

PERSONNEL – Series 4000

4400 The Merit System

4450 Employment Lists

4453 Short-Term Assignments

**4453.1 Provisional Assignments**

Provisional Appointments

- A. The appointing authority may make a provisional appointment when the Director, Human Resources certifies that:
  - 1. No Eligibility list exists for the class, or
  - 2. An eligibility list exists, but there are an insufficient number of available eligibles (for example, less than three ranks).
- B. An employee may receive a provisional appointment or appointments which may accumulate to a total of 90 working days, after which a 90-calendar day interval shall elapse during which he/she shall be ineligible to serve in any full time provisional capacity.
- C. No person shall be employed in provisional capacities for a total of more than 126 working days in any one fiscal year, except when no one is available on an appropriate eligibility list for a part-time position as defined in Education Code Section 45256. In such cases, successive 90 working days provisional appointments may be made to the part-time position for a total of more than 126 working days in a fiscal year.
- D. Insofar as possible, provisional appointees shall be required to meet the minimum qualifications for the class of the appointment as stated in the class specification.

Extension of Provisional Appointment

- E. The Commission may authorize the extension of a provisional employee's assignment for a period not to exceed 36 working days provided the following requirements are met:
  - 1. An examination for the class was completed during the first 90 working days of the employee's provisional assignment.
  - 2. Satisfactory evidence is presented indicating:
    - a. Adequate recruitment effort has been made and is being made.
    - b. Extension of this provisional assignment is necessary to carry on vital functions of the Office.
    - c. The position cannot be satisfactorily filled by use of other employment lists or procedures.

Approved:

April 22, 1993

**4453.1 Provisional Assignments (Continued)**

Terminating Provisional Appointments

- F. The services of a provisional appointee shall be terminated within 15 working days after the date on which an eligibility list has been established, provided that this 15-day period does not extend beyond the 90 working-day provisional assignment or the additional 36 working days, if authorized.
- G. A provisional appointment may be terminated at any time at the discretion of the appointing authority.

Reference:

Education Code Sections 45277, 45287, 45288 and 45289