

Subject: DURATION APPOINTMENTS AND CLASSIFICATIONS

REFERENCES	SECTIONS
Classification and Pay (C & P) Guide	130
Law & Regulation http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9 http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandTree&AP=I1CF57861D48D11DEBC02831C6D6C108E&ItemKey=I1CF57861D48D11DEBC02831C6D6C108E&RPTocRS=WEBL13.01&VR=2.0&SPa=CR-1000&pb=DA010192&fragment#I1CF57861D48D11DEBC02831C6D6C108E	GC 18544, 19200 Rules 500-506, 511-513, 599.873-.874, 599.876-.877
Memo of Understanding (MOU) http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx	Applicable BU Contract
Responsible Control Agency and Program	SPB, CalHR

Subject: Duration Appointments and Classifications

Definition/Explanation:

A duration class is a permanent, civil service class established to perform specialized work in narrowly defined and specifically identified projects or studies that have an estimated completion or termination date, after which the project and duration class(es) are abolished.

Characteristics of Duration Classes

1. The duration of the project is typically between nine months and four years, but may extend beyond this time frame.
2. The work tasks and responsibilities do not represent ongoing work for the department and are not likely to be continued beyond a time frame that has been estimated by the department.
3. Duration classes differ from other classes in that applicants and incumbents to the class are notified that employment is limited to the duration of the project, after which the positions will be eliminated from State service.

Type of Appointment

Position tenure is largely based on the anticipated duration of a particular position.

1. Duration class positions must be filled through permanent appointments when the positions are needed for more than two years. The appointment must be made on a permanent basis because temporary and limited-term appointments cannot exceed two years.
2. If the position is anticipated to last for two years or less, it is usually filled using a limited-term appointment.
3. If a project ends within a two-year time frame and the incumbent is designated limited term, employment may be terminated immediately. The DPA Rule 599.843 also stipulates limited-term employees must be laid off before permanent State civil service employees in the same class in the area of layoff.
4. When a project terminates after a two-year time frame and the project duration employees are designated permanent, the department must comply with the appropriate layoff provisions for these employees. DPA describes these provisions in the Staffing Reductions Policy and Procedure Manual. The various MOUs reached pursuant to GC 3517.5 between the State and the exclusive representatives of the bargain units contain rights of represented employees in relation to staffing reductions that may, in some cases, supersede the provisions of the manual and the laws referenced in it.

Policy:

A duration class shall only be used if the duration of the project is typically:

- between nine months and four years, but may extend beyond this time frame;
- the work tasks and responsibilities do not represent ongoing work for the department and are not likely to be continued beyond a time frame that has been estimated by the department;

- that applicants and incumbents to the “established” class are notified that employment is limited to the duration of the project, after which the positions will be eliminated from State service.

Procedure:

NOTE: During a hiring freeze, any new appointment to State service or inter-departmental transfer requires a freeze exemption.

To process a duration appointment, an RPA package must be submitted.

The justification for the position should include any pertinent legislation and Budget Change Proposal (BCP) information in order for the HR analyst to determine if the position to be established is for a limited time (duration) or if there is an existing “duration” class that meets the requirements of the client. This may be a one-time grant for a specific research project, which will end at the completion of the study.

If it is determined that the new position is a duration appointment, a Board Item must be submitted to the SPB to establish the specific position required. However, Research Program Specialist or Research Assistant classifications are used for this purpose. If the project or study includes work of an administrative nature, e.g., Office Assistant, and the project or study is less than 2 years in length, the person must be hired on a limited term basis. If the project or study is extended beyond 2 years, the incumbent must be separated and a new person hired. If the project or study is 2 – 4 years, the person must be hired on a permanent basis and **MUST** be informed, prior to appointment that the position will terminate at the end of the project.

When preparing the SPB Board Item, the rationale for developing a project duration class must be described on the appropriate form (Part B, Classification Considerations). The analysis should include the following items:

- brief description of the project or study that will be conducted by the project duration class(es)
- description of the purpose, duties, and responsibilities of the duration class(es)
- an analysis of why existing civil service class(es) do not meet the need for the project’s operational needs.

The cover memo for the SPB Board Item must include the following information:

- Summary of Issues – A brief description of the need for the project duration class and an estimated completion date, if known (see Legislation or BCP).
- Recommendations – Include recommendations that identify both the name of the project or projects within the specific agency, and the title of the class specification to be designated for the project.

At the end of the project tenure, the classes must be abolished through SPB action. Resolution language should read: That the class of (title) be abolished. (When a project terminates after a two-year time frame and the project duration employees are designated permanent, the department must comply with the appropriate layoff provisions for these employees.) [See "Layoff Process" in this manual for additional information.]

