

Temporary Staffing-Classified Service**3.1.2****PURPOSE**

This section covers the process for hiring employees on a temporary basis into the Classified Civil Service. Such hiring is necessary at times when positions are funded for only limited periods of time or encumbered by employees who are on leaves of absence. Other alternative methods of filling temporary vacancies include: (1) hiring a Temporary Unclassified employee (see Policy 3.1.3 and 3.1.5), (2) using the City's temporary employee pool or an outside temporary employment agency (see Policy 3.1.4), and (3) hiring a contract employee.

AUTHORITIES

San Jose Municipal Code, Section 3.04.370, Temporary employee.

"Temporary employee" means an employee who is employed and appointed in the classified service for a specified time, or pending the return of any employee from leave of absence, or for a period of time determinable by any future event that is certain to occur, but shall not be deemed to include, for purposes of Chapter 3.04, any person in the unclassified service, as defined in Section 1101 (a) of the Charter. The entire period of time during which any temporary employee is employed by the city shall be regarded as a period of probation if such employee is appointed as a regular employee in the same position at the termination of his appointment as a temporary employee. The director shall establish competitive standards for filling temporary vacancies and for monitoring temporary appointments.

POLICY**1. Initiating Hiring for a Temporary Position**

Departments wishing to hire for a temporary position in the Classified Civil Service should notify Human Resources. If the appointment is for the temporary replacement of an employee who is on leave, the department should state this and identify the expected length of the temporary position. If the Human Resources Department agrees that the temporary appointment is warranted, it will enter into a Service Level Agreement with the department to conduct a competitive appointment to fill the temporary position. Recruitment for a temporary classified position is covered by the same Civil Service Rules, CSJ Hiring Policies, and Standard Operating Procedures as for recruitment for a permanent position.

2. Terms of the Temporary Appointment

Temporary appointments are established with fixed limit dates. The hiring department should ensure that the employee who accepts a temporary appointment is fully informed that the appointment will expire when the limit date is reached. When the temporary limit date is reached, and if the temporary employee has not been offered an appointment to a permanent position through #3 below, the temporary employee will be separated from City employment. Temporary employees are subject to the same performance evaluation and salary step increase schedules as probationary employees, and like probationary employees, their employment is on an "at will" basis. A temporary employee receives the same benefits that are provided for individuals in that classification, and with that position status.

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If the temporary position becomes permanent, the employee may be appointed into the permanent position with no further recruitment required. If another permanent position in the same classification **and with the same duties and qualifications** becomes available in the department, the employee may be transferred into that position with no further recruitment required. If other permanent positions in other classifications or other departments become available, the employee is eligible to compete as an internal applicant if he/she has been in the temporary position for at least six (6) months (or has prior permanent status with the City).

4. Temporary Time Credited Toward Probation

- a. If a temporary employee is appointed as a regular employee in the same position that he/she temporarily occupied, the previous temporary time served shall count toward the probationary time for the class.
- b. If a temporary employee is appointed in a different position than that he/she temporarily occupied, but in the same class and same department, the previous temporary time may count toward the probationary time for the class, with the approval of the Department Director. The Department Director should consider the degree of similarity of duties between the two (2) positions in making this determination.
- c. If the temporary employee is appointed to a permanent position in a different department, the appointment will be probationary, and the previous temporary time will not count toward completion of the probationary period.

5. Seniority

Temporary employees do not receive seniority credit while they are serving in an initial temporary appointment. Upon achieving permanent status in the same class, however, the temporary time will count toward both class seniority and citywide seniority in the event of a layoff. A city employee with permanent status in a former class will continue to earn citywide seniority credit during a temporary appointment.

6. Monitoring the End of Temporary Assignments

It is the responsibility of the Department Director or designee to monitor the status of any temporary positions within the department, particularly those that are filled pending another employee's leave of absence. For temporary assignments that will result in a temporary employee resuming his/her work in another department, notification should be provided to the Human Resources Department as soon as possible, but at least two (2) weeks before the move is necessary.

PROCEDURES

Department Director or Designee

1. Notifies Human Resources of the need for a temporary classified appointment.

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Human Resources

2. Verifies that the temporary appointment is appropriate. If approved, enters into a Service Level Agreement to develop recruitment to fill the position.

Hiring Department

3. Interviews and selects the temporary employee(s). Informs the employee(s) of the nature of the temporary position at the time of the job offer.

Hiring Department

4. Two weeks before the temporary limit date is reached, completes a separation form for the temporary employee, and makes arrangements with him/her for ending the assignment.

Approved:

/s/ Alex Gurza
Director of Employee Relations

July 16, 2004
Date