



city of san luis obispo

Temporary Employee Policy

Revised June 2010





TEMPORARY EMPLOYEE POLICY

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GENERAL POLICY

It is the policy of the City of San Luis Obsipo to hire temporary employees to meet the temporary needs of the City that result from emergencies, special projects of a short-term nature, seasonal work, unprogrammed surges in workload, and to provide substitutes for regular employees.

Temporary employee hours will generally not exceed 50% of a regular, full-time position (1,000 hours annually). There may be limited circumstances where the use of temporary employees on an ongoing basis in excess of this target may be appropriate due to unique programming or staffing requirements. However, any such exceptions must be approved by the City Manager based on the review and recommendation of the Human Resources Director.

Temporary employees shall be compensated on an hourly basis, supervised by regular City staff (exceptions may be made in the Parks and Recreation Department) and perform specific tasks as defined by the City.

By ordinance, authorization for all temporary hiring shall be approved in advance by both the department head and the Department of Human Resources. For approval, departments must submit an Employee Requisition to Human Resources. Compensation for temporary employees is to be in compliance with the City's salary schedule.

DEFINITIONS

Contract Employees are temporary employees with written contracts approved by the City Manager who may receive approved benefits depending on hourly requirements and the length of their contract. Contract employees will generally be used for medium-term (generally between six months and two years) projects, programs or activities requiring specialized or augmented levels of staffing for a specific period.

Temporary Positions are positions not specifically itemized in the budget, either full or part-time, requiring less than an average of forty hours per week for the calendar year. Such a position is not eligible to accumulate fringe benefits and is paid on a straight hourly basis for all hours worked, with the exception of retirement benefits which are accrued and partially paid for by employees who work an average of twenty hours a week or more during a calendar year.

Temporary Employees include all employees other than regular employees, elected officials and volunteers. Temporary employees will generally augment regular City staffing as extra-help employees, seasonal employees, contract employees, interns and work-study assistants.

ADMINISTRATION OF TEMPORARY EMPLOYEE POLICY

The Department of Human Resources shall be responsible for coordinating the recruitment and selection of temporary employees and administering the City's Temporary Employee Policy. The Parks and Recreation Department shall be responsible for coordinating the department's recruitment and selection of temporary employees in accordance with this policy. Department heads and their supervisory personnel are responsible for implementing the Temporary Employee Policy in their respective departments.

SITUATIONS WHERE USE OF TEMPORARY EMPLOYEES IS APPROPRIATE

The use of temporary employees is appropriate in the following situations:

- Staffing of regular position vacancies during recruitment, leave of absence or other similar situations.
- Supplementing approved budget position allocations for regular positions during temporary increases in workload or service delivery.
- Casual, project or seasonal work.
- On-call, intermittent, emergency, substitute or other irregular work.

TEMPORARY HIRING OF RETIREES

- Temporary full-time or temporary part-time employment of retirees under the California Public Employees Retirement System (PERS) shall be permitted in cases where temporary service is desired.
- The PERS retiree is limited to 960 hours per fiscal year. These hours include periods of time worked for any PERS agency in the State of California. Under no circumstances shall a PERS Retiree work for any PERS agency for more than a total of 960 hours per fiscal year or be assigned to the City through a temporary agency. Other limitations may apply, including the amount of compensation that may be offered. [Refer to CalPERS Employment After Retirement Handbook](#) for further information.

RESPONSIBILITY FOR TEMPORARY EMPLOYEE POLICY

Responsibility for the Temporary Employee Policy shall be as follows:

Department of Human Resources

The Department of Human Resources shall be responsible for the coordination of the recruitment and selection process throughout the organization, with the exception of the Parks and Recreation Department. It shall be the responsibility of the Department of Human Resources to assist all department heads and their staff in the recruitment and selection of all temporary and contract employees which includes:

- Advertising the position
- Accepting, tracking and maintaining the applications
- Coordinating written and oral board examinations (if required)
- Scheduling pre-employment physical examinations (if required)
- Maintaining a Clerical Pool
- Advising and assisting departments in solving performance problems or other policy issues with temporary employees

Department/Division Heads

The department/division heads have primary responsibility for the implementation of the Temporary Employee Policy within their department/division. It is the responsibility of the department/division heads to:

