



# Types of Appointment

## **FORMAL REVIEW/EMPLOYEE COMMENT DRAFT**

<b>Responsible Officer:</b>	VP - Human Resources
<b>Responsible Office:</b>	HR - Human Resources
<b>Issuance Date:</b>	
<b>Effective Date:</b>	
<b>Last Review Date:</b>	
<b>Scope:</b>	<p>Employees in the following personnel groups:</p> <ul style="list-style-type: none"> <li>• Professional &amp; Support Staff,</li> <li>• Managers &amp; Senior Professionals (excluding Sections III.A.2 and III.A.4), and</li> <li>• Senior Management Group (excluding Sections III.A.2; III.A.4 through III.A.7)</li> </ul>

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## **I. POLICY SUMMARY**

This policy describes the types of appointments covered by personnel policies applicable to employees in the Professional & Support Staff, Managers & Senior Professionals, and Senior Management Group personnel groups.

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## II. DEFINITIONS

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Detailed information about common terms used within *Personnel Policies for Staff Members* can be found in [Personnel Policies for Staff Members 2 \(Definition of Terms\)](#).

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## III. POLICY TEXT

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### A. Types of Appointment

#### **1. Career Appointment**

An appointment established at a fixed or variable percentage of time at 50 percent or more of full-time, which is expected to continue for one year or longer. A career appointment may be established through conversion from a limited appointment, per Section III.A.5. of this policy.

#### **2. Casual/Restricted Appointment**

An appointment reserved for a registered undergraduate or graduate student of the University of California. Casual/restricted appointments assist students in gaining work experience and financial support while pursuing their educational objectives. The number of working hours must take into consideration the student's educational workload.

A casual/restricted appointee may be released at any time at the discretion of the University; however, the appointee must be notified of an early release in writing by the University. A casual/restricted appointment will automatically terminate on the last day of the appointment unless there is an earlier separation or formal extension of the appointment in writing.

#### **3. Contract Appointment**

An appointment established at a fixed or variable percentage of time for up to a four-year duration. A contract appointment can be extended for up to one additional year for a maximum total of five years. Contract appointments have a specific, pre-established end date and may be appropriate under circumstances such as:

- Short-term projects with specific objectives and defined outcomes;
- Position has special salary requirements;
- Position funding may be short-term; or
- Department has a temporary need during restructuring, reorganization, or workflow redesign efforts.

Contract appointments may also be appropriate for positions where an employment contract is customarily used in the industry to define the employment relationship. These positions are exempt from the limit on contract duration and will be designated as such by the Chief Human Resources Officer in consultation with the Affirmative Action Officer.

The terms and conditions of employment are specified in a written employment contract between the University and the appointee.

A contract appointment can be converted to a career appointment if the incumbent employee was selected through a competitive recruitment process in accordance with [Personnel Policies for Staff Members 20 \(Recruitment\)](#).

#### **4. Floater Appointment**

An appointment reserved for use in temporary employment pools and may be established at any percent of full time for up to a two-year duration. A subsequent floater appointment may be established for up to a two-year duration after a break in service of at least 120 consecutive calendar days.

An appointee in a floater appointment may be scheduled to work or not, as determined by the University. An appointee may be released at any time at the discretion of the University; however, the appointee must be notified of an early release in writing by the University. A floater appointment will automatically terminate on the last day of the appointment unless there is an earlier separation or formal extension of the appointment in writing.

#### **5. Limited Appointment**

An appointment established at any percentage of time, fixed or variable, during which the appointee is expected to be on pay status for less than 1,000 hours in a period of 12 consecutive months. Limited appointments are most appropriate for short-term work with an expected end date.

In addition, a limited appointment will be designated as a career appointment when the appointee:

- Has attained 1,000 hours of qualifying service in a period of 12 consecutive months and
- Has not had a break in service of at least 120 consecutive calendar days.

The career appointment designation will be effective the first of the month following attainment of 1,000 hours of qualifying service. Qualifying service includes all time on pay status in one or more limited appointments. On-call and overtime hours will not be included as pay status hours when computing qualifying service.

[Personnel Policies for Staff Members 22 \(Probationary Period\) governs probationary periods for employees in limited appointments that convert to career appointments.](#)

A limited appointee may be released at any time at the discretion of the University; however, the appointee must be notified of an early release in writing by the University. A limited appointment will automatically terminate on the last day of the appointment unless there is an earlier separation or formal extension of the appointment in writing.

### **6. Partial-Year Career Appointment**

An appointment established at a fixed or variable percentage of time at 50 percent or more of full-time, which is expected to continue for one year or longer, and with regularly scheduled furlough periods. Furlough periods cannot exceed three months per calendar year, and should be scheduled per local procedures. Partial-year career appointments are used to accommodate foreseeable seasonal fluctuations in staffing, budgetary, operational, or other University needs.

