

# CODESP NEWS

Volume 28 No. 8

April 2000

## ADA UPDATE

Over 25 CODESP members were present to hear Bruce Barsook, attorney from Liebert Cassidy, discuss the *Effect of the ADA on the Application and Hiring Process*.

The ADA has numerous prohibitions that impact the hiring process. The general prohibition provides that no employer shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, and the hiring of employees.

The first step in ensuring compliance with the ADA is to establish job-related qualification standards and selection criteria that seek out the most qualified person for the job. The ADA does not interfere with the employer's authority to establish job qualification standards that enable the employer to hire people who can perform the job effectively and safely. Similarly, the ADA does not prevent an employer from hiring the most qualified individual based on both subjective and objective standards. The ADA does require, however, that qualification standards be established so as not to exclude disabled applicants *because of their disability* from jobs they can perform.

The ADA applies to all selection standards and procedures, including, but not limited to: education and work experience requirements; physical and mental requirements; safety requirements; paper and pencil tests; physical and psychological tests; interview questions; and rating systems.

*Liebert Cassidy has offices in Los Angeles and San Francisco.*

## CODESP GOES ON THE ROAD

CODESP staff will be on-the-road throughout May providing training in three different areas:

### MAY 6th – Palm Springs

CODESP staff will be presenting at the Southern California State Personnel Commissioner's conference at the **Indian Wells Resort**. Our session will be on Saturday, between 9:15 and 10:30 a.m. The workshop, "*Why Do Recruitment Processes Fail?*" will cover some of the problems that may occur during the selection process and how to avoid them in the future.

### MAY 12th – Encinitas

CODESP's May Membership Training Meeting will be held at the **San Dieguito Union High School District** in Encinitas. The meeting will be from 10 a.m. – 12 noon. Woody Merrill, attorney for Best, Best and Krieger will provide a training session on *Employment Law Updates*.

### May 19th – Redwood City

Due to the success of our recent training meeting in Orange County, the law firm of Liebert Cassidy, will repeat their *ADA Update* presentation at the **San Mateo COE** in Redwood City, between 9:30 a.m. and 12 noon. The speaker, attorney Donna Williamson, will explain how the ADA effects the application and selection process of classified employees.

Directions to these meetings are posted on our website, at [www.codesp.com](http://www.codesp.com). RSVPs are requested for the May 12, and May 19, meetings.

# LEGISLATIVE REPORT

*By John Absmeier*

There are approximately six hundred bills that have been introduced which would affect education, school districts and employees. Bills that may be of interest to you are:

## **AB1780, Washington    Classified school employees**

Existing law requires the governing board of a school district, or the personnel commission in a school district that has adopted the merit system, to classify all employees and positions not requiring certification qualifications. This bill would make technical, nonsubstantive changes to these provisions.

\*Status: May be heard in committee

## **AB 2578, Wesson    Classified employees: notice of layoff**

Existing law requires classified employees of school districts and community college districts whose positions must be eliminated at the end of any school year as a result of the expiration of a specially funded program and who are subject to layoff for lack of funds to be given written notice on or before May 29 informing them of their layoff. This bill, instead, would require written notice on or before April 30 and would require the notice to be given not less than 60 days prior to the effective date of their layoff if the termination date of any specially funded program is other than June 30.

\*Status: Referred to Assembly Public Employees, Retirement & Social Security Committee

## **AB 2691, Corbett    Classified employees: personnel commission appointments**

Existing law provides that any school district that has adopted certain provisions of law is required to cause the personnel commission for the district to be appointed in a specified manner. This bill would authorize the classified employees of any school district that has already adopted those provisions of law on September 17, 1965, to petition the governing board of the school district to request that the process to determine how personnel commission members are appointed be determined by a majority vote of the classified employees of the district.

\*Status: In Assembly. Read first time

## **SB 360, Solis    Classified Employees**

Existing law provides that the governing board of a school district is required to classify, except as specified, all employees for positions not requiring certification qualifications. This bill would impose a state-mandated local program by instead providing that substitute employees, employed or paid for less than 75% of the school year, and short-term employees of a school district, employed and paid for less than 130 days in a school year, are not a part of the classified service and would define 130 days of a school year to mean 130 working days, including holidays, sick leave, vacation, and other leaves of absences, irrespective of numbers of hours worked per day.

