

HR - Standard Operating Procedures Temporary Working Out of Classification (WOC)

1. Purpose

The purpose of this Standard Operating Procedure (SOP) is to establish clear, consistent, and equitable guidelines for assigning, approving, compensating, and documenting situations in which District employees are required to perform duties outside of their assigned classification, commonly referred to as a **Temporary Working Out of Classification (WOC) Assignment**. This SOP applies to both Classified employees and Management employees (classified and educational). For employees covered by the CSEA collective bargaining agreement, in the event of any conflict between this SOP and the CBA, the CBA shall govern.

2. Scope

2.1 Covered Employees

This SOP applies to:

- Classified employees (including confidential employees, where applicable)
- Management employees (classified and educational management)

2.2 Exclusions

This SOP does not apply to assignments or activities excluded under **Section 5 (Exemptions and Special Assignments)**.

3. Policy Statement

Employees shall not be required to perform duties outside of their assigned job description except as provided in this SOP. The District recognizes that operational needs may occasionally require employees to temporarily perform duties outside their classification and affirms its commitment to fair and equitable compensation in accordance with applicable collective bargaining agreements, District policy, and Education Code.

4. Definition of Working Out of Classification

An employee is considered to be working out of classification when they are assigned and required to perform duties of a different classification that are not reasonably related to their assigned job description and that are clearly aligned with another established classification. Eligibility for Working Out of Classification compensation is subject to the time thresholds set forth in Section 6.

4.1 Minimum Qualifications Consideration

When an employee is assigned to perform substantially all of the duties of a higher classification, the employee should meet the minimum qualifications established for that classification. This

supports alignment with the District's classification structure and helps ensure the employee may be considered for the position should it later be filled through recruitment.

In circumstances where operational needs require temporary coverage and the employee does not meet the minimum qualifications, the assignment may still be approved provided the duties assigned do not constitute the full scope of responsibilities of the higher classification. Human Resources shall review the proposed duties to determine whether the assignment reflects partial duties or substantially all duties of the higher classification.

5. Exemptions and Special Assignments

5.1 General Exemptions

The following are exempt from Working Out of Classification provisions:

- Work performed as part of an approved professional development activity
- Documented cross-training assignments that do not meet the WOC time threshold
- Emergency assignments of fewer than five (5) working days within a fifteen (15) calendar-day period
- Duties performed at the same or lower level than the employee's current classification

5.2 Substitute Assignments for Vacant Classified Positions

When the District is actively engaged in the process of hiring a permanent employee to fill a vacant classified position:

- Assignments are authorized pursuant to **Education Code section 88003**. The District may employ one (1) or more substitute or short-term employees to fill the vacancy for **not more than sixty (60) calendar days**
- Assignments are authorized pursuant to **Government Code §20480**. When an active employee is placed into a higher classification to fill a vacant position during recruitment, the assignment is limited to 960 hours per fiscal year and must be tracked and reported to CalPERS.
 - Exceeding that limit can trigger a CalPERS audit and may result in required corrections to compensation reporting and employer contributions, particularly if the assignment appears to function as an ongoing appointment rather than a temporary one.
- Prior to employing a substitute or short-term employee, the District shall notify CSEA of:
 - The services to be performed, and
 - The anticipated start and end dates of the assignment

Assignments meeting the criteria of this subsection shall be treated as substitute assignments and not as Working Out of Classification, provided they remain within the sixty (60) calendar-day limitation.

6. Time Thresholds for Working Out of Classification

6.1 Classified Employees

A classified employee who is required to perform duties outside of their job description for **more than five (5) working days within any fifteen (15) calendar-day period** shall be considered to be working out of classification and subject to the provisions of this SOP. Nothing in this SOP alters the standing requirements for reclassification under CBA Section 4C3. This SOP is intended to implement Working Out of Classification compensation procedures only.

6.2 Management Employees

Management employees shall be considered to be working out of classification only when assigned higher-level duties that are clearly outside their normal scope of responsibility and aligned with a higher management or supervisory role. Routine workload increases, redistribution of tasks, cyclical coverage tied to short-term absences, or assignments reasonably related to the employee's current position do not constitute Working Out of Classification. Intermittent or recurring assignments may be evaluated as Working Out of Classification based on the nature, level, and scope of responsibility of the duties performed.

