



## ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: Provisional and Temporary Appointment Policy

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Prepared By: HR Department

Approved By: City Manager

Legal Review: Elizabeth Ruhmann

### **POLICY: PROVISIONAL AND TEMPORARY APPOINTMENT POLICY**

Provisional and temporary appointments shall be made to meet the business and operational needs of the City, as permitted by the City Charter and all applicable federal and state employment laws.

#### **I. GUIDELINES FOR LIMITED APPOINTMENTS**

- A. **Provisional Appointments:** A provisional appointment to a higher position may be authorized by the Human Resources Director without examination upon written request of the Department head, when a vacancy cannot be filled with an existing eligible list. All such provisional appointments may continue only until certification from an eligible list can be made, unless extended by the City Manager or designee.
- B. **Temporary Appointments:** A temporary appointment to a position may be authorized by the Human Resources Director without examination upon written request of the Department Head, when for example:
  - 1. **Vacancy:** When a position is vacant due to the sickness, disability or other absence of a regular employee.
  - 2. **Flexible Staffing Needs:** Such as, employees hired to perform seasonal work.
- C. **Duration:** Provisional and temporary appointments may not exceed one (1) year.
- D. **Restriction on Privileges:** A provisional or temporary appointment will not confer upon the appointee any privileges of promotion, transfer or reinstatement to any other position in the classified services other than as specified in this policy.

- E. Working Out of Class (WOC): The temporary assignment of an employee to perform duties of a significant and distinct nature allocated to a higher graded job classification, for fifteen days or more, but not to exceed one year.
- F. Developmental Assignment Request: A Department Head may request that the Human Resources Director appoint a regular employee to a developmental assignment. Approval of the request will be based on the following:
  - 1. Qualification: To qualify, the employee must meet the minimum qualifications for the position or be within eighteen (18) months of meeting the minimum qualifications.
  - 2. Standing: The employee shall not currently be on a performance improvement plan (PIP) and shall not have received any disciplinary action within the preceding twelve (12) months.
  - 3. Situation: The employee may not have been previously granted a developmental assignment that was substantially similar in nature.
  - 4. Consent: The employee must consent to appointment in the developmental assignment.
  - 5. Pay: Typically, no increase from the normal pay rate will be earned for developmental assignments for the first 180 days since they are learning the assigned work.
  - 6. Duration: A developmental assignment may not exceed one (1) year.

## **II. TEMPORARY APPOINTMENT MADE REGULAR**

- A. Any person who has been temporarily appointed from the appropriate eligible list, and who at the time of the appointment was willing to accept the appointment under the conditions stated, may, in the case of the position being made regular, be regularly appointed in the position. This appointment is authorized regardless of the number of higher-eligible applicants willing to accept regular appointment.
- B. Temporary employees who are made regular will be considered fully qualified for the position and not required to complete the probationary period provided they have successfully completed six months in the same position.

### III. REAPPOINTMENT TO TEMPORARY EMPLOYMENT

Any person who has been appointed to a temporary position from an eligible list and who at the time was willing to accept appointment, may be reappointed to another temporary position, provided such reappointment is requested by the Department Head and approved by the City Manager or designee.

- A. Duration: Temporary appointments may not exceed one (1) year.
- B. Restriction on Privileges: A temporary appointment will not confer upon the appointee any privileges of promotion, transfer or reinstatement to any other position in classified service other than as specified in this policy.

### IV CATASTROPHIC EVENT

Employees may be worked out of class by the City Manager or designee during a catastrophic event or during a period of recovery following the occurrence of such an event and may not be eligible to receive additional compensation.

### V. APPOINTMENTS

- A. Direct Appointment: Non-competitive selection and appointment procedures may be used for skilled or semi-skilled positions, or where job related ranking measures are not practical or appropriate. Direct appointments must be approved by the City Manager or designee, in accordance with the following:
  - 1. Requires special or unique skills such as expert professional or executive level positions; or
  - 2. Have critical timing requirements affecting recruitment; or
  - 4. Hiring Official may hire no more than one percent of their employees using a direct appointment.

APPROVED BY:

  
FOR \_\_\_\_\_  
TOMAS GONZALEZ, City Manager

DATE: 9/17/15