

Temporary Staffing Services

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PURPOSE

This section covers the process for obtaining employees from the City's Temporary Pool or from an outside temporary employment agency for assignments of a short-term or unforeseen nature.

Other alternative methods for staffing temporary assignments include: (1) hiring a Temporary Unclassified employee (see policy 3.1.3), (2) hiring a Temporary Classified employee from a competitive recruitment (see policy 3.1.2), (3) hiring a provisional employee in a sworn Police or Fire classification (if no eligible list exists), and (4) hiring a contract employee.

AUTHORITIES

San Jose Municipal Code, Sections 3.04.290 and 310. The Civil Service Rules authorize the use of employees for temporary pool work (employees who do not work in permanently established positions and are compensated at an hourly rate of pay).

"Part-time employee" means any employee who is not indefinitely assigned to a 40-hour work week and is not in a budgeted or authorized full-time position.

"Position" means any aggregation of duties and responsibilities designed to be and normally performed by one person.

POLICY

1. Temporary Staffing Requests

Departments wishing to use the Temporary Pool for a short-term assignment should send a written request (which may be transmitted through FAX or e-mail) to the Pool Administrator in the Human Resources Department. The request should include the nature of the work, proposed job classification, expected length of assignment, and desired start date.

2. Pool Classifications

Employees in the following job classifications are typically included in the Pool:

Office Specialist I / II	Senior Office Specialist
Account Clerk I / II	Senior Account Clerk
Secretary	Desktop Publisher
Analyst I / II	

3. Maximum Pool Assignments

The pool is not intended to provide long-term staffing. Therefore, the maximum assignment length for a pool employee shall be one year (2,080 work hours). At the end of the year, the department may either: (1) hire the pool employee into the position if it is vacant, or (2) request another pool employee to continue the assignment. Departments should monitor assignment times in coordination with the Pool Administrator and assume responsibility for ensuring that this policy is followed.

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4. Eligibility for Transfer to a Permanent Position

Pool employees are hired under and covered by the Civil Service Rules or the Hiring Project (HP) ordinance. Movement of a pool employee to a comparable full-time position should be done in a manner that does not circumvent the Civil Service hiring system or fair and open screening and selection in the HP.

Therefore, pool employees are eligible to be appointed to a lateral full-time position: (1) for Civil Service, if they become reachable on the full-time eligible list for the position, (2) for HP, if they successfully pass all phases of the selection process, or (3) when they have demonstrated their ability to perform the job by completing the probationary period (1,040 hours) in the pool classification.

5. Probationary and Permanent Appointments

Pool employees are initially appointed on probationary status for the length of time established for their class, usually six (6) months (1,040 hours). As probationary employees, they are "at will" and may be terminated without appeal. Upon completing the 1,040 hours worked in a pool class, the employee will achieve permanent status in the job class, and will then be covered by the Civil Service Rules related to disciplinary action and appeals.

There is no direct link, however, between status and assignments or hours worked. There are no guarantees of regular or minimum hours worked for employees in the pool.

6. Seniority and Layoff

Since any layoffs that are necessary in the City are administered by reducing *positions* rather than employees, seniority and layoffs do not apply to employees in the pool because there are no authorized pool positions.

7. Performance Evaluations

When a new person is hired into the pool, the Pool Administrator will discuss with the new employee the goals and expectations that are needed for successful performance. After six (6) months at a long-term assignment, or, periodically, for shorter pool assignments, the supervisor of the assignment shall be asked to evaluate the pool employee's performance by providing feedback which will roll into one annual appraisal. The report shall be confidential and not shared directly with the employee. The Pool Administrator will use these evaluations in preparing the pool employee's probationary or annual performance report.

Pool employees are eligible for merit increases on the same basis and time intervals as other employees: a demonstration of exceptional or above standard performance, completion of probation, and at least six (6) months between merit increases. If a performance problem exists with a pool employee, the department should discuss it with the Pool Administrator as soon as possible so that an appropriate type of action may be taken to correct the problem.

8. Ending Pool Assignments Early

If, in the department's view, it becomes advisable to end a pool assignment prior to the previously established end date, the department should inform the Pool Administrator as soon as possible. Pool

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employees will receive a minimum of two hours of pay for reporting to a job for which their services are not needed.

9. Promotions within the Pool

Pool employees may become eligible for promotion within the pool through (1) a qualifying promotion to a higher level, flexibly-staffed class, or (2) appointment from an open eligible list.

