

FREQUENTLY ASKED QUESTIONS

LIMITED TERM / INTERMITTENT APPOINTMENTS

1. What is a limited term appointment?

Government Code Section 18530 defines a limited term appointment as an appointment, either by way of reinstatement or certification from an employment list, not to exceed two years. A limited term appointment provides for experience and pay of the classification, but not permanent status.

2. What is an intermittent appointment?

Government Code 18552 defines an intermittent appointment as an appointment in which the employee is to work periodically or for a fluctuating portion of the full-time work schedule.

3. What is the difference between appointment and status?

“Appointment” refers to the appointment type, such as permanent or limited term. “Status” refers to whether you are a probationary employee or not. Employees who receive a permanent appointment and successfully pass their probation are granted permanent status in their classification.

4. How many hours can an intermittent employee work?

Based on business need, an intermittent employee can be scheduled to work 0 to 40 hours in a work week. Intermittent appointments are not to be used to fill full-time or part-time positions. Thus, a maximum of 1,500 hours represents the number of hours that an intermittent employee may work in any calendar year. Based on business needs, intermittent employees may be able to exceed 1,500 hours.

5. What does “transfer” mean?

Transferring is a method in state service of moving from one classification to another without being required to take an examination. Employees must meet all applicable transfer rules and, in most cases, meet the minimum qualifications (education and/or experience) of the “to” classification.

6. How does a limited term appointment affect transfer eligibility?

Transfer eligibility refers to an eligibility determination, conducted by Human Resources, to determine if you may transfer into the desired classification. Limited term appointments do not grant transfer eligibility due to not being a permanent appointment. No time served in a limited term appointment may count towards acquiring permanent status in any position. If an individual has only held a limited term appointment, this employee cannot transfer to a permanent position. Appointment to a position must be from a permanent certification list. Therefore, individuals in limited term appointments must maintain examination/list eligibility (i.e., continue to participate in examinations for the classification) in order to seek other job opportunities.

7. Does my time in a limited term appointment help me qualify for other positions?

Yes. Experience gained in a limited term appointment counts towards meeting the minimum qualifications of other classifications.

8. Is a limited term/intermittent employee eligible for health benefits?

No. Limited term employees with a time base of intermittent are not eligible for benefits. The time base must be established as half time or more to receive benefits.

9. Does a limited term employee earn State service and leave credits?

Upon completion of 160 hours worked, one month of State service is earned. Additional hours worked in a pay period do not add additional credit beyond 1 month. For each month of State service earned, sick leave and vacation is accrued.

10. Does a limited term appointment require a probationary period?

No, there is no probationary period required for limited term appointments. In addition, time served in a limited term appointment does not count towards a probationary period if the employee was to accept a permanent appointment in the same class at a later date.

11. Does a limited term appointee attain permanent civil service status?

No, a limited term appointee does not gain permanent civil service status while on a limited term appointment. They would need to seek out permanent positions to which they could compete and be appointed.

- 12. Does accepting a limited term appointment affect my eligibility to apply for other positions?**
No, a limited term assignment will not prevent you from applying for vacancies or jeopardize your promotional opportunities.
- 13. Who can terminate a limited term appointment?**
A limited term appointment may be terminated at any time by either the employee or the appointing power (EDD).
- 14. What happens if my limited term appointment ends, and I have not been appointed to another position in State service?**
If you had permanent or probationary civil service status prior to accepting a limited term appointment, and had no intervening break in service due to a permanent separation, you have the right to reinstate to your former position upon the termination of the limited term appointment by you or the appointing power. If you have not had prior permanent or probationary civil service status, you will be separated from State service.
- 15. Can this limited term appointment become permanent?**
Based upon workload needs, federal and state funding, and individual performance, limited term appointments may become permanent in the future.
- 16. If I am transitioned to a permanent/intermittent appointment, will my hours worked as limited term/intermittent count towards eligibility for health benefits?**
Yes, hours worked in an intermittent position will count towards the control period to obtain health benefits (see information below regarding permanent/intermittent health benefits).
- 17. If I am currently a permanent employee (full time, part time, or intermittent) and already have health benefits, will those continue if I accept a limited term/intermittent appointment?**
No, you will no longer be eligible for health benefits. All health benefit eligibility is lost if a permanent employee is appointed into a limited term intermittent position.

FACTS FOR PERMANENT APPOINTMENTS

- 18. When a permanent full-time Employment Program Representative (EPR) position is posted to be filled, would I be eligible to apply for the position?**
All vacant EPR full time positions are subject to the Bargaining Unit 1 Post & Bid process. Selected candidates must be reachable on a full time certification list or meet SPB Rule 277 which states:
Increase in time base of part-time or intermittent employees to full-time or movement of intermittent employees to part-time are permitted when:
- (a) The employee has previously held a permanent or probationary status appointment at or above the desired time base in the classification to which the appointment is to be made or in the classification that is substantially at or above the salary level of that classification; or
 - (b) The appointing power can clearly demonstrate that the employee has previously been eligible for an appointment from an employment list to the position and time base in questions; or
 - (c) For at least two years the employee has held any combination of permanent or probationary appointments to the types of classes specified in subsection (1) and has worked at least 1,920 hours in such appointments.
- 19. How is my probationary period calculated when in a permanent/intermittent appointment?**
Based on the probationary period of Employment Program Representative (12 months), a permanent intermittent employee must actually work 1,680 hours and at least 12 calendar months to complete a probationary period. The first report is due after 560 hours worked. The second report is due after 1,120 hours worked. The third report is due after both 1,680 hours worked and 12 calendar months have been completed. Leave and holiday time does not count towards meeting the hour requirements.

20. Is a permanent intermittent employee eligible for health benefits?

Yes, after being paid for a minimum of 480 hours within one of the two yearly six-month control periods. The control periods are January 1 through June 30 and July 1 through December 31. In order for the employee to continue to qualify, the employee must continue to be paid for 480 hours within the six-month control period or at least 960 hours in two consecutive control periods (the current and prior control period). At the same time the employee is eligible for health benefits, they are eligible for dental, vision, and Group Legal.

Revised 6/26/20