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Assembly California Legislature



BLANCA E. RUBIO
ASSEMBLYMEMBER, FORTY-EIGHTH DISTRICT

COMMITTEES
AGING AND LONG-TERM CARE
BUDGET
GOVERNMENTAL ORGANIZATION
WATER, PARKS, AND WILDLIFE
BUDGET SUBCOMMITTEE NO. 1 ON
HEALTH AND HUMAN SERVICES
JOINT LEGISLATIVE AUDIT

January 21, 2020

FEB 03 2020

The Honorable Rudy Salas, Chair
Joint Legislative Audit Committee
1020 N Street, Room 107
Sacramento, CA 95814

2020-111

Dear Assembly Member Salas:

I write to request a full and comprehensive audit of the Personnel Commission of the Los Angeles Community College District (LACCD). The request is put forth in the spirit of improving our Merit System and better serving our classified employees of the LACCD.

The Personnel Commission emanates from Article 4, Chapter 4, Sections 88060 through 88139 inclusive of the California State Education Code. The Merit System is a personnel system that provides for the fair selection, retention, and promotion of classified employees on the basis of individual merit and fitness demonstrated by competitive examinations and performance. The LACCD Personnel Commission is charged with developing and maintaining a fair Merit System for classified employees of the District and fostering the advancement of a career service for these employees. The Personnel Commission operates completely independent of the Community College District and makes decisions which can significantly impact the budget of the District.

Over the years, classified employees, representative labor groups and administrators have voiced concerns about inconsistent practices of the LACCD Personnel Commission. In particular, there is concern that Personnel Commission Rules may not be applied fairly, consistently and in accordance with applicable provisions of the California State Education Code.

Employees have articulated to the LACCD Board of Trustees and the Personnel Commission concerns that processes such as reclassifications, working out of classifications and promotions, lack consistency, merit, validity and reliability. These practices have resulted in adverse impacts to classified employees, including, but not limited to, the loss of compensation and promotional opportunities. There is also concern that the Personnel Commission overreaches into matters that are within the scope of employee group representation. In the past, labor groups have casted a vote of no confidence against the Personnel Commission citing the Personnel Commission's inability to be impartial and represent the best interests of the District's classified employees.

The AFT Staff Guild, 1521A, represents the largest classified union with over 1,250 members within the Los Angeles Community College District. A recent survey by the Staff Guild revealed an overwhelmingly unfavorable opinion of the Personnel Commission citing egregious cases of

inequity and inconsistency in the application of the Personnel Rules. With over 1,000 surveys filled out by the members, it appears that the majority of the classified employees have lost confidence in the ability of the Personnel Commission to function as fair and impartial body.

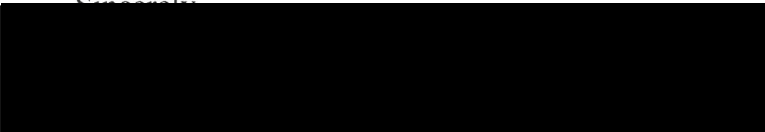
It is for these reasons that I am requesting an audit of the Personnel Commission. The goal is to receive recommendations from a trusted, external agency that will allow the District to continue to support what they do well and to make improvements for the betterment of our classified employees.

I respectfully request that the Joint Legislative Audit Committee approve an audit to have the State Auditor examine the Personnel Commission. The audit should review the policies and practices of the commission and make recommendations that will adhere to the letter and spirit of the law under which the Personnel Commission was established and is governed. The audit shall contain the following scope:

1. Review and evaluate the laws, rules and regulations significant to the audit objectives.
2. Determine whether the Personnel Commission is engaging in fair and consistent practices in its processes used to make personnel decisions.
3. Review the accountability measures, if any, employed by the Personnel Commission and determine whether they are sufficient for a public hiring agency.
4. Review the Commission's testing process and determine whether it is fair, relevant and structured in such a way to allow employees equal opportunities to promote.
5. Determine whether the Personnel Commission's Rules are consistent with the California Education Code and applied consistently to all employees.
6. Determine whether there is a mechanism of sufficient controls, and checks and balances for the Commission's budget approval and expenditures.
7. Identify the Commission's process for determining and considering how its decisions impact the budget of the College District.
8. Review the appeal process employed by the Commission and review whether this processes adequately takes grievances into consideration.

Should you have any questions, please do not hesitate to contact Taylor Woolfork in my office at (916) 319-2048.

Sincerely,



Blanca Rubio
Assemblymember, 48th District