

Subject: TIME BASE CHANGE (CROSS REFERENCE - REDUCED WORK SCHEDULE)

REFERENCES	SECTIONS
<p>Law & Regulation http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9 http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandedTree&AP=I97CEE3A02FD611E08D0F9C215E074EDC&ItemKey=I97CEE3A02FD611E08D0F9C215E074EDC&RP=%2Ftoc%2Fdefault%2Ewl&Service=TOC&RS=WEBL13.04&VR=2.0&SPa=CCR-1000&pbcd=DA010192&fragment#I97CEE3A02FD611E08D0F9C215E074EDC</p>	<p>GC 19062.5 SPB Rule 277</p>
<p>Memo of Understanding (MOU) http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx</p>	<p>Applicable BU Contract</p>
<p>Personnel Management Policy and Procedures Manual (PMPPM)</p>	<p>380</p>
<p>Responsible Control Agency and Program http://www.spb.ca.gov/</p>	<p>SPB</p>
<p>Other:</p>	
<p>POM - Reduced Work Schedule</p>	<p>http://www.documents.dgs.ca.gov/ohr/pom/Reduced%20Work%20Schedule.doc</p>

Subject: Time Base Change (Cross Reference - Reduced Work Schedule)

Definition/Explanation:

Time base is an important element of an employee's status, since it controls the basic amount of work time to which the employee is entitled to receive compensation. Therefore, there are significant equity and merit concerns associated with time base increases and/or decreases. If a list appointment is involved, these concerns are addressed through standards and guidelines regarding list appointments. Time base changes that do not involve appointments through employment lists are controlled by specific provisions in SPB Rule 277 to ensure that they are consistent with the overall competitive process through which civil service jobs are obtained.

Time base changes may be employee driven (voluntary), or budget, or position driven (reduction in work performed, reduction in staff, temporary limited duty, FMLA, etc.).

Policy:

To the extent feasible, the DGS will make time base changes available to employees who are unable, or who do not desire, to work full-time.

DGS management supports the time base change concept where it is practical. An employee who wants to change his/her time base shall discuss the matter with his/her supervisor.

Employees considering a time base change should be aware that:

- Approval of a request depends on the responsibilities and required level of service for an employee's position;
- Management cannot involuntarily place an employee on a different time base;
- Time base changes affect the employee's benefits and seniority; and
- The employee can normally return to full-time work upon request. However if a reduction in time base was not medically necessary, during a hiring freeze, a freeze exemption must be obtained in order to return to full-time work.
- There may not be any vacant position or partial position available to increase the time base.

Procedure:

Time Base Change

Any time base change must be submitted through the RPA process. If the State is under a hiring freeze, it may be necessary to obtain freeze exemption from DGS Executive Staff, Agency and the Department of Finance. Refer to the Hiring Freeze section of this manual for current information.

The following provisions from SPB Rule 277 specify when employees are eligible for various time base changes without an appointment from an employment list.

1. Increases in time base of part-time or intermittent employees to full-time or movement of intermittent employees to part-time are permitted when:
 - a. The employee has previously held a permanent or probationary status appointment at or above the desired time base in the classification to which the appointment is to be made or in the classification that is substantially at (within two salary steps) or above the salary level of that classification. This reinstatement eligibility to the higher time base holds regardless of whether the employee has had a break in service since working at the higher time base; or
 - b. The appointing power can clearly demonstrate that the employee has previously been eligible for an appointment from an employment list to the position and time base in question. Various ways in which the DGS can document that the employee had been reachable for an appointment at the higher time base include:
 - Producing a current certification list for the class and the employee's name is in the top one or three (depending on class) reachable ranks;
 - Reconstructing an expired certification list, which indicates the employee was in the top one or three reachable ranks;
 - Obtaining a copy of an interest letter that shows that the employee had been contacted for an appointment at the higher time base and is in the top one or three reachable ranks; or
 - c. For at least two years the employee has held any combination of permanent or probationary appointments in the same classification or in classifications that are at substantially the same or higher salary level, and has worked at least 1920 hours in such appointments.
2. Time base changes other than those specified in Part (a), above, of this rule are permitted at the discretion of the appointing power.

Examples of time base changes other than those specified in Part (a), above, include:

- a. Any decrease in time base at the discretion of the appointing power and with the employee's consent.
- b. An increase in time base of a part-time person from one part-time fraction to another such as 2/5 to 3/5 or 1/2 to 4/5.
- c. An increase in the specified time base hours of an intermittent person to other than part-time or full-time such as 50 hours per month to 70 hours per month.

Standards and Guidelines

1. Time base changes, which do not occur through a list appointment process, are governed by the provisions of SPB Rule 277. Time base changes from intermittent to part-time, part-time to full-time and intermittent to full-time are controlled by this rule. Movement to a lesser time base, such as part-time to intermittent and full-time to less than full-time, is not governed by this Rule since consistency with other competitive merit processes is not a concern.
2. Time base changes under Rule 277 are discretionary and authority to approve time base changes without prior Board approval is delegated to the DGS. Employees are not mandatorily entitled to such time base changes under this rule. Neither does this rule enable appointing powers to make changes without the employee's consent.

