

## BP 7240 Confidential Employees

Reference:

*Government Code Section 3540.1(c)*

Confidential employees are those who are required to develop or represent management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. The fact that an employee has access to confidential or sensitive information shall not in and of itself make the employee a confidential employee.

A determination whether a position is a confidential one shall be made by the Board in accordance with applicable law and with the regulations of the California Public Employment Relations Board. The Board or their designee shall fix and prescribe the duties of confidential employees (See Board Policy 7110.) Duties and responsibilities of confidential employees will be specified in the employee's job description and will be the direct responsibility of the designated supervisor. General administrative supervision for each position will be specified in the employee's job description.

Confidential employees are not eligible for inclusion in a bargaining unit represented by an exclusive representative and the terms and conditions of their employment are not controlled by any collective bargaining agreement.

The terms and conditions of employment for the Classified Confidential Employees Group (CCEG) shall be provided for by the Memorandum of Understanding (MOU) between the Governing Board of the Santa Clarita Community College District and the Confidential Classified Employees Group, and procedures developed through the meet and confer process with the CEO or their designee. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers and reassignments.

The probationary period for confidential employees shall be one year. Time spent on leave of absence without pay will not apply toward completion of the probationary period. A probationary employee may be demoted, suspended, or dismissed **without** cause at any time during the probationary period and such action shall not entitle the employee to a hearing before the Board of Trustees.

An employee who serves the required probationary period in a satisfactory manner shall be classified as a permanent employee and shall be subject to discipline only for cause.

The CEO shall establish procedures to assure that the requirements of state law and regulations regarding the classified service are met.

See Administrative Procedure 7240

Approved 05/14/08