- a. Qualifying promotional: The Pool Administrator may recommend a pool employee for appointment to a higher level, flexibly-staffed class based on the employee's time in his/her current class and job performance record while in the pool. The promotion is subject to approval by the Director of Human Resources.
- b. Appointment from an eligible list: if a pool employee is eligible for promotion because or a higher class within the pool, the Pool Administrator may recommend such a promotion. The Pool Administrator's recommendation, subject to approval by the Director of Human Resources, should be based on the pool employee's job performance record while in the pool and the need for pool employees at the higher class.

10. Selection and Placements of Pool Employees

The Pool Administrator shall have the responsibility for sufficient staffing of the pool. This includes scheduling examinations so that eligible lists are available when needed, initiating the hiring process by completing a requisition, interviewing candidates, and making selection decisions.

The Pool Administrator shall also coordinate placements with departments when they have submitted requests for pool services. The placements may be made by means of a direct referral to the department or by offering the department several candidates to consider.

11. Availability for Assignments

Pool employees must keep the Pool Administrator informed when they become unavailable for pool assignments for a period of time. A pool employee may be expected on occasion to decline an assignment because it is not suitable for the type of work they prefer or because of other circumstances; however, frequently declining assignments is counter-productive to the administration of the pool. Because of the nature of the pool, employees who are unavailable for work without good cause or who decline too many assignments without good cause will be separated from the pool. Benefited pool employees may lose benefits if not assigned to a position.

12. Training

Pool employees who are on assignment are eligible to attend training classes approved by the Pool Administrator, subject also to approval of release time by the assignment supervisor. Pool employees not on assignment may attend City classes on unpaid time, subject to registration approval through the Citywide training class registration process.

13. Temporary Employment Agency Placements

In particular, temporary agencies are to be used to hire employees for special projects, seasonal, short-term, or experimental work to supplement the regular Civil Service workforce. They are *not* to

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be used to circumvent the hiring process for positions that should appropriately be filled through an appointment in the classified Civil Service.

In the event that no suitable pool employee is available or the required position/classification is not available in the pool for a requested assignment, the Human Resources Director or designee may provide clearance for the department representative to staff the assignment using an outside temporary employment agency. A significant difference in using the temporary employment agency is that expenses for the agency are paid under the Nonpersonal Services (Detail 52-Contractual Services) rather than the Personal Services part of a department’s budget. In addition, the temporary employment agency’s fee will usually exceed the cost of a Pool employee by about 30%.

The Human Resources Department directs the department representative to coordinate with General Services Purchasing to contact one of the temporary employment agencies with which the City has an existing agreement to arrange for the placement. The maximum assignment length of one year also applies to temporary employment agency employees. Current or retired City employees are not eligible to work for the City through temporary employment agencies. During hiring freezes, the department **must** have authorization to use a temporary agency employee from the City Manager’s Office (CMO) Budget Office in addition to the Human Resources Department. Departments may request to use a temporary agency in order to address immediate workload/service delivery needs. In the event of a hiring freeze, the Department Director should submit a written request to the Budget Director that addresses the following:

- Identification of need – identify number of positions and specific classifications; describe workload demands/service delivery problems; describe how conditions have changed since the beginning of the year to necessitate the staffing additions; describe expected service delivery improvements with the requested staffing.
- Length of Assignment – identify the length of the assignment for the position(s)
- Funding Source – identify funding source(s)
- Long-term strategy (if applicable) – identify long-term strategy to address workload issues

14. Timecards and Paychecks

Departments are responsible for monitoring pool employees' or temporary employment agency employees' time, approving and submitting timesheets. The pool timesheets must be received by the Pool Administrator by the end of business on each Wednesday before the end of a pay period. The time sheets must include a valid charge code that corresponds to where the pool employee is being charged. When these steps have been taken, paychecks will be routed directly to the pool employee’s assignment by Compensation Accounting.

PROCEDURES

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| Department Director or Designee | 1. Identifies service delivery gap and determines staffing needs while coordinating with Human Resources Department. Submits a written request for an employee to the Human Resources Department. |
| Human Resources | 2. Reviews the request and pool roster and refers a pool employee or a number of suitable employees |

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for the assignment. If no pool employees are available, and the department agrees, arranges to consider placement through an outside temporary employment agency under contract with the City. In the event of a hiring freeze, forwards the requests with Human Resources recommendation to City Manager’s (CMO) Budget Office for consideration.

CMO Budget Office a. During hiring freeze, notifies the department of the final status of the request.

Department b. Forwards the Human Resources (and Budget approved) request to Purchasing along with any other required forms and paperwork

Hiring Department 3. Interviews and selects the pool or temporary employment agency employee if more than one possible candidate is available. Selects the employee for the assignment.

Human Resources Pool Administrator 4. Prepares a performance appraisal for the pool employee at the end of the probation period and, after that, annually, based on the input received from each assignment.

/s/ Russ Strausbaugh
Approved

3/19/03
Date