

CEA RETURN RIGHTS OPTIONS SUMMARY

Government Code (GC) section 19883.4
 California Code of Regulations (CCR) 548.150 – 548.154



	Mandatory Reinstatement CCR 548.151	Improved Permissive Reinstatement CCR 548.152	Improved Mandatory Reinstatement CCR 548.153
Who is Eligible?	<p>CEA employees who previously held a position as a probationer or permanent employee.</p> <p><i>Note:</i> Excluding those CEA employees who do not have prior permanent civil service status or have prior permanent civil service status but had a break in service (GC 19883.4).</p>	<p>CEA employees who are eligible under the provisions of 548.151 and who have five or more years of state service, including at least one year of CEA service.</p>	<p>CEA employees who are eligible under the provisions of 548.151 and who have ten or more years of state service, including at least three years of consecutive CEA service under one appointing power that occurred entirely within six years of the current CEA termination.</p>
To what classes?	<p>Employee’s former position as defined in CCR 548.150. The definition of former position as it applies to terminating CEAs is either of the following:</p> <p>(a) The last position an employee held as a probationer or permanent employee.</p> <p>(b) A position that is at least the same salary level and to which the appointing power could have transferred the employee.</p>	<p>One of the following two options:</p> <ol style="list-style-type: none"> Employee who have <u>five years of state service including one year but less than three years CEA service</u> are entitled to a class with a maximum salary that is lower than two steps above former position, but less than the salary two steps lower than CEA level from which being terminated. Employee who have <u>five years of state service including three or more years CEA service</u> are entitled to a class with a maximum salary that is lower than two steps lower than the CEA level from which being terminated and above the salary of former position. 	<p>Employees are entitled to a class with a maximum salary that is two steps lower than the lowest CEA level used to meet the three year requirement and above the salary of former position.</p> <p><i>Note:</i> The maximum salary must be less than two steps lower than the CEA level from which being terminated.</p> <p>Classes are limited to those meeting the above salary criteria and must be in the same occupational area(s) as the CEA(s), provided such employee possesses any license or certificate required for the class, combined with the employee’s prior employment history would reasonably predict successful performance.</p>

CEA RETURN RIGHTS OPTIONS SUMMARY

Government Code (GC) section 19883.4

California Code of Regulations (CCR) 548.150 – 548.154



	Mandatory Reinstatement CCR 548.151	Improved Permissive Reinstatement CCR 548.152	Improved Mandatory Reinstatement CCR 548.153
Does the position have to be vacant?	No. If a vacant position is not available, the appointing power must establish a position for the employee.	Yes.	Yes.
At what department?	Department where employee last served as a probationary or permanent employee.	Any department.	Only the department where the employee served the qualifying three consecutive years of CEA service.
What are the time limits?	Employee must request reinstatement in writing within 10 calendar days of the effective date of the CEA termination.	Employees' eligibility for appointment expires four years from the date of the CEA termination.	Employee must request reinstatement in writing within 10 calendar days of receiving the CEA termination notice.
Is a new probationary period required (CCR 322)?	No, employees are only required to complete any portion of their probationary period that was not finished at the time they left their former position.	Employee is required to serve a new probationary period if reinstating to a class two or more salary steps above former position. If reinstating to a class less than two salary steps above former position, the requirement to serve a new probationary period is at the department's discretion.	Employee is required to serve a new probationary period if reinstating to a class two or more salary steps above former position. If reinstating to a class less than two salary steps above former position, the requirement to serve a new probationary period is at the department's discretion.

- Permanent Status: The status of an employee who completed probation (GC section 18528).
- Break in Service: A permanent separation from state service as defined in CCR 446 and then remains outside of state service for at least eleven consecutive working days (CCR 6.4).
- Permissive: The reinstatement is at the discretion of the appointing power.
- CEA level: The maximum salary of the level to which the employee was appointed and not the employee's current salary rate. The CEA salary levels are described in Section 8.1 of the Civil Service Pay Scales.