

State Restrictions of Appointment (SROA)/Surplus/Reemployment

Policy It is the policy of the DGS to conform with the policy of the State, that when facing a potential layoff, due to lack of work or funds, SROA/Surplus/Reemployment measures shall be initiated in order to give employees an opportunity to retain State employment.

**Definition
and/or
explan-
ation**

SROA:

The State Restriction of Appointments (SROA) process is defined as an alternative to layoff that gives the Department of Personnel Administration (DPA) the authority to restrict the methods of appointment available to appointing powers in order to give employees in jeopardy of layoff an opportunity to retain State employment. The SROA is a common method used when departments are facing staffing reductions. At the same time an employee's position is designated as surplus, the DGS shall place the surplus employee in the SROA Program for the employee's current classification and the geographic area where the employee is currently employed. Employees will be given an opportunity to request to be removed from the SROA Program without prejudice and without affecting their surplus status. Employees may also elect their preference for other geographic locations they are willing to be employed. Employees, who are eligible for the SROA Program, will remain on an SROA list for up to 120 calendar days from the date DPA designates the classification surplus. SROA eligibility may be extended an additional 120 days with DPA approval. Every employee on an SROA list is considered surplus for any other classification to which s/he is eligible to transfer and may compete for positions in those classifications with employees on the SROA lists for those classifications.

SURPLUS:

Surplus status is declared when a department has more employees in a classification than it has vacancies. Employees who are designated surplus must seek out their own job opportunities since they will not receive contact letters. If a job offer is made with a specific start date and an employee accepts it prior to notification from their current employer that they are no longer surplus, the employee is still considered surplus. While on surplus, employees can transfer to any classification pursuant to the State Personnel Board's (SPB) transfer rules. Surplus status will end at the point in time an employee is notified by their employer that they are no longer surplus and have requested DPA to remove their surplus status.

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**Definition
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SUPER SROA:

The Memorandum of Understanding (MOU) between the State and Bargaining Units (BU) 2 and 9 contain the following clause, which is referred to as "Super SROA:"

"Departments filling vacancies shall offer positions to current employees facing layoff, demotion in lieu of layoff, or mandatory geographic transfer, who meet the minimum qualifications for the vacancy being filled, provided that the vacancy is equivalent in salary and responsibility and in the same geographic area and bargaining unit."

The DGS **must** fill each vacant position with an employee who meets the Super SROA criteria, if one applies. If no BU 2 or 9 employee who is qualified for Super SROA applies, the DGS will follow the provisions of the regular SROA Program.

REEMPLOYMENT:

An employee's name is placed on the general, departmental, and subdivisional (if any) reemployment lists for each class of layoff in the primary pattern; and is placed on the departmental and subdivisional (if any) reemployment lists for each class of layoff in the secondary pattern. IN ADDITION, IF any employee is laid off from a department-specific class in which the chance of reemployment is virtually nonexistent, the appointing power may request that DPA place the employee's name on a general reemployment list for a similar class.

Subdivisional Reemployment List: Means a list established for the reemployment of persons in a particular class in a particular subdivision of a state agency.

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State Restrictions of Appointment (SROA)/Surplus/Reemployment, Continued

**Definition
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Departmental Reemployment List: Means a list established for the reemployment of persons in a particular class in a particular state agency.

General Reemployment List: Means a list established for the reemployment of persons in a particular class in any state agency, irrespective of the state agency in which the persons were previously employed.

**Special
notes
regarding
SROA**

Employee participation in the SROA program is voluntary, and employees may not place themselves on inactive status once their names are placed active on any SROA listing. However, employees may request that specific classes be removed from their SROA listing, if they do not wish to receive job inquiries for those classes.

If a surplus or SROA employee has received a layoff notice prior to a hiring department making a hiring commitment, the employee will be entitled to relocation expenses if a move is necessary.

An employee on a SROA list may waive an unlimited number of contacts, but if s/he does not respond to a written or telephone contact or does not appear for an interview, his/her name should be removed from the SROA list by the hiring department. A Surplus/SROA candidate CANNOT refuse a job offer. Declining a job offer, or failure to report to work, may result in removal from the SROA list and/or layoff.

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SROA/Surplus/Reemployment, Continued

Process and procedures The process and procedures for SROA/Surplus/Reemployment are located in the DPA's SROA Manual at <http://www.calhr.ca.gov/employees/pages/state-restriction-of-appointments.aspx> and Layoff Manual <http://www.calhr.ca.gov/state-hr-professionals/Pages/layoff-manual.aspx>
The Office of Human Resources (OHR) Classification and Pay Unit is responsible for administering these programs in accordance with DPA and SPB laws, rules and policies, as appropriate.

Resources The following table depicts the various resources available regarding SROA, Surplus, and Reemployment.

Resource	Section
Law and Regulation http://leginfo.legislature.ca.gov/faces/codes.xhtml?jsessionid=ec740fb92d7f258ccc38ebd5c0c9 http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandTree&AP=11CF57861D48D11DEBC02831C6D6C108E&ItemKey=11CF57861D48D11DEBC02831C6D6C108E&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=W EBL13.04&VR=2.0&SPa=CCR-1000&pbcd=DA010192&fragment#11CF57861D48D11DEBC02831C6D6C108E http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandTree&AP=16C9E1EC0D48E11DEBC02831C6D6C108E&ItemKey=16C9E1EC0D48E11DEBC02831C6D6C108E&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=W EBL13.04&VR=2.0&SPa=CCR-1000&pbcd=DA010192&fragment#16C9E1EC0D48E11DEBC02831C6D6C108E	GC: 18525.3(b), 18534, 18535, 18540-18540.4, 18654.5, 18701, 18903-18906, 19050.5, 19052, 19054, 19056, 19062, 19062.3, 19100.5, 19141-19142, 19231, 19253, 19253.5, 19702, 19775.3 & .6, 19781, 19785-19786, 19790, 19798, 19855, 19991.4, 19994-19994.4, 19995.2, 19996.19-19996.40, 19997-19997,14, 19995.4(d), 19816, 19816.2, 19820, 19837, 19841, 19998-19998.1, 20816. Reference: 11092.5, 19792, Public Health and Welfare Code, Title 41, Chapter 126, Sections 12101-12117 (American With Disabilities Act-ADA). SPB Rules: 258, 260, 425, 431, 434, 448, 470-472, 3516, 3517, 3517.6, 3532. DPA Rules: 599.835, 599.840.1, 559.843, 599.847, 599.849, 599.854-599.854.4, 599.855.4, 599.607.1, 599.608-599.609, 599.674, 599.677-599.680, 599.714-599.722, 599.830-599.842, 599.845-599.847, 599.849-599.850, 599.854-599.854.4, 599.739, 599.876, 599.903-599.904
Memorandum of Understanding (MOU) http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx	Varies. See MOUs 2 and 9 for "Super SROA" provisions. Also MOU 6 and 13 provides that seniority in Unit 6 and 13 classes consists only of time served in Unit 6 and 13. Unit 12 provides that post and bid is used first prior to placement of surplus/SROA/reemployment candidates.
Personnel Management Policy and Procedures Manual (PMPPM)	311, 315, 420, 441, 442
Responsible Control Agency http://www.spb.ca.gov/ http://www.calhr.ca.gov/Pages/home.aspx	SPB, CalHR
Selection Manual (old)	6905, 6910-6952
SPB/DPA Policy Memos http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx	PML 2000-003, 2002-071, 2003-010, 2004-033, 2004-034, 2004-051
Other http://www.dof.ca.gov/budgeting/budget_letters	Department of Finance Budget Letters (BL)