Employees assigned to serve in an interim or acting capacity for a vacant position must meet the minimum qualifications established for the classification unless an exception is approved by the Vice Chancellor, Human Resources due to documented operational necessity.

7. Classified Employee Compensation

7.1 Required Salary Adjustment

A classified employee may be required to perform duties inconsistent with those assigned to their position for a period exceeding the threshold in Section 6.1, provided that:

- The employee's salary is adjusted upward for the **entire period** of the Working Out of Classification assignment, and
- The adjustment reasonably reflects the duties performed outside the employee's normal assigned duties.

Eligibility for compensation is based on the performance of qualifying work and is not negated by the absence of prior approval; however, any retroactive compensation shall be limited as provided in Section 7.3.

7.2 Salary Placement

A classified employee compensated for Working Out of Classification shall be placed on the **same salary step** in the higher salary range as their current step in their regular classification.

7.3 Duration, Retroactivity, and Limits of Compensation

- Salary adjustments shall be effective retroactively to the first day the employee met the Working Out of Classification threshold
- Retroactive compensation shall be limited to a maximum of five (5) months, regardless of when the assignment began or when it was identified
- Compensation shall remain in effect for the entire duration of the approved assignment

Working Out of Classification assignments shall not exceed five (5) months per approval without a new submission and review. In no event shall an employee serve in Working Out of Classification assignments for the same higher classification for more than twelve (12) cumulative months within a twenty-four (24) month period without the position being evaluated for recruitment, reclassification, or other appropriate personnel action.

When a Working Out of Classification assignment exceeds six (6) months, the department shall consult with Human Resources to determine whether recruitment to fill the position should be initiated.

Working Out of Classification assignments shall not be used as a substitute for timely recruitment, and departments are expected to initiate appropriate recruitment or other personnel action when ongoing operational needs are identified.

7.4 Lower-Level Assignments

When a classified employee is required to perform duties in a lower classification, the employee's current salary shall be maintained for the entire period of the assignment.

8. Management Employees Compensation

8.1 Eligibility

Management employees may be eligible for a Temporary Working Out of Classification assignment only when:

- Assigned **interim or acting responsibilities** in a higher-level management or supervisory position, or
- Assigned to perform **substantial portions of the duties of a vacant higher-level position**

The assigned duties must be clearly aligned with a higher management classification and outside the normal scope of the employee's current position. Interim and acting assignments shall be discussed with the employee prior to assignment, and the employee shall be provided the opportunity to decline such assignments.

8.2 Non-Qualifying Assignments

The following do not qualify as Working Out of Classification for management employees and shall not result in additional compensation:

- Additional responsibilities at the same management level
- Performance of duties at a lower level
- Temporary workload increases, task redistribution, or coverage within the employee's existing classification

8.3 Compensation

When approved:

- Compensation adjustments shall be **temporary** and limited to the duration of the assignment
- Adjustments shall be based on the **nature, scope, and complexity** of the higher-level duties performed
- Compensation shall **not exceed ten percent (10%)** of the employee's base salary

The **Vice Chancellor, Human Resources** shall have sole authority to determine eligibility for management Working Out of Classification assignments and to approve any associated compensation adjustments.

8.4 Documentation and Approval

All management Working Out of Classification assignments must be documented in writing and reviewed by Human Resources.

9. Review and Authorization Process

9.1 Employee Claim Requirement

When an employee will be or has been required to work out of classification, the employee or supervisor must submit the **District-approved Working Out of Classification Request/Claim Form (Appendix A) five (5) working days in advance** of out-of-classification work but no later than **fifteen (15) working days following the beginning** of any out-of-classification work. Failure to submit a timely form may delay review and compensation but does not eliminate eligibility for compensation, subject to the retroactive pay limitations in Section 7.3.

