

Special Consultants

Policy

It is the policy of the DGS that a Special Consultant **may** be used for non-recurring expert service, if standards 1, 2 **and** 3 below **are justified on the Request for Personnel Action (RPA)**:

1. The duration of the work is less than nine months, or it is less than the equivalent of nine months' full-time employment within a 12-month period.
2. The work is of a professional or technical character.
3. Specialized skills and knowledge are required, which are not available within existing classifications in State service. While there may be classifications that include the general background needed, they lack the very specialized expertise to meet the particular need.

Note: Careful judgment is required in determining whether Standard "3" is met. Special Consultant should be authorized **only** to obtain bona fide expertise or specialized consultation not obtainable by using existing classifications and eligible lists. In some cases it should be possible for departments to obtain specialized services from other State agencies under interagency agreements rather than through use of Special Consultants. Finally, any individual hired as a Special Consultant **must** have a background that matches the justification for the use of the classification.

Definition/ explanation

Special Consultant is a non-testing classification used almost exclusively to make temporary appointments (TAUs) to meet short-term needs for highly specialized services that cannot be accommodated within the regular civil service classification and examining structure. In rare instances and with the approval of both the Department of Personnel Administration (DPA) and the State Personnel Board (SPB), it may also be used to make a temporary appointment pending the filling of an exempt position.

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Special Consultants, Continued

**Definition/
explanation**
(continued)

The DGS has delegation from the DPA to make appointments to the Special Consultant classification based on the standards and guidelines outlined in the Classification and Pay (C&P) Manual, Section 340. However, the DGS **must** provide a copy of the salary analysis to the DPA **prior** to authorizing an appointment to this classification. Concurrently, the SPB **must** review a “package” from the DGS to verify that the proposed consultants background and experience are appropriate for the described assignment and to ensure that appropriate affirmative action considerations have been made. The package shall include:

- Position justification, which includes:
 - ✓ Background – description of the situation which led to the request for a Special Consultant
 - ✓ Objective – what is to be accomplished by the Special Consultant (scope of work)
 - ✓ Needed expertise – description of the specific expertise needed to meet the DGS’ need and indicate why it cannot be obtained from permanent staff or through an interagency agreement
 - ✓ Affirmative action – summary of the affirmative action efforts made in the selection process
 - ✓ Appointment information – specify the recommended time base salary rate (including justification), and duration of appointment (including the anticipated ate of termination and verification that the DGS; need will not exceed the nine-month limit
- Organization chart
- Duty statement
- Standard application, completed by the individual to be appointed, including salary history information
- Form 215 (TAU authorization)

**Professional
defined**

Professional is defined as engaged in an occupation.

**Technical
defined**

Technical is defined as characterizing or showing skill in or specialized knowledge of applied arts and sciences.

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Special Consultants, Continued

Duration of appointment

The duration of Special Consultant appointments is limited to:

- Nine months (or 194 working days) within any 12-month period
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Time base

The time base of a Special Consultant depends on the DGS' needs and is included in the RPA package, The options are:

- Full-time – the Special Consultant is anticipated to work at least 40 hours per week for a maximum of nine months in a 12-month period
 - Intermittent – the Special Consultant is anticipated to work less than full-time and is compensated as follows:
 - At a monthly rate proportionate to the amount of time worked
 - At a daily rate that is the daily equivalent of the recommended monthly salary
 - At an hourly rate based of the approved monthly salary, when the need is sporadic, an fro extremely brief periods

An intermittent TAU is limited to the total of 194 days of work. Each day worked is counted regardless of the actual number of hours per day.
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Salary – general maximums

While there is no salary range for Special Consultant, following are the established maximum salary guidelines:

Type of Special Consultant	Rate Generally Should Not Exceed the Maximum Rate for the Classification of
Certified Medical Specialist	Physician and Surgeon, Range D
Licensed Physician	Physician and Surgeon, Range D
Attorney	Deputy Attorney General IV
Other	Research Specialist IV, Range A

Note: When the factors above do not give adequate guidance, consider the rates paid for similar work by other employers.

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Special Consultants, Continued

**Procedure
for the use
of special
consultant**

All requests for Special Consultant allocations must meet the standards and guidelines outlined in this section. Refer to Classification and Pay Guide Section 340 for complete discussion.

Step	Action
1	<p>The requesting office prepares and submits a Request for Personnel Action (RPA), which shall include:</p> <ul style="list-style-type: none"> • A justification supporting the use of the Special Consultant classification, including: <ul style="list-style-type: none"> ➤ what services are to be accomplished by the Special Consultant; ➤ a description of the specialized skills and knowledge needed which are not available within State service or through an interagency agreement; and ➤ verification that the need for the Special Consultant will not exceed nine months • The duration of the appointment (may not exceed 9 months in a 12-month period), the recommended time base, and the salary rate (including justification for the proposed salary) • A standard application (Form 678) completed by the individual to be appointed, including salary history information (selection should follow a minimum of an application review and an oral interview) • A summary of the recruitment efforts made during the selection process • An essential functions duty statement • A current and proposed organization chart
2	<p>The Classification and Pay (C&P) Analyst reviews the RPA package and processes in accordance with DPA/SPB and RPA procedures.</p>

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Resources The following table depicts the resources available.

RESOURCE	SECTION
Laws and Regulations http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9 http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=CollapseTree&AP=I7728E3302FD611E08D0F9C215E074EDC&ItemKey=I7728E3302FD611E08D0F9C215E074EDC&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=WEBL13.04&VR=2.0&SPa=CCR-1000&pbcr=DA010192&fragment#I7728E3302FD611E08D0F9C215E074EDC	GC 18529, 19058, 19059, SPB Rule 265
Classification and Pay (C&P) Guide	340
Selection Manual (Old)	3600, 3900
Personnel Management Policy and Procedures Manual (PMPPM)	210
Responsible Control Agency and/or Program http://www.calhr.ca.gov/Pages/home.aspx http://www.spb.ca.gov/	CalHR, SPB
Other:	
Form 215 (TAU authorization)	