During a regularly scheduled furlough period the appointee remains an employee with the University but is not currently working in the partial-year career appointment. Time on furlough is not considered time on pay status. An appointee cannot use vacation leave, sick leave, paid time off (PTO) or compensatory time off (CTO) when not on pay status.

Appointees holding partial-year career appointments may choose to receive paychecks during their working months only or, alternatively, to spread their paychecks over twelve months.

### **7. Per Diem Appointment**

An appointment to complement or substitute for career and limited appointments, when necessary, to maintain appropriate staffing levels for temporary periods. An appointee may be scheduled on a pre-scheduled basis or as needed on a day-to-day basis or called off from a pre-established schedule as determined by the University.

An individual is eligible for appointment to a per diem position when the individual meets the qualifications established for the parallel career position class. However, an appointee may not simultaneously hold a per diem and a career, limited or floater appointment.

Due to hourly pay practices, an appointee in a per diem position in an exempt title will be treated as a non-exempt employee subject to the Fair Labor Standards Act (FLSA) minimum wage and overtime provisions. Local procedures will determine classification of per diem positions and "By Agreement" rates of pay for each per diem class.

Additionally, a per diem appointee's eligibility for scheduling may end at any time without notice and without cause at the sole discretion of the University and without recourse to the complaint resolution procedures.

An appointee in a per diem position is subject only to the provisions of the following *Personnel Policies for Staff Members (PPSM)*:

- [PPSM 1 \(General Provisions\)](#)
- [PPSM 2 \(Definitions\)](#)
- [PPSM 3 \(Types of Appointments\)](#)
- [PPSM 12 \(Nondiscrimination in Employment\)](#)
- [PPSM 14 \(Affirmative Action\)](#)

- [PPSM 20 \(Recruitment\)](#)
- [PPSM 21 \(Appointment\)](#)
- [PPSM 30 \(Compensation\)](#)
  - *Section III.A. Fair Labor Standards Act (FLSA) Exemption Status*
  - *Section III.B.1. Salary – Salary Ranges*
  - *Section III.B.6. Salary – Retroactive Salary Actions*
  - *Section III.C.2. Hours of Work – Non-Exempt Employees*
  - *Section III.D. Overtime and Over-Schedule (Non-Exempt Employees Only)*
  - *Section III.E. Ancillary Pay*
- [PPSM 34 \(Incentive and Recognition Award Plans\)](#)
- [PPSM 35 \(Protective Clothing, Equipment & Uniforms\)](#)
- [PPSM 36 \(Classification of Positions\)](#)
- [PPSM 80 \(Staff Personnel Records\)](#)
- [PPSM 81 \(Reasonable Accommodation\)](#)
- [PPSM 82 \(Conflict of Interest\)](#)
- [PPSM 84 \(Accommodations for Nursing Mothers\)](#)
- [PPSM 2.210 \(Absence from Work\)](#)
  - *Section III.A. General Leave Provisions*
  - *Section III.D.1. Family and Medical Leave – General Provisions*
  - *Section III.D.2. Leave Due to Pregnancy, Childbirth, or Related Medical Condition (Pregnancy Disability Leave)*
  - *Section III.D.3. Parental Bonding Leave*
  - *Section III.D.4. Family and Medical Leave – Due to an Employee’s Own Serious Health Condition*
  - *Section III.D.5. Family and Medical Leave – To Care for a Family Member with a Serious Health Condition*
  - *Section III.D.6. Family and Medical Leave – Military Caregiver Leave*
  - *Section III.D.7. Family and Medical Leave – Qualifying Exigency Leave*
  - *Section.III.E.1. Military Leave*
  - *Section III.E.4. Jury Duty*
  - *Section.III.E.5. Witness Duty*

In addition, an appointee in a per diem position is also subject to the provisions of current and/or amended policies including, but not limited to the following:

- [Reporting Child Abuse and Neglect](#)
- [Sexual Violence and Sexual Harassment](#)
- [Substance Abuse](#)
- [Whistleblower Protection](#)

Separation from a per diem position is effective upon oral notice of either the appointee or the department head.

University service in a per diem position is not qualifying service for the application of Personnel Policies, except as provided in [PPSM 22 \(Probationary Period\)](#).

### ***B. Health and Welfare Benefits and Retirement Plan Membership***

Eligibility for University-sponsored health and welfare benefits and retirement benefits will be determined in accordance with the terms of applicable University policy documents, specific plan documents, applicable regulations and applicable law.

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## **IV. COMPLIANCE / RESPONSIBILITIES**

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### ***A. Implementation of the Policy***

The Vice President–Human Resources is the Responsible Officer for this policy and has the authority to implement the policy. The Responsible Officer may develop procedures or other supplementary information to support the implementation of this policy. Such supporting documentation does not require approval by the President. The Responsible Officer may apply appropriate interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

The Chancellor, Lawrence Berkeley National Laboratory Director, and Vice President of Agriculture and Natural Resources are authorized to establish and are responsible for local procedures necessary to implement the policy.