\*Status: In Assembly. Read first time. Held at Desk

## **SB 1327, Escutia    Employees: inspection of personnel records by employees**

Existing law requires employers to make employee personnel files available for inspection by employees, as specified. Existing law exempts the state, school districts, and public employers, as specified, from this requirement. This bill would delete those exemptions for the state and public employers, but not for school districts.

\*Status: Re-referred to Public Employment & Retirement and Local Government Committees

*If you would like further information regarding the status of these bills, contact you legislator or John Absmeier at Simi Valley Unified School District.*

or call me directly at 714-261-1111

## “INTENTS TO JOIN CODESP” ARE DUE NOW!

To effectively plan programs for the next fiscal year, it is necessary that all members, and those planning to become members, submit an “Intent to Join CODESP” form as soon as possible. If you have any questions about membership, please give us a call.

### CLASSIFIED PERSONNEL DIRECTOR OPENINGS

#### **BASSETT USD**

Director – Human Resources Development

\$70,584 – \$85,788 (+\$1,000 for Doctorate)

Application deadline: May 15, 2000

Contact: Lee Alarid, 904 N. Willow Ave.  
La Puente, CA 91746

Phone: (626) 931-3021 FAX: (626) 931-3097

#### **SANTA MONICA - MALIBU USD**

Director, Classified Personnel

\$69,802 – \$84,857

Application deadline: May 19, 2000

Contact: Marc Steele  
Phone: (626) 933-1920 or  
msteele@hlpusd.k12.ca.us

### INFORMATION TECHNOLOGY RECRUITMENT STRATEGY

CODESP received an innovative idea stemming from last month’s newsletter question, “What is your district doing to recruit Information Technology employees?” Orlando Hidalgo, from Capistrano USD, informed us that a Technology Stipend Program is currently being used in his district.

Capistrano USD is attacking the shortage of technology personnel by training employees and offering a \$500 stipend to those who qualify and complete a training program. Prospective trainees submit an application to the Technology and Information Systems department. An interview with representatives from CSEA, Personnel, and TIS follows. Upon completion of the training program, these individuals are responsible for computer problems at their work site. Duties include answering questions and performing minor maintenance to the equipment. If the problem can’t be fixed in 10 – 15 minutes, a work order must be submitted. Computer related problems cannot take up more than 10% of their day. The program is expanding and currently has 20 trained employees.

#### **CODESP TRAINING MEETINGS**

May 5	Palm Springs
May 12	San Dieguito UHSD
May 19	San Mateo COE

#### **INSIDE THIS ISSUE:**

ADA Update	1
CODESP Goes on the Road	1
Legislative Update	2
Intent to Join CODESP	3
Classified Personnel Openings	3
IT Recruitment Strategy	3
Website Update	4

**Visit us at [www.codesp.com](http://www.codesp.com)**

# CODESP WEBSITE UPDATE

CODESP's webmaster has made several recent upgrades to our website, **www.codesp.com**. Currently on the website visitors can become more informed about CODESP and its services. Lists of available written and interview test materials are posted on the site. Meeting information is also updated regularly. New information posted on the site include the following:

- ◆ CIB Request Forms which can be completed and submitted directly on the web. CODESP staff will need to have your district's job descriptions available. Make sure we have current copies on file.
- ◆ A copy of the CODESP Invoice can be printed from the site.
- ◆ The current newsletter is posted on the site (just in case others in your office don't like to share).

We will continue to look for additional methods to upgrade the website to better assist our members in the recruitment and selection of classified employees.

---

## CODESP

17210 Oak Street  
Fountain Valley, CA 92708

---

Phone: 714 - 847-8203  
Fax: 714 - 848-2963  
Email: [callcodesp@aol.com](mailto:callcodesp@aol.com)  
Internet: [www.codesp.com](http://www.codesp.com)

---