How to Establish

The "core" class for a duration class has typically been previously established, e.g., Research Specialist II (Various Studies) [Class Code 7860]. However, it is still necessary to establish each specific project or study for which the user department identifies a need.

1. Establishing the project requires that a board item be adopted by the SPB.
2. If it is necessary to hire incumbents at the earliest possible time, the New Program Consultant class may be used prior to establishing the project, provided that criteria for use of the New Program Consultant class are met.
3. Duration classes are frequently established as a series to reflect various levels of responsibility and complexity within the project or study.
 - a. In such cases, clear criteria should be provided that readily distinguishes each level within the series.
 - b. Supervisory and managerial classes are usually not included as part of a duration class series.
 1. The project or study that defines the duration class series is usually overseen by supervisors or managers allocated to non-duration classes. These supervisors and managers serve to integrate the results into the mainstream of State operations.
 2. The nature of duration class work is, by definition limited in duration and highly technical or specialized to a relatively esoteric field of endeavor. Candidates who possess the requisite technical skills should not be expected to also possess supervisory and managerial skills; the combination results in too small a candidate pool, especially considering the finite duration of the positions.

Specification Content

The format and content of the specifications for duration classes are different from other State class specifications. The differences are necessary to accommodate the atypical nature of the duration classes and to monitor the lifespan of individual duration classes.

1. Most non-duration class specifications show the complete class titles, including the specific parenthetical specialties, on the first page of the specification. Duration class specifications only list the "core" class(es). Specific parenthetical specialties are not a part of the class title. Instead, a generic parenthetical phrase (such as "Various Studies") is added, which indicates there are multiple parenthetical specialties for the "core" class.

- a. Examples: Research Specialist I, II, III, IV, or V (Various Studies)
Research Assistant I, II, III, IV, or V (Various Studies)
Education Project Assistant I or II – Various Projects
Education Project Specialist I, II, or III – Various Projects
Disaster Worker Clerical Services (Various Disasters)
Disaster Worker Management Services (Various Disasters)
Disaster Worker Specialty Services (Various Disasters)
Disaster Worker Staff Services (Various Disasters)
Emergency Services Project Specialist I, II, or III – Various Projects
Pest Prevention Assistant I, II, or III (Various Projects)
2. Only the “core” duration class titles are listed in the Class History section of the specification.
3. An attachment to the spec lists the names of all projects or studies and the establishment date. The project names are organized by department. This provides a quick reference to all of the projects established by a given department and facilitates ease of monitoring future abolishments.

This list is automatically updated from project information included in the DPA Pay Letter.

4. Minimum Qualifications. Unlike most permanent civil service class specifications, each of the project “classes” within a duration class series may use the minimum qualifications of the “core” class. Additional descriptions of particular Minimum Qualifications for a specific parenthetical specialty class are not necessary.

Essential Board Item and Specification Language

1. Individual and series specifications established for duration classes should contain language stating that the classes work exclusively on projects, studies or tasks that have specific completion or termination dates, after which positions in the classes will be terminated.
2. The class or series specifications for research or scientific type duration class(es) should include language that defines the type of research or scientific work being performed. This language should state that:
 - a. The project or research being completed is a systematic, critical, intensive investigation directed toward the development of new or fuller scientific knowledge of the subject studies.
 - b. The work is characterized by the systematic investigation of theory, experimentation, or simulation of experiments.
 - c. The work is characterized by research-type application of the scientific method including problem definition and exploration, planning of the approach and sequence of steps, execution of experiments and studies, interpretation of findings, and documentation and reporting of findings.

- d. There is a clear requirement for the exercise of creativity and critical judgment, variation in which may materially affect the nature of the end product.
- e. The qualifications, stature and contributions of the incumbent have a direct and major impact on the level of difficulty and responsibility of the work performed.
- f. Research capability, as demonstrated by graduate education, research experience and research of merit, and other relevant criteria, is a significant requirement in the selection of candidates.

Impact on Employee

An individual hired in a duration classification on a permanent basis may transfer from special, limited duration project classes to classes used for career staff.

From time-to-time limited duration projects arise that require special skills that are not available from the State's regular permanent staff. To meet these needs, project classes are used to hire persons who possess the required special qualifications. . . . **the Board will not preclude an otherwise appropriate transfer of an incumbent in a project duration/non-career class to a career class.**

An individual hired in a duration classification on a permanent basis can reinstate in accordance to SPB Rule 512, which states, in part that, the regulations governing reinstatement of probationary or permanent employees shall apply to duration employees.

Attachments: [Duration classification specification "Construction Project Specialist \(Various Sites\)"](#)