

Sample Letter C: Prior civil service status with break in service

<DATE>

<NAME>

<ADDRESS>

Dear <MR./MRS.>,

This letter is to officially notify you that your <CEA TITLE/LEVEL> appointment with the <DEPARTMENT NAME> will be terminated, effective <DATE>. Although you had a prior permanent civil service appointment, you do not have a mandatory right of return to civil service due to your break in service. However, you do have permissive reinstatement rights under the provisions of Government Code (GC) section 19140 as outlined below.

GC section 19140 provides permissive reinstatement for certain individuals who have prior probationary or permanent status. An eligible person may reinstate with any department to their former classification, to a lower classification in the same series, or to another classification to which the employee could transfer or demote. You previously gained permanent status in the <CLASS TITLE> classification and you may choose to pursue opportunities under this provision.

Additionally, you have eligibility to request a deferred examination under the provisions of GC section 19889.4(c). You may request to take a deferred examination for any open eligible list at this department for a class in which you meet the minimum qualifications. If you choose to pursue this opportunity, a request must be made within 10 calendar days of your CEA termination date of <TERMINATION DATE>. We have the following open eligible lists in existence:

<LIST CLASSIFICATION>

Within 30 days after receipt of notice of termination of a career executive assignment, the affected employee may appeal to the State Personnel Board upon the grounds that the termination was effected for reasons of age, sex, sexual preference as prohibited by Governor's Executive Order S-6-04, marital status, race, color, national origin, ancestry, disability as defined in Government Code section 19230, religion, or religious opinions and affiliation, political affiliation, or political opinions. After hearing the appeal, the board may affirm the action of the appointing power, or restore the affected employee to the career executive assignment.

If you have any questions concerning the information provided in this letter, you may contact <PERSONNEL OFFICER or CHIEF OF ADMINISTRATION>, at <PHONE NUMBER>.

Sincerely,

<EXECUTIVE OFFICER or DEPARTMENT DIRECTOR>