

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4460 IN-SERVICE STATUS AND TRANSACTIONS

4462 CHANGES IN POSITION AND CLASS

**4462.3 Reemployments, Reinstatements, and Restorations**

- A. A former permanent employee who resigned in good standing may be reinstated to a vacant position in the former employee's former class within thirty-nine (39) months of the last date of paid service. Also, the former employee may be reinstated to a vacant position in a lower related class, if qualified, or in limited-term status in the same or lower related class. Such actions are discretionary with the appointing authority.
- B. A permanent employee who has taken a voluntary demotion may be restored to a vacant position in the employee's former class or in a vacant position in a related lower class, as determined by the Director, Human Resources, with thirty-nine (39) months. Except when demotion was chosen in lieu of layoff, restoration is discretionary with the appointing authority.
- C. An employee who has accepted demotion in lieu of layoff for lack of work, lack of funds, or abolishment or reclassification of the employee's position, has the right to be reemployed, in accordance with the employee's seniority, in a vacant position in the employee's former class within sixty-three (63) months after demotion (See Rule No. 4451.1). Intervening assignments to other classes does not abrogate that right.
- D. Reinstatement, reemployment or restoration of a former employee shall have the following effects:
  - 1. In the case of required reemployment, the employee shall have restoration to the former step in the current salary range for the class. In the case of discretionary reinstatement, the employee may be placed on any step of the appropriate salary range.
  - 2. If restored to permanent status, the employee shall have restoration of accumulated sick leave as of the date of separation.
  - 3. The anniversary date for purposes of salary step advancement shall be determined by giving the employee credit for any time served since the employee's last previous salary step advancement.

Reference:

Education Code Sections 45260-45261, 45298, 45308 and 45309

Approved:  
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