901  Establishment and Life of Eligibility Lists

A.  After an examination for any class is completed, the names of successful candidates shall be arranged on the list in the order of their qualifying scores. The eligibility list thus created shall become effective upon approval by the Commission Secretary pending final approval by the Commission. The length of time during which such list shall remain in force shall be one year, unless the recruitment bulletin announcing the examination states that the life of the eligible list will be for six months’ duration. A list may be extended for an additional period of one year or less at the discretion of the Commission.

EDUCATION CODE §45300

B.  Given a vacancy, permanent employees within a class may be considered for selection, along with other eligibles, for positions at or below the classification level for which they have previously tested and have been placed, without again taking a qualifying exam. If selected, said employee need not abandon their present position if no shift conflict exists.

902  Termination of Eligibility Lists

A.  An eligibility list is automatically terminated when no eligibles remain on the list.

B.  An eligibility list may be terminated by the Commission when no eligible is available for appointment to a specific permanent position in a class or when there are fewer than three available eligibles remaining on the list.

C.  An eligibility list is automatically terminated when, in the second year of its existence, a new list for the class is established.
903 Consolidation of Eligibility Lists

A. If a new examination for a class is given during the first year of the life of an existing list, the examination shall be sufficiently similar to the previous examination to ensure the comparability of the scores of eligibles. The new list shall then be merged with the existing list with eligibles ranked in the order of examination score, plus additional points where applicable. Promotional lists shall be merged only with promotional lists, except that, where "dual certification" applies, open and promotional lists shall be merged for certification.

EDUCATION CODE §45291

B. When lists are consolidated under this rule, the earlier list shall be terminated either one year or six months after its establishment, and those eligibles' names shall be removed from the consolidated list.

904 Eligibility After Appointment

An eligibility list shall be used for full-time, part-time, regular, and limited-term assignments in the class. An eligible who accepts part-time employment shall continue to be eligible for full-time employment, and an eligible who accepts limited-term employment shall continue to be eligible for regular appointment.

905 Removal of Names From Eligibility Lists

The name of an eligible may be removed from an eligibility list by action of the Commission for any of the following reasons:

A. A written request by the eligible for removal;

B. Failure to respond to a written inquiry regarding availability for employment;

C. Waiver of three offers of regular appointment;

D. Termination of employment (Promotional Eligibility List);

E. Failure to respond for an interview after certification; or

F. Any of the causes listed in Section 903 or 904.
Limited Term and Substitute Appointments to Classified Positions

POSITIONS DEFINED: Positions established to perform duties which are not expected to exceed six (6) months may be designated limited term positions.

Positions established to replace temporarily absent employees shall be designated limited term/substitute positions.

EDUCATION CODE §45260, 45261, and 45286-45290

A. Procedure for Establishment of Limited Term and Limited Term/Substitute Positions.
When a limited term position is established, the appointing authority shall notify the Personnel Commission Office in writing of the hours, starting date and length of the assignment. Establishment of limited term positions shall be subject to approval of the Director of Classified Human Resources, and ratified by the Board of Education.

B. A limited term appointment may not exceed six (6) months. A limited term/substitute assignment may not exceed the duration of the absence of a regular employee. The appointment may be in the same class as that of the absent employee or the duties may be reduced in level and the appointment may be made from a lower class, if the Director of Classified Human Resources determines that the appropriate classification of the duties to be assigned is of a lower class.

C. Limited term positions shall be classified by the Director of Classified Human Resources.

EDUCATION CODE §45260, 45261, and 45286-45290

D. Eligibility for Appointment
Limited term and limited term/substitute appointments shall be made from eligibility lists, employment lists, and lists which include active bargaining unit members.

E. If an eligible is appointed from an eligibility list to a limited term or limited term/substitute position, the individual may continue to be eligible for substitute or limited term appointments in the same or a related lower class after the eligibility list has expired. The same privilege of continued eligibility shall apply to a former employee who has resigned in good standing and has accepted a limited term appointment within thirty-nine (39) months after resignation. Retired employees who serve in limited term positions will not be eligible for
health and welfare benefits that normally will be given to employees holding limited term positions.

F. All employees on such lists whose eligibility for regular employment expires shall retain their limited term status unless dismissed for cause, but they must again qualify by competitive examination for a place on subsequent eligibility lists from which regular employees are appointed.

G. Those limited term employees whose names have appeared on eligibility lists for their class but who have elected to accept such employment rather than permanent positions shall be granted the same holiday privileges accorded other employees provided they work the working day prior to or the working day following the holiday.

H. When no eligible is available to accept a limited term or limited term/substitute position, the Director of Classified Human Resources is authorized to certify applicants or candidates for appointment.

EDUCATION CODE §45260, 45261, and 45286-45290

I. Compensation for Limited Term/Substitute Assignments
When a regular employee is given a limited term appointment in a higher class in addition to or in lieu of all or part of his/her regular appointment, the rate of pay in the higher class shall be the rate for working out of classification.

J. All other limited term and limited term/substitute employees shall be paid on the first step of the salary range applicable to the class in which they are working.

K. Current permanent employees who accept and are appointed to limited term positions at the same level as their permanent position shall have their salary maintained at its current level. Current permanent employees who accept appointment to limited term positions at a lower level will maintain their current salary step at the lower level and range.

EDUCATION CODE §45260, 45261, 45286 - 45290, and 45309

L. Rights and Benefits During Limited Term Assignment
Regular employees who are serving in limited term assignments while retaining regular status in another class shall continue to earn and be granted all rights and benefits of a regular employee.
M. No credit toward acquiring permanent status with the District or in any classification shall accrue from service in a limited term or limited term/substitute appointment.

EDUCATION CODE §45260, 45261, 45286-45290, and 45309

N. Termination of Limited Term Appointment
A limited term or limited term/substitute appointment may be terminated at the end of an assigned shift at the discretion of the appointing authority. Employees do not have a right to work the entire limited term assignment should the appointing authority deem that the limited term position is no longer necessary or another appointment would be appropriate. The appointing authority shall immediately notify the Personnel Commission Office when a limited term assignment is being terminated.

O. A limited term or limited term/substitute employee may be dismissed for cause. When the appointing authority dismisses the employee, the Director of Classified Human Resources shall be notified in writing of the cause for the dismissal. The Director of Classified Human Resources may investigate the matter and may remove that person's name from all employment lists.

Education Code §45260 and 45261

907 Lists for Part-time Employment
In the event no person is available for part-time employment from re-employment or other eligibility lists, an examination may be conducted for recruitment of persons for such employment only. Appointees from such lists may secure permanent status upon completing the prescribed probationary period. They shall then be deemed permanent employees for purposes of competing in promotional examinations. Adding of additional time to part-time positions shall be based on seniority.

908 Employment of PERS Retirees
Notwithstanding the provisions of subdivision (c) of Section 45134 of the Education Code, a retired classified school employee may be employed by a school district, but only in accordance with the provisions of Article 5 (commencing with section 21150) of Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code.

EDUCATION CODE §45135