In accordance with [Personnel Policies for Staff Members 1 \(General Provisions\)](#), the authorities granted in this policy may be redelegated except as otherwise indicated.

### ***B. Revisions to the Policy***

The President is the Policy Approver and has the authority to approve policy revisions upon recommendation by the Vice President–Human Resources.

The Vice President–Human Resources has the authority to initiate revisions to the policy, consistent with approval authorities and applicable *Bylaws* and *Standing Orders* of the Regents.

The Executive Vice President–Chief Operating Officer has the authority to ensure that policies are regularly reviewed, updated, and consistent with other governance policies.

### **C. Approval of Actions**

Actions within this policy must be approved in accordance with local procedures. Chancellors and the Vice President–Human Resources are authorized to determine responsibilities and authorities at secondary administrative levels in order to establish local procedures necessary to implement this policy.

All actions applicable to PPSM-covered staff employees who are not Senior Management Group members that exceed this policy, or that are not expressly provided for under any policy, must be approved by the Vice President–Human Resources unless otherwise indicated.

### **D. Compliance with the Policy**

The following roles are designated at each location to implement compliance monitoring responsibility for this policy:

The Top Business Officer and/or the Executive Officer at each location will designate the local management office to be responsible for the ongoing reporting of policy compliance.

The Executive Officer is accountable for monitoring and enforcing compliance mechanisms and ensuring that monitoring procedures and reporting capabilities are established.

The Vice President–Human Resources is accountable for reviewing the administration of this policy. The Director–Human Resources Compliance will periodically monitor compliance to this policy.

### **E. Noncompliance with the Policy**

Noncompliance with this policy is handled in accordance with *Personnel Policies for Staff Members* [61](#), [62](#), [63](#), and [64](#), pertaining to disciplinary and separation matters.

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## **V. PROCEDURES**

Not applicable.

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## **VI. RELATED INFORMATION**

- [Personnel Policies for Staff Members 20 \(Recruitment\)](#) (referenced in Sections III.A.3. and III.A.7. of this policy)
- [Personnel Policies for Staff Members 22 \(Probationary Period\)](#) (referenced in Sections III.A.5. and III.A.7. of this policy)
- [Personnel Policies for Staff Members 1 \(General Provisions\)](#) (referenced in Sections III.A.7. and IV.A. of this policy)



- [Personnel Policies for Staff Members 2 \(Definitions\)](#) (referenced in Sections II and III.A.7. of this policy)
- [Personnel Policies for Staff Members 12 \(Nondiscrimination in Employment\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 14 \(Affirmative Action\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 21 \(Appointment\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 30 \(Compensation\)](#) (sections as referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 34 \(Incentive and Recognition Award Plans\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 35 \(Protective Clothing, Equipment & Uniforms\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 36 \(Classification of Positions\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 80 \(Staff Personnel Records\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 81 \(Reasonable Accommodation\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 82 \(Conflict of Interest\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 84 \(Accommodations for Nursing Mothers\)](#) (referenced in Section III.A.7. of this policy)
- [Personnel Policies for Staff Members 2.210 \(Absence from Work\)](#) (sections as referenced in Section III.A.7. of this policy)
- [Reporting Child Abuse and Neglect](#) (referenced in Section III.A.7. of this policy)
- [Sexual Violence and Sexual Harassment](#) (referenced in Section III.A.7. of this policy)
- [Substance Abuse](#) (referenced in Section III.A.7. of this policy)
- [Whistleblower Protection](#) (referenced in Section III.A.7. of this policy)
- *Personnel Policies for Staff Members [61](#), [62](#), [63](#), and [64](#)* (referenced in Section IV.E. of this policy)

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## VII. FREQUENTLY ASKED QUESTIONS

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To be added.

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## VIII. REVISION HISTORY

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The following revisions were made as of TBD, 2017:

- Incorporation into this policy of *Personnel Policies for Staff Members 24 (Per Diem Positions)*, *Personnel Policies for Staff Members 61 (Release During the Probationary Period or from Limited, Casual/Restricted, and Floater Positions)*.

As a result of the issuance of this policy, the following documents are rescinded as of the effective date of this policy and are no longer applicable:

- *Personnel Policies for Staff Members 3 (Types of Appointments)*, dated January 1, 2001
- *Personnel Policies for Staff Members 24 (Per Diem Postions)*, dated January 1, 2001
- The provisions of *Personnel Policies for Staff Members 61 (Release During the Probationary Period or from Limited, Casual/Restricted, and Floater Positions)*, that pertain to release from Limited, Casual/Restricted, and Floater Positions, dated January 1, 2001

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

The following policies have been rescinded and are no longer applicable:

- *Staff Personnel Policy 110 (Definitions) (Positions – Definitions of)*, dated May 1, 1994