- Determine if funding is available within the department budget to hire temporary help.
- Contact Human Resources to determine if a pre-employment physical is needed. If the type of work requires a physical, Human Resources will schedule a pre-employment physical after a conditional offer of employment (pending passing of the physical) has been made.
- Schedule an orientation with the Department of Human Resources within two days of the hire date. Parks and Recreation will orient their own temporary employees.
- Inform employees hired on a temporary basis of the Temporary Employee Policy.
- Inform and ensure that temporary employees do not work over 1,000 hours within one fiscal year. Exceptions due to unusual circumstances may be authorized by the City Manager and the Director of Human Resources. Written authorization from the City Manager and Director of Human Resources via a City Manager Report should be obtained at least 20 days prior to the employee exceeding the 1,000 hour limit. A copy of the authorization must be provided to both the Human Resources and Finance Departments.

CRITERIA FOR TEMPORARY EMPLOYEES TO EXCEED 1,000 HOURS

A temporary employee is not eligible for PERS retirement benefits unless they exceed 1,000 hours in a fiscal year or the employee has previously qualified for PERS retirement. If the temporary employee is projected to exceed 1,000 hours a City Manager report requesting approval to allow a temporary employee to exceed 1,000 hours in a fiscal year should contain the following information:

- Name, classification, and hire date of the temporary employee.
- A discussion of the critical need for the employee to work more than 1,000 hours in a fiscal year.
- A brief description of the employee's work assignment.
- Hours worked to date and estimated date employee will exceed 1,000 hours.

- The time frame of the expected need for this employee to work more than 1,000 hours per fiscal year.
- Training the department has invested in this employee.
- The recruitment difficulties the department has experienced, if any.
- The anticipated increases in costs for PERS retirement. Estimate the dollar amount for the remainder of the current fiscal year and for the next full fiscal year.
- Any alternatives, including hiring more temporary employees in order to keep them under the 1,000 hour limit.
- The consequences if the request is not approved.
- Other information to support the request.

BARGAINING UNIT

Temporary employees are not covered by nor represented by any bargaining unit.

COMPENSATION

Salary: All temporary employees shall be paid in accordance with the City's salary schedule located at <http://www.slocity.org/humanresources/salary.asp>. Starting rate will be Step 1 unless justified to the Department Head. Rationale for placing an employee above Step 1 will be attached to the Personnel Action Form. If an employee is performing two different jobs within the City, they will code their time card with the appropriate account number for each different job.

Criteria for Step Increase: Step increases shall be based on both satisfactory performance, and the accumulation of working 1040 hours. 1040 hours is considered half-time, as a full-time employee works 2080 hours per year. Any step increase recommended by the department head must have the approval of the Director of Human Resources in compliance with the City's salary schedule. Step increases shall not be automatic or simply a function of time in position. Step increases may be considered periodically upon completion of 1,040 hours of City employment.

Salary Range Adjustments: Per the City's Compensation Philosophy, temporary employee salary ranges will be evaluated at least every five years for market competitiveness, effectiveness, and compliance with State Law.

EMPLOYMENT OPPORTUNITY PROGRAM

Temporary employees who meet the minimum qualifications are eligible to compete for open positions as part of the Employment Opportunities Program (EOP). The Program is designed to give current employees a window of opportunity to apply for and possibly transfer or promote into another classification when there is a vacancy prior to the start of an outside recruitment.

BENEFITS

Hourly temporary employees are not entitled to the benefits provided to regular employees. Temporary employees are automatically covered by unemployment insurance, workers' compensation benefits and a deferred compensation plan (instead of Social Security) as mandated by the State of California.

Some Parks and Recreation temporary employees are eligible for time off benefits. These employees receive paid time off in the amount of 3% of hours worked, up to a maximum accrual of 40 hours.

Contract temporary employees with written contracts may receive the same benefits as regular employee's in the bargaining group their classification is within if it is expressly written into their employment contract. Other contract employees may have negotiated benefits that may differ from any bargaining unit.

TERMINATION

Whenever possible, temporary employees (who have performed satisfactorily) should be given a two week notification of their pending termination date. Temporary employees who are not performing satisfactorily may be terminated at any time without notice. Per the Personnel Rules and Regulations (2.36.190 D 3) a temporary employee may be removed at any time without the right of appeal or hearing.