.
  - c. In the event there is no vacant position in the class available, layoff procedures for lack of work/lack of funds will be initiated.

**B. REASONS FOR ADMINISTRATIVE TRANSFER.** Reasons for any transfer which is not originated by the employee shall be discussed with the employee by the appropriate division head or designee at least (10) working days prior to the transfer, except in the case of extenuating circumstances.

#### **C. TRANSFER REQUEST BY EMPLOYEE**

1. **Transfer to same class -** An employee with permanent status may request a transfer from one position to another within the same class. Such requests shall be in writing and submitted to the Personnel Commission office. A transfer request shall

remain active through June 30 at which time the request must be renewed. No obligation shall exist to fill a position by transfer rather than by any other methods of appointment; however, each employee will be notified that their transfer request has been received and will be considered as openings occur.

2. Transfer to a related class - An employee with permanent status may request a transfer from their current classification to a related classification at the same or lower salary level. Such requests shall be submitted in accordance with paragraph C (1) above. However, the request must be approved by the Personnel Commission staff prior to certification as an available transfer eligible.

#### D. RELATED CLASS CRITERIA

1. Personnel Commission staff shall determine whether or not classes are related based on similarity of:
  - a. Duties
  - b. Examination content
  - c. Experience and education qualifications
  - d. Promotional field (above and below)
2. The extent to which the two classes are related will be considered. In general, more latitude in approving transfers is allowed:
  - a. As the employee's length of service with the school district increases.
  - b. When the request for transfer is based on layoff, reclassification, or health.
  - c. When there is no eligibility list for the class to which transfer is requested.
  - d. When the employee's education and experience verifies they meet the requirements of the new class.

E. STATUS ATTAINED BY TRANSFER. A permanent employee, upon transfer to another position in the same class, shall assume permanent status in the new position. A permanent employee transferring to a related class in which they have not completed a probationary period must serve a probationary period in accordance with Rule 7.1.

F. TRANSFER OF PROBATIONARY EMPLOYEE. Probationary employees are not eligible to request voluntary transfers except under unusual circumstances, and then only with the concurrence of their immediate supervisor. Should a probationary employee transfer request be granted, the supervisor approving the transfer must complete an evaluation before the effective date of the transfer if an evaluation is due. A probationary employee transferred to another position in their class shall acquire permanent status in the class upon the completion of the balance of the probationary period. A probationer may

not be transferred to a position in a related class but must be appointed from an appropriate eligibility list.

G. SALARY AND BENEFITS UPON TRANSFER

1. Receive the same step in the salary range for the new position.
2. Retain their anniversary date for receiving salary increments.
3. Retain their accumulated sick leave and vacation credits.

H. SENIORITY RIGHTS. A transferred employee shall retain seniority credits already earned in accordance with Education Code 45308.

I. PHYSICAL INCAPACITY. When an employee becomes physically incapacitated for the performance of any of their duties as determined by the District's Physician, the department head may, with the approval of the Commission, transfer them to a position in a class of the same or lower salary level which they have the ability to fill or for which they may be expected to acquire the necessary ability after a reasonable program of in-service training. In case of transfer to a lower level, the employee shall receive the same salary they were receiving in their former class but not to exceed the maximum of the salary of the class to which they are transferred. The employee shall retain their anniversary date.

Reference: California Education Code 45279

J. PRECEDENCE OF TRANSFERS.

1. No obligation shall exist to fill a position by transfer rather than by other methods of appointment.
2. When there are fewer than three (3) transfer requests on the eligibility list, each employee requesting a transfer will be interviewed for the available position. When there are more than three (3) transfer requests on the eligibility list, the person responsible for filling the position will select at least three (3) employees requesting a transfer to be interviewed.
3. When a manager is interviewing concurrently to fill more than one vacant position in the same classification, a single interview of a candidate shall fulfill the requirements of interviewing for all such positions.
4. A manager shall not be required to interview a candidate again if that manager has interviewed that candidate for another vacant position in the same classification within the previous one hundred and twenty (120) calendar days.