

CALIFORNIA STATE PERSONNEL BOARD

Date of Issue: March 7, 1994

MEMO TO: ALL STATE AGENCIES AND EMPLOYEE ORGANIZATIONS

SUBJECT: Counting temporary appointment time on the basis of actual hours worked for student classes.

SPB File Reference: Personnel Management Policy and Procedures Manual (PMPP). Should be kept and filed in PMPP Manual Section 330, Temporary Authorization Appointments

Article VII, Section 5, of the Constitution limits the period an employee may serve under temporary authorization (TAU) to 9 months in 12 consecutive months. The 9-month period may be computed on a calendar or actual time worked (ATW) basis. ATW is defined as 194 days in twelve consecutive months.

Upon further review, the Board has broadened its interpretation for the Graduate Student Assistant, Student Assistant and Youth Aid classes to allow individuals in these classes to work on an actual hours worked basis to a maximum of 1500 hours. This will allow departments to work employees in these classes up to 1500 hours in a 12 consecutive month period regardless of the number of days they have worked. The basis for this change is that these classes require the employee to be a student as a condition of employment in the class. This requirement and the 1500 hour limitation are sufficient to preclude de facto employment on a permanent part time basis. The 194 day limitation remains in effect for all other non-testing classes.

Questions regarding this memorandum should be directed to Marion Rutkauskas at (916) 657-2485, CALNET 453-1601 or TDD 653-1498.

/s/

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Departmental Services Division