1901 Definition

A permanent classified employee who resigned in good standing may be reinstated in a vacant position in the former class and status within 39 months of the last date of paid service. Also, the employee may be reinstated in a vacant position in a lower related class, if qualified, or in a limited-term status in the same or lower class. Such actions are discretionary with the appointing power.

EDUCATION CODE SECTION 45309

1902 Reinstatement Rights

A. When an employee is reinstated after resignation, he/she shall be restored to the former step in the current salary range for the class, or if restored to a lower class, to the rate closest to that of the step to which he/she would be assigned if not restored in the former class.

B. If restored to permanent status, restoration of accumulated sick leave and seniority as of the date of the separation.

C. Restoration of a new increment date based on the days worked prior to separation but without step-advancement credit for the off-duty period.

D. Restoration of all rights, benefits and burdens of a permanent employee in the class to which restored.

1903 Resigned Probationer

A person who resigns while in good standing during the probationary term may be returned to her/his original place on the eligibility list at the discretion of the Commission. A person who resigns because of inability to cope successfully with the reasonable requirements of a position will have no standing under this rule.

1904 Appointment After Resignation (Not a Reinstatement)

A former employee who resigned while in good standing and within 39 months of the last day of paid employment is appointed from a valid eligibility list pursuant to these Rules, shall be accorded only the benefits and rights of a new employee on a probationary basis.

Rule 19 Revised 11/2012