9.2 Review and Authorization

Human Resources shall review all submissions for compliance with Education Code §88010, applicable collective bargaining agreements, and this SOP. For assignments originating at a College, the College President or designee shall provide **operational approval of the assignment** prior to Human Resources review. Operational approval of an assignment does not guarantee eligibility for Working Out of Classification compensation, which is subject to Human Resources review and final approval. For classified employees, salary adjustments shall be authorized by the Vice Chancellor, Human Resources in accordance with District policy. For management employees, the Vice Chancellor, Human Resources shall have sole authority to determine eligibility and approve any compensation adjustment.

10. Roles and Responsibilities

Employees

- Notify supervisors when they believe they are working out of classification
- Accurately track and report assigned duties and dates

Supervisors

- Obtain appropriate College/Division approval prior to assigning out-of-classification duties when practicable
- Ensure employees are not assigned out-of-classification duties without appropriate authorization
- Initiate Working Out of Classification requests promptly
- Monitor assignment duration and scope

Human Resources

- Review and evaluate Working Out of Classification requests and claims
- Evaluate proposed assignments to determine whether they constitute Working Out of Classification and whether the assigned duties align with another established classification
- Verify whether the employee meets the minimum qualifications for the higher classification when the assignment involves performing substantially all duties of that classification or serving in an interim or acting capacity
- Ensure that Working Out of Classification assignments are not used to circumvent recruitment or classification processes
- Ensure compliance with all applicable laws governing temporary assignments, including Education Code §§88003 and 88010 and applicable CalPERS post-retirement employment limitations.
- Ensure appropriate classification alignment and compensation
- Maintain official records of assignments and approvals

11. Compliance and Review

Failure to follow this SOP may result in corrective action and/or retroactive compensation adjustments. This SOP shall be reviewed periodically and updated as necessary to ensure consistency with collective bargaining agreements, District policy, and applicable law.

Appendix A: Working Out of Classification (WOC) Request Form

Working Out of Classification (WOC) Request / Claim Form

This form is used to request approval for, or report, temporary Working Out of Classification (WOC) assignments in accordance with District policy, applicable collective bargaining agreements, and Education Code §88010.

Section 1: Employee Information

Employee Name: _____

Employee ID (if applicable): _____

Current Job Title / Classification: _____

Department / Division: _____

Supervisor: _____

Employment Type (check one):

☐ Classified ☐ Confidential ☐ Management

Section 2: Type of Submission

☐ Supervisor-Initiated WOC Assignment Request

☐ Employee-Initiated WOC Claim

Section 3: Assignment Information

Higher Classification or Position Whose Duties Are Being Performed:

Reason for Assignment (check one):

- ☐ Coverage of Vacant Position
- ☐ Interim / Acting Assignment (Management)
- ☐ Temporary Operational Need
- ☐ Other: _____

Brief Description of Duties Performed Outside Current Classification:

Section 4: Assignment Dates

First Date Duties Were Performed: _____

Anticipated End Date (if known): _____

Total Number of Working Days Assigned (if known): _____

Section 5: Employee Certification

I certify that the duties described above are outside my normal assigned classification.

Employee Signature: _____

Date: _____

Section 6: Supervisor Certification

I certify that the duties described are required by the District and are outside the employee's assigned classification.

Supervisor Signature: _____

Date: _____

Section 7: College/Division Approval

☐ Approved ☐ Denied

President Signature: _____

Date: _____

Section 8: Human Resources Review

Higher Classification Identified: _____

☐ Assignment meets Working Out of Classification criteria

☐ Assignment does not qualify as WOC (reason): _____

Applicable Reference:

☐ Education Code §88010

☐ District Policy / CBA

Compensation Adjustment (if applicable): _____

HR Reviewer: _____

Signature: _____

Date: _____

Section 9: Vice Chancellor, Human Resources Approval

☐ Approved ☐ Denied

Approved Salary Adjustment (if applicable): _____

Effective Dates: _____

Vice Chancellor Signature: _____

Date: _____

Submission Instructions

Supervisor-initiated requests should be submitted **prior to the assignment whenever practicable**. Employee claims must be submitted **within fifteen (15) working days** following the first day of out-of-classification work.