

**BOARD POLICY 7240 CONFIDENTIAL EMPLOYEES**

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.

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 Chancellor. Such terms and conditions of employment shall include, but not be limited to, procedures for evaluation and rules regarding leaves, transfers and reassignments.

Reference:

Government Code Sections 3540.1(c)  
Administrative Procedures 7241, 7340, 7341, 7342, 7343, 7344, 7345, 7346, 7349, 7381, 7382

Replaces:

Board Policy 3.15 Overtime  
Board Policy 3.53 Probationary Status (Confidential Employees)  
Board Policy 3.54 Eligibility for Benefits (Confidential Employees)  
Board Policy 3.55 Suspension (Confidential Employees)  
Board Policy 3.56 Dismissal (Confidential Employees)  
Board Policy 3.57 (Confidential Employees)  
Board Policy 3.63 Confidential Employees)

Approved by the Board of Trustees: January 22, 2013