

**ARTICLE 9  
VACANT POSITIONS AND REASSIGNMENTS**

9.1 A vacancy is a position the District determines to be open to internal and/or external applicants by virtue of a resignation, termination, reorganization, or the establishment of a new position.

9.1.1 The District shall not fill a vacant position with a non-unit employee for more than sixty (60) days without conferring with CCCUE. (Per Education Code 88003)

Notice of Vacant Position

9.2 Upon the determination that a vacant position shall be filled, the Employer shall both post appropriate notices on bulletin boards normally used for such purposes and send a campus-wide email to all classified employees. The notice shall be posted for no less than five (5) workdays prior to the public posting.

9.2.1 The notice shall include: the job title, a brief description of the position and duties, required minimum qualifications, job location, the number of hours per day, the regular hours of work, days per week and months per year, the salary range, and the deadline for filing an application.

9.2.1.1 A copy of the notice shall be sent via email and regular US mail (with return receipt requested) to any employee on the re-employment list, both 39 months and 63 months and to any employee on an extended leave for sick, Family Medical Leave, and/or Catastrophic Leave. This does not include vacation.

9.2.2 An employee may file for a posted vacancy by submitting a written application with the Human Resources office within the filing period.

Consideration Process

9.3 Prior to any job announcement, the District must complete the following:

1. Contact employees via email on the re-employment list, both 39 months and 63 months, and to any employee on an extended leave for sick, Family Medical Leave, and/or Catastrophic Leave. This does not include vacation. If a personal email address is not on file, then the notice will be sent via regular mail. These employees are not required to apply for vacancies or position which they previously held while employed with the District (see Article 18 of the contract), and will be placed into those positions in reverse order of layoff. Individuals on the re-employment list who wish to apply for a promotional position or position where they held no seniority may follow District hiring practices.

2. Contact those employees who have submitted a transfer request. If two or more applicants requesting a transfer are equally qualified, the employee with the most seniority shall receive the position (see Article 10).

9.4 If there are not qualified applicants on the re-employment list or no transfer candidates, applications will be posted and reviewed by Human Resources. Each applicant must attach materials to the application that the person wishes to have considered during the review process. After applications have been filed, and the determination has been made as to which application, if any, fulfill the posted requisite qualifications; the applications will be grouped as to (1) Transfers (See Article 10), (2) positions for which an employee on the re-employment list may reasonably qualify, (3) other district employees, and (4) non-employee applicants. All applicants who meet the

posted requirements are rated by a screening committee and interviewed per the screening committee's decision.

- 9.4.1 Employees submitting a transfer request may submit a letter of intent to Human Resources.
  - 9.4.2 The screening committee will review and consider each applicant's qualifications. The screening committee for each position shall be established by Human Resources and shall include, at a minimum, the affected manager and a member appointed by CCCUE. Criteria for the determination of qualifications are an applicant's training, experience, previous job performance and the materials attached to the application, as these factors relate to the posted prerequisite qualifications.
  - 9.4.3 The screening committee reviews the applications and decides which applications to move forward for an interview.
- 9.5 After the screening committee interviews the selected candidates, reviews skills test and presentation, the committee will make the recommendation for the vacancy to be filled in the following order:
- 9.5.1 If the screening committee determines the best qualified applicant is a District employee, the employee shall be placed in the position based on the criteria set forth in paragraph 9.4. If two or more District employees are equally qualified, as determined by the District, the employee with the most seniority shall receive the position.
  - 9.5.2 A non-employee applicant would be selected to fill the original vacant position if the District determines the applicant is more qualified than the other employee applicants based on the criteria set forth as should be in paragraph 9.4.2.
  - 9.5.3 A second interview may be requested by the Committee Chairperson.
  - 9.5.4 An employee who is not selected to fill a vacant position may request a written explanation of the reason or reasons that the employee was not selected. The request must be made to Human Resources in writing within ten (10) days of the date the position was filled. A written response will be provided within 10 days of the request.

#### Trial Period

- 9.6 A permanent employee who has been placed in a vacant position by operation of paragraph 9.4.2 or paragraph 9.4.3 shall serve on a 60-day trial period in the new classification.
- 9.6.1 A trial period evaluation of work performance shall be made consistent with the procedures set forth in ARTICLE 11, EVALUATION PROCEDURES. If, as a result of the evaluation, the District determines that the employee has not successfully served in the new position during the trial period, or if the employee requests to return to the prior position during the trial period, the employee shall be reverted to the prior position. The trial period evaluation shall not be utilized for any other purpose.
  - 9.6.2 Any reversion made during the trial period may result in the bumping, displacement, or layoff or subsequent reversion of another employee or employees to a position held prior to the initial action on the vacancy.