

FEETZ

TA
Salem
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TA-SETC
PCT 2-19-09

CSU Mediation Proposal
February 18, 2009

ARTICLE 10

APPOINTMENT

10.1

All positions that are to be filled except for temporary or Limited Hourly positions of ninety (90) days or less in the Skilled Crafts Unit shall be posted on a designated bulletin board in the Plant Operations Department on each campus and in the Office of the Chancellor and may be on the website of the campus with the open position. Temporary or Limited Hourly positions of less than ninety (90) days that are to be filled need only be posted in the Plant Operations Department on the campus where the vacancies exist. These temporary or Limited Hourly positions of less than ninety (90) days need only be posted for three (3) days on the campus where the vacancy exists.

10.2

Such position vacancies shall be posted as soon as possible after receipt by the appropriate administrator. Except as provided in provision 10.1 above, posting will be made at least two (2) weeks before the deadline to apply at the campus where the vacancy exists, and at least one (1) week before the deadline to apply at other campuses. Such announcement shall include the classification title, description of duties, desirable experience, minimum qualifications, salary range, and procedures to be followed by applicants applying for such vacancies. An employee who believes he/she is qualified for a vacant position at a CSU campus or the Office of the Chancellor may apply for such position within the specified application period. Applications shall be submitted to the appropriate campus Human Resources Office.

10.3

Temporary employees may be reappointed within twelve (12) months of the end of a previous appointment without the position being posted, provided the temporary had completed a recruitment process for the previous position.

10.x Temporary employees who are appointed in the same classification for two (2) consecutive years and are not reappointed for reasons other than unsatisfactory performance and/or unsatisfactory conduct may request to be placed on an eligibility list for future temporary appointments in the same classification as the employee held for the two (2) consecutive years.

a. Reappointment Eligibility List

1. The employee must submit a written request to the designated person on campus to be considered for future temporary appointments in the same classification as the employee served for two (2) consecutive years. Such request must include current, accurate contact information.
2. The employee's name will remain on the list for three (3) years, provided the employee submits to the designated person on campus an updated request for future consideration for reappointment by July 1 of each year in which the employee is eligible to be on the list. Failure to submit this written notice with current, accurate contact information will result in removal from this list.
3. If someone on the list is contacted by the University, offered a temporary position, and turns down two (2) assignments of sixty (60) days or more, he/she shall be removed from the list. **If three (3) offers of temporary positions of less than sixty (60) days are turned down, the person's name shall be removed from the Reappointment Eligibility List.**

b. Reappointment Process

1. When the campus has a temporary position available, prior to advertising the position the ~~appropriate manager position~~ on the campus will check the Reemployment Eligibility List to determine if anyone is on the list at the campus with reappointment rights in the classification to be filled.
2. Prior to **posting** a temporary position pursuant to provision 10.1, the campus shall offer the temporary position to each person on the Reappointment **Eligibility** List in the classification to be filled until the position is filled or everyone has turned down the appointment, whichever occurs first.

2/19/09
1:55 pm

3. It is understood and agreed that temporary employees do not have seniority. However, temporary employees eligible for the Reappointment Eligibility List will be put on the Reappointment Eligibility List in order from the most number of seniority points accrued, not earned, pursuant to provision 30.11. Employees on the Reappointment Eligibility List in the appropriate classification will be called beginning with the employee with the most accrued seniority points. If there is more than one person on the Reappointment Eligibility List for the classification to be filled with the same number of seniority points, the tie shall be broken by University may appoint employees in any order. : the University after considering the following factors:

a. specialized skills and competencies of the employee; and

b. documented meritorious service by the employee. as documented in the personnel file

SETC/TAPCA 2-19-09 SA 2/19/09

4. The President may appoint outside applicants when he/she determines such action is necessary to meet the best interest of the campus by obtaining specialized skills and abilities not available from those on the Reemployment Eligibility List.

5. If an employee is reappointed for less than two (2) years, he/she shall remain on the Reemployment Eligibility List for two (2) additional years.

