



The County of El Dorado

Human Resources Department

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TO: Members, Board of Supervisors
FROM: Karl Knoblauch, Director of Human Resources
SUBJECT: Proposed Changes to Use of Extra Help Personnel

A handwritten signature in blue ink, appearing to read "Karl Knoblauch", is written over the "FROM:" line of the memo.

Background

As you are aware, the CAO has formed several Action and Investment Teams consisting of County executive staff to examine core functions of the County and make recommendations for improvement. The Human Resources Action Team received feedback from several departments about the process for hiring and managing Extra Help employees. The most common complaints were that the hiring process took too long, and that the "break in service" process was cumbersome.

In addition to the intricacies of the Extra Help hiring process, there have been recent changes in State law governing the employment of PERS annuitants, who occupy a significant number of Extra Help positions with El Dorado County. The changes to the Public Employees Retirement Law (PERL) emphasize the temporary duration of employment of retired annuitants that is allowable without triggering reinstatement of the employee to active employment. The changes to Government Code §21221(h) now make that section applicable only to "interim" appointments to vacant positions pending recruitment of a permanent replacement, and allow the governing body to make only a single appointment of a retiree under that section, without renewal. The changes to §21224 include new language specifying that the appointment must be "temporary" and the retired employee must have "specialized" skills needed to perform work of "limited duration."

The CAO hired a consultant, Martha Shaver, to research these issues and make recommendations. Her conclusions were contained in a report, "Report on Use of Extra Help Personnel in El Dorado County," submitted to the CAO in December 2011. The report has been reviewed by the CAO, the HR Investment Team, and County Counsel. In addition, HR and CAO staff have interviewed each department regarding its use of Extra Help employees. Based on the report and the information from the departmental interviews, we are ready to propose the creation of categories of extra help employees that will clarify and streamline the use of such employees.

As expressed in Ms. Shaver's report, the current Civil Service ordinance and principal personnel resolutions, policies, MOUs and related documents provide for "Provisional" and "Extra Help" employees. The definitions and use of these categories of employees are unclear and inconsistent among the various documents. In addition, the definition of "Extra Help" needs to be revised and the policies regarding the use of Extra Help need to be set forth consistently throughout the relevant documents.

The HR Investment Team has met and considered Ms. Shaver's report as well as refinements to the categories suggested in that report. In order to better meet departments' needs and to provide clear and consistent policies for extra help employees, we propose the creation of four new categories of extra help employees: Emergency Appointment, Temporary Appointment, Recurrent Appointment and Limited Term Appointment. A copy of the most recent version of the chart explaining the categories is attached to this memorandum.

Current Practices Regarding Extra Help

According to the Personnel Management Resolution (PMR), temporary appointments are limited to six months. In addition, state law requires that an employee working in a PERS agency for more than 1,000 hours in a fiscal year be enrolled in PERS, requiring that employee and employer contributions be made on behalf of that employee. The County's practice has been to require that each extra help employee have a "break in service" of one pay period for each six months of employment. In general, departments have followed this practice requiring a termination and rehire following a two-week "break in service" every six months. The Auditor has monitored total hours of service per fiscal year and employees have been enrolled in PERS in accordance with PERS requirements.

Proposed Revisions to Extra Help Employment

We propose that four categories of Extra Help employees be established, to fit identified needs of departments. The four categories are:

1. Emergency Appointment

This category addresses appointment of an employee to meet a true emergency or urgent situation and is similar to Section 806 of the PMR. We are suggesting that an outside limit of 30 days be placed upon this category of Extra Help in order to assure that it is used for true emergencies.

2. Temporary Appointment

This category is similar to the category in Section 805 of the PMR. It is designed to be used for short-term projects, longer-term sick relief, short internships, and similar employment. The appointment will be limited to one day less than six months, with one option for an extension for an additional six months that must be approved by the CAO. The total time for a Temporary Extra Help appointment may not exceed one day less than one year.

3. Recurrent Appointment

The purpose of this category is to meet the needs of departments who have seasonal or occasional work that recurs annually or at some other interval, such as snow removal or elections services. Employees in this category would work only when needed, and periods of work would be separated by significant lapses in employment; however, when the employee's services are again necessary, the process for returning to work would be greatly simplified because it would not be treated as a "new hire". This category is not meant to be utilized where a department has an ongoing need for an employee to perform a particular function, which should instead be handled as a regular part-time or full-time appointment.

4. Limited Term Appointment

The purpose of this category is to meet the needs of departments who need an employee to perform work that is limited in duration, is not of a recurring nature, and will continue for a period in excess of six months. Unlike regular appointments, which are made for an indefinite period, a limited term appointment is made for the duration of the work to be accomplished, with an outside separation date. This category is not meant to be used for ongoing needs, which should instead be handled as a regular part-time or full-time appointment. Examples of

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limited term appointments are employees funded by grants, special department projects that exceed six months in duration, and long-term internships.

We are asking the Board for its conceptual approval of this restructuring of extra help usage. If approved, we will draft the language changes to all affected policies/regulations/ordinances and submit for Counsel's review and Board approval.

Attachment

cc. Terri Daly, CAO
Lou Green, County Counsel
Erin Hane, Principal Personnel Analyst