

SECTION 230 – DEMOTIONS

231 DEMOTION DEFINED

The change of an employee from a position in one classification to a position in another classification with a lower salary range.

232 INVOLUNTARY DEMOTION

A permanent employee may be either temporarily or permanently demoted for disciplinary purposes where the cause does not warrant dismissal. No employee shall be demoted except for reasonable cause designated by the Personnel Commission. Procedures for demotion shall be the same as for suspension or dismissal (see Section 264) and the employee shall have the same right of appeal. This rule shall not be applied to prevent layoffs for lack of work or lack of funds. (Ed. Code, § 88121.)

233 VOLUNTARY DEMOTION

Voluntary demotion to a vacant position for which the employee possesses the minimum qualifications may be permitted by the Commission when requested by the employee or by his/her supervisor with concurrence of such employee.

234 PROBATIONARY PERIOD AFTER DEMOTION

An employee must serve a six (6) month probationary period in the classification to which she/he demotes. If a permanent employee fails to pass the probationary period in the new classification, she/he has appeal rights to the Personnel Commission.

235 DETERMINING SALARY IN DEMOTION

(See Section 296.)

236 REINSTATEMENT AFTER VOLUNTARY DEMOTION

An employee who accepts a voluntary demotion will retain the right to be certified for consideration to his/her former classification without examination for a period of thirty-nine (39) months from the date of demotion. In no event will an employee be reinstated more than once in a thirty-nine (39) month period. This provision does not apply to a demotion in lieu of layoff.

237 REINSTATEMENT AFTER VOLUNTARY DEMOTION IN LIEU OF LAYOFF

An employee who accepts a demotion in lieu of layoff will retain the right to his/her former higher classification without examination for a period of thirty-nine (39) months if a vacancy occurs, plus an additional twenty-four (24) months, provided the test for fitness under which he/she qualified to the classification still applies. (Ed. Code, § 88117.)