



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 related to negotiations. The fact that an employee has access to confidential or sensitive information shall not in and of itself make the employee a confidential employee.

In accordance with applicable law and with the regulations of the California Public Employment Relations Board, the determination whether a position is a confidential one shall be made by the Chief Human Resources Officer in consultation with the District's classified bargaining unit and then recommended for action by the Superintendent/President to the Board of Trustees.

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 confidential employees shall be provided for by procedures developed by the Superintendent/President. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers, and reassignments.

Adopted: June 23, 2016