

Sample Letter A: No prior civil service status, but meets the criteria of GC section 18993

Note: This sample letter applies to persons who were appointed to a CEA position under Government Code (GC) section 18990, 18991, or 18992. The letter should be modified for persons who were appointed under GC 18991 as they are not eligible to request a deferred exam.

<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>. Since you have not had a prior permanent civil service appointment, you do not have a right of return to civil service. However, you do have eligibility to take promotional examinations and to request a deferred examination under the provisions of Government Code (GC) section 18993, as outlined below.

GC section 18993 allows former legislative and exempt employees who were appointed to a Career Executive Assignment (CEA) position pursuant to GC section 18990 or 18992 to compete in promotional examinations and request a deferred examination for any promotional eligible list. You have eligibility to take promotional examinations for this department until <TERMINATION DATE> for any class for which you meet the minimum qualifications. We have the following promotional examinations in process:

<LIST CLASSIFICATION(S) AND FINAL FILING DATE(S)>

You may also request to take a deferred promotional examination for any promotional eligible list for this department currently in existence and for which you meet the minimum qualifications. If you choose to pursue this opportunity, a request must be made within ten calendar days of your CEA termination date of <TERMINATION DATE>. We have the following promotional eligible lists in existence:

<LIST CLASSIFICATION(S)>

Additionally, you have eligibility to take CEA examinations. GC section 18546 permits applicants without current permanent civil service status to apply for CEA examinations.

Within thirty (30) days after you receive this notice of termination of your CEA position, you may appeal to the State Personnel Board (SPB or Board) in accordance with California Code of Regulations, title 2, sections 52.4 and 548.136. Appeals must be filed in writing with the SPB Appeals Division; filing instructions are available on the SPB website

<https://www.spb.ca.gov/appeals/appeals.aspx>). You may appeal only on the grounds that the termination was based on illegal discrimination prohibited by GC section 12940, subdivision (a), illegal retaliation prohibited by GC section 12940, subdivision (h), or for reasons prohibited in Chapter 10 of Part 2 of the GC beginning with section 19680. After hearing the appeal, the Board may affirm the action of the appointing power or restore you to the CEA position.

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>