

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, especially within the negotiations arena. 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 Governing 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.

Confidential employees are employed in the same manner as the other members of the classified service. Terms of employment, discipline and dismissal shall be consistent with other provisions of the District's policies regarding employment of classified employees, except for those terms of employment specifically addressed through policy or the *Confidential Employee Handbook*.