

LOS ANGELES UNIFIED SCHOOL DISTRICT
PERSONNEL COMMISSION

771

LAW AND RULES

July 26, 2012

771 REINSTATEMENT

Education Code 45309

Any permanent classified employee of a school district who voluntarily resigns from his or her permanent classified position may be reinstated or re-employed by the governing board of the district, within 39 months after his or her last day of paid service and without further competitive examination, to a position in his or her former classification as a permanent or limited-term employee, or as a permanent or limited-term employee in a related lower class or a lower class in which the employee formerly had permanent status.

If the governing board elects to reinstate or re-employ a person as a permanent employee under the provisions of this section, it shall disregard the break in service of the employee and classify him or her as, and restore to him or her all the rights, benefits and burdens of a permanent employee in the class to which he or she is reinstated or re-employed.

- A. This Rule applies to a permanent classified employee who resigns or is resigned because of absence without authorization. Such former employee may be reinstated in permanent or limited-term status in the former class, in a related lower class, or in any lower class in which the employee formerly had permanent status. For the purpose of reinstatement, Secretary shall be considered the former class of a person who resigned as a Stenographic Secretary I or Stenographic Secretary II; Senior Secretary shall be considered the former class of a person who resigned as a Senior Stenographic Secretary; Food Service Manager I shall be considered the former class of a person who resigned as a Cafeteria Manager I or II; Food Service Manager shall be considered the former class of a person who resigned as a Cafeteria Manager III or IV; Food Service Manager VI shall be considered the former class of School Food Services Manager IV; Food Service Manager VII shall be considered the former class of School Food Services Manager V respectively; Office Technician shall be considered the former class of a person who resigned as an Adult School Office Assistant, File and Index Clerk, Intermediate Clerk, Office Assistant, or Order Clerk; and Senior Office Technician shall be considered the former class of a person who resigned as Customer Services Assistant, Data Control Clerk, Engineering Clerk, Intermediate File and Index Clerk, Office Computer Operator, Senior Office Assistant, Personnel Clerk, Statistical Clerk and Word Processor Operator.

CHANGE:

Paragraph A amended to enable the class of Secretary and Senior Secretary shall be considered the former classes for Stenographic Secretary I, Stenographic Secretary II and Senior Stenographic Secretary.

Remove: April 20, 2011, page 1 of 2. Add: July 26, 2012, page 1 of 2.

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October 3, 2013

1. The determination of lower class shall be based on comparison of maximum regular salary rates. For a class with both confidential and represented positions, regular salary rates are those of the range negotiated in collective bargaining.
 2. Reinstatement requires approval by the head of the division or Educational Service Center administrator in which the employee formerly worked.
 3. Reinstatement shall not supersede the right of any person to re-employment pursuant to Rule 740.
- B. A person who is reinstated shall be paid at the flat rate of the class or on one of the steps of the salary range, plus any applicable differential. Step placement shall be determined as follows:
1. Previously earned step advancement shall be granted in accordance with Rule 578.
 2. If reinstated to a former class, the employee shall be placed on a former step, plus step advancement, if applicable.
 3. If reinstated to a lower class, the employee shall be placed on the step that provides the same rate as or the least reduction from the rate that would be applicable if reinstated in the former class. If earned salary status, pursuant to Rule 582, prescribes a higher step, it shall be paid.
- C. A person reinstated as a permanent employee in a lower class shall be entitled to the privileges extended in Rule 745.
- D. A person reinstated as a limited-term employee shall have the rights and privileges extended in Rule 710 and the privilege of returning to permanent status.
- E. The lapse of 39 months after the last day for which salary was received as a permanent employee voids any privileges gained under this Rule, except in the case of former permanent classified employees who resigned from the District due to military service. Should the former employee wish to be reinstated, he/she shall be entitled to the rights extended in Rule 820 upon the termination of military duty.
- F. When a former permanent employee is reinstated as a permanent employee, the District shall disregard the break in service of said employee and restore all the rights, benefits, and burdens of a permanent employee.
- G. A former employee who has been reinstated in accordance with this Rule may request that his or her name be restored to its proper rank as a promotional eligible on any eligibility list that is still in effect.

CHANGE:

Clerical error clean-up.

Remove: January 30, 2008, page 2 of 2. Add: October 3, 2013, page 2 of 2.

Reinstatement

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