10.4

The President shall make appointments.

10.5

Appointments may be to Limited Hourly, temporary, probationary, or permanent positions. Appointments shall be made through official written notification by the President. No employee shall be deemed to be appointed in the absence of such official written notification from the President. Such notification shall include the class title and timebase (except for Limited Hourly appointments) to which the employee is being appointed, the initial salary, the employment status of the employee, and the effective date of the appointment.

Temporary and Limited Hourly appointments shall also specify the expiration date of the appointment. Temporary and Limited Hourly appointments may provide for separation of the employee prior to the expiration date of the appointment and shall specify that any employment in temporary and/or Limited Hourly status may be credited as a period of probationary service as defined in Article 11 of this Agreement. Such a separation shall not be subject to Article 29, Layoff, or Article 9, Grievance Procedure. No employee shall be deemed to be appointed in the absence of such official written notification from the President.

10.6

Limited Hourly appointments are intended to be utilized for hourly part-time or full-time work that is intermittent, sporadic, or periodic in nature. Employees in a Limited Hourly status will normally have different schedules within the same appointment. Utilization of Limited Hourly appointments for full-time work may not exceed nine hundred sixty (960) hours in a fiscal year. It is not intended that Limited Hourly employees replace temporary, probationary, apprentice, or permanent employees. Retired Annuitants may be hired as Limited Hourly employees but are not eligible for sick leave, vacation, or holiday pay.

10.7

New employees are assigned no less than the Minimum Rate on the salary range established for the classification.

10.8

An employee appointed to a position at another campus without a break in service shall transfer his/her accumulated sick leave and retirement credit. The appointing campus and the employee may mutually agree to allow the employee to retain all or part of his/her accrued vacation up to a maximum of eighty (80) hours. Any vacation accrued but not used or transferred shall be paid.

10.9

An interview panel will be utilized when appointing an employee to a permanent position and may be used for temporary and apprentice appointments at the University's discretion. When an interview panel is utilized and the Union recommends one (1) unit member from the ~~craft~~ occupational group being recruited to serve on the panel; such unit member shall serve on the

panel. The campus may appoint an additional unit member or members to the interview panel as well as management representative(s).

If a member of the occupational group being recruited is not available on the campus and the Union appoints a member from another campus, release time will be reimbursable and the Union will be responsible for any costs related to the member's participation on the interview panel. Release time must be requested and processed in accordance with provision 7.14 a, but the employee does not have to be a Union officer.

SETC recommendations are expected to be timely. If SETC appointees are not available in a timely manner, the interview process will not be delayed.

10.10

The CSU will provide to the Union a system-wide quarterly report of all Limited Hourly and temporary appointments in the bargaining unit on the date of the report. The list shall include the name, classification, hire date, funding source, and campus of each employee. This report shall be prepared effective February 1, May 1, August 1, and November 1 of each year.

10.11

The President shall grant permanent status to a temporary employee subject to the following conditions:

- a. The temporary employee shall have served in a Bargaining Unit Classification or in classifications in the same Defined Occupational Series Grouping (Appendix B) at the campus for at least three (3) consecutive years immediately prior to the granting of permanency.
- b. Such employee service shall have been in an appointment with a timebase of at least fifty percent (50%).
- c. An employee who has served three (3) or more consecutive years in a position designated as temporary under the prior Agreement shall be granted permanent status in the classification and the time base that is held as of the date of the Tentative Agreement.

d. An employee who has served for less than three (3) consecutive years in a position designated as temporary under the prior Agreement shall be granted permanent status upon serving three (3) consecutive years in a temporary position.

e. A timebase shall not be reduced in the appointment immediately preceding the granting of permanency.

f. This provision does not apply to employees in positions which are funded by grants, contracts, or special projects with beginning and ending dates.

g. "Consecutive year," as used in this article, shall be a 365-day period commencing on the date of the appointment or anniversary date during which a temporary employee is on a compensable status for 275 days or more. All temporary appointments within each 365-day period during which the employee is on a compensable status shall count toward a "consecutive year."