

Introduced by Senator Ashburn

February 27, 2009

An act to amend Sections 18530 and 19080.3 of the Government Code, relating to civil service appointments.

LEGISLATIVE COUNSEL'S DIGEST

SB 623, as introduced, Ashburn. Civil service appointments: limited term appointments.

Existing law authorizes an appointing power to make a limited term appointment to fill temporary staffing needs. Existing law defines a limited term employee as an employee whose appointment as a result of reinstatement or certification from an employment list shall not exceed 2 years. Existing law prohibits limited term appointments from individually or consecutively exceeding one year, except that the State Personnel Board may authorize limited term appointments of up to a total of 2 years' duration when a permanent appointment would be likely to cause a layoff, demotion, or mandatory transfer requiring a change of residence upon the conclusion of the temporary staffing need. Existing law authorizes limited term appointments to be extended within the time limits prescribed by those provisions without making an additional appointment.

This bill would instead prohibit limited term appointments from individually or consecutively exceeding one year except that the board would be authorized to make an extension up to 2 years without making an additional appointment if a permanent appointment would be likely to cause a layoff, demotion, or mandatory transfer requiring a change of residence upon the conclusion of the temporary staffing need. The board would also be authorized to make an extension more than 2 years without making an additional appointment if needed due to funding

exceeding 2 years, to retain the expertise of the incumbent to complete project work that is still in progress, or to prevent the disruption of state operations.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18530 of the Government Code is
2 amended to read:

3 18530. "Limited term employee" means an employee whose
4 appointment as a result of reinstatement or certification from an
5 employment list shall not exceed two years, *except* as specified
6 by Section 19080.3.

7 SEC. 2. Section 19080.3 of the Government Code is amended
8 to read:

9 19080.3. (a) Limited term appointments shall be made only
10 for temporary staffing needs and shall not individually or
11 consecutively exceed one year, ~~provided that the board may~~
12 ~~authorize limited term appointments of up to a total of two years'~~
13 ~~duration when a permanent appointment would be likely to cause~~
14 ~~a layoff, demotion, or mandatory transfer requiring a change of~~
15 ~~residence upon the conclusion of the temporary staffing need.~~
16 ~~Limited term appointments may be extended within the time limits~~
17 ~~prescribed by this section without making an additional~~
18 ~~appointment except as otherwise provided in subdivision (b) or~~
19 (c).

20 (b) *The board may authorize limited term appointments of up*
21 *to a total of two years without making an additional appointment*
22 *if a permanent appointment would be likely to cause a layoff,*
23 *demotion, or mandatory transfer requiring a change of residence*
24 *upon the conclusion of the temporary staffing need.*

25 (c) *The board may authorize limited term appointments for more*
26 *than two years without making an additional appointment if the*
27 *extension is needed because the funding exceeds two years, or to*
28 *retain the expertise of the current incumbent to complete project*
29 *work that is still in progress, or to prevent the disruption of state*
30 *operations.*

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