These provisions also do not extend or modify an employee's eligibility to reinstate to a position in a different class.

3. **This rule does not have any effect on the Reduced Work-Time Program and does not negate any rights and privileges of employees who participate in that program. This Rule also does not preclude the DGS from instituting a reduction in employee worktime because of a reduction in force.** The two situations involve application of laws and rules that are beyond the scope of this Rule. Employees who participate in the Reduced Work-Time Program have a mandatory right-of-return to their previous time base at the conclusion of his/her contract. In a layoff situation, a department may order a mandatory reduction in an employee's time base to alleviate the effects of a layoff.
4. If the 1920 hours are accumulated in less than two years, the employee is not eligible for a time base change until two years of work have been completed. The 1920 hours may be accumulated in a period longer than two years but not shorter.

In addition, the two years do not need to be consecutive. The two-year requirement can be met by a continuous two-year period of employment, or can be a combination of time worked, which may include changes in job classifications or before and after a break in service.

Example: If an employee had worked 18 months and 1500 hours as an intermittent Word Processing Technician, had left State service and then, five years later, had been hired off an open list as a part-time Office Assistant (Typing), that employee would be eligible to increase his/her time base to full-time as an Office Assistant after having worked only an additional six months and 420 hours.

5. When considering a time base change for an employee in a deep class, the following experience can be used to meet the criteria outlined in 1(a) and (c) above:

- a. Time spent in the employee's current range or any lower range of the employee's current class.
- b. Time spent in classes that are at substantially the same level at either the employee's current alternate salary range or lower ranges in the employee's current class.
- c. Time spent in alternate ranges of deep classes that are at substantially the same level of the employee's current class.
- d. Time spent in lower ranges of a deep class can count toward the time base change in a non-deep class if the maximum salary of the highest status range of the deep class is within two steps of the maximum salary of the non-deep class.

Reinstatement with Time Base Change

A person who reinstates after a break in service may do so with an increase in time base as long as s/he meets one of the criteria in Rule 277. Currently, this must be documented as a reinstatement to the old time base with a subsequent time base change effective the same day.

Reduced Work Schedule

1. Any full-time employee may request participation in the reduced work schedule program by:
 - a. notifying his/her immediate supervisor of intent to exercise the option,
 - b. submitting to his/her immediate supervisor a request in writing no later than 30 days prior to the effective date of the reduced work schedule program (beginning of a pay period) on the Reduced Work Schedule Arrangement Screening Tool and Request form (see attached).
2. The Reduced Work Schedule Arrangement Screening Tool and Request form, if approved by the supervisor, is submitted to the C&P Analyst as an attachment to the RPA.
3. The C&P Analyst shall review the request and approve/deny and return the completed document to the employee.

If approved, the employee and his/her immediate supervisor shall complete the Reduced Work Schedule Arrangement Agreement form (see attached) and return it and the original request form to the C&P Analyst for processing. Note: a copy of both forms should be maintained by the immediate supervisor and employee. A copy of the reduced work schedule should be provided to the Attendance Clerk for accurate positing of the employee's time.

The C&P Analyst will forward the original documents to the Personnel Specialist with the RPA for processing. The documents will be filed in the employee's Official Personnel Folder (OPF).

If denied, the C&P Analyst will indicate the reasons for denial on the request form, disapprove the RPA and forward a copy of the denial to the California State Employees Union (CSEA) for Bargaining Units (BU) 1, 4, 11, 14, 15, 20, and 21 (the other CSEA BUs, not listed, and other BUs, do not require submission of the denial). Send the copy to:

Work and Family Committee
CSEA, Local 1000, SEIU, 1108 "O" Street
Sacramento, California 95814

Rights of Employees

An employee shall:

- **Not be** coerced by the supervisor, another employee, or DGS to reduce his/her work schedule involuntarily,
- **Not be** excluded from participation in reduced work schedule when the conditions outlined in GC Section 19996.21 is met, and
- **Not be** assigned workload or mandatory overtime that is excessive in comparison to that assigned to other employees performing similar work under the same appointing power.

Violation of any of the provisions of this GC Section may be the basis for a grievance under DPA rules or the applicable provisions of a Memorandum of Understanding (MOU).

Feasibility Determination

When an employee requests a reduced work schedule, the supervisor shall determine if it is feasible for the position to be a reduced work schedule position.

Feasibility determination shall include consideration of, but not limited to: cost, levels of service and the need to maintain adequate supervision.

Attachments: [Reduced Work Schedule Arrangement Screening Tool and Request form](#), [Reduced Work Schedule Arrangement Agreement form](#)