



EMPLOYEE MANUAL	
Title: EMPLOYMENT STATUS AND WORK POLICY	
Policy No.: 7.0	Section Nos.: 7.0 – 7.13
Approval Date: December 2020	Effective Date: December 2020
Approved By: Board of Directors	

7.0 EMPLOYMENT STATUS AND WORK POLICY

7.1 Employment Status

Employment Status refers to the nature of the employment relationship and includes such categories as probationary, regular full-time and regular part-time, among others. Changes in employment status may result from reinstatement, transfer, promotion, demotion, or suspension.

7.2 Probationary

The first twelve (12) months of employment with the Agency are worked in a probationary status. Probation is an introductory period during which newly hired or reinstated employees can demonstrate that they can meet the requirements of their positions. This period may be extended upon written approval by the General Manager for up to an additional six (6) months. This probationary period will automatically extend during the period of any authorized leave for the period of the leave. In other words, the probationary period only counts down for actual time worked. During the probationary period, the employee's supervisor and management staff will review work habits, performance, and attendance in order to assess the employee's ability to meet job expectations.

During the probationary period, an employee may be dismissed at any time with or without cause by the General Manager without any requirement for notice, hearing, grievance, or any other form of due process set forth in the Personnel Rules, including Section 27 herein. With the exception of due process rights and procedures, a probationary employee is bound to uphold all other Agency Personnel Rules.

7.3 Regular Full-Time Employees

An employee who has completed probation and is regularly scheduled to work at least thirty (30) hours per week in an established position is normally considered a regular, full-time employee, unless otherwise expressly noted. Such an employee is eligible for health and other benefits at rates as may be determined from time to time by the Agency in its sole discretion.

7.4 Regular Part-Time Employees

An employee who has completed probation and is regularly scheduled to work fewer than thirty (30) hours per week in an established position is normally considered a regular, part-time employee, unless otherwise expressly noted. Part-time employees are not eligible for any benefits other than those mandated by law or as otherwise provided in this Manual.



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7.5 Temporary Employees

A Temporary Employee is one who is hired for an expressly limited duration, or to work on a specific project. The job assignment, work schedule, compensation and duration of the employment will be determined on an individual basis, usually not to exceed six (6) months. Temporary Employees are generally not eligible for benefits, except to the extent required by law or established by special agreement.

7.6 At-Will & Limited Duration Employees

In order to facilitate longer-term but still limited projects, the Agency has the authority to hire At-Will and Limited Duration Employees. An At-Will and Limited Duration Employee is one who is hired for a project or task that will necessarily exceed the duration allowed as a Temporary Employee. At-Will and Limited Duration Employees will be retained by letter agreement setting forth the project at issue, duties, and indicating a limited-term duration of no longer that two (2) years. At the discretion of the General Manager, and upon good cause demonstrating a need for the employee to continue work, the General Manager may extend the duration of employment for no longer than an additional one (1) year term. Employees are generally not eligible for benefits, except to the extent required by law or established by special agreement. The Agency acknowledges that, given the duration of employment, it may be required to comply with CalPERS contribution requirements.

7.7 Reinstatement

“Reinstatement” is the reappointment, with or without limited examination, of an employee who has resigned in good standing. The employee may be reinstated provided there is a vacancy and there is prior written approval of the General Manager.

7.8 Reclassification

If an employee is in a position that is reclassified to a higher salary range, the employee will maintain his or her current salary rate unless the employee’s current salary rate is below the minimum within the new salary range. In that case, the employee will receive the beginning, or lowest, salary in the new range.

Except as otherwise provided by policy or law, if an employee is in a position that is reclassified to a lower salary range, he or she shall retain the same salary until such time as the employee’s salary is within the new range.

7.9 Reduction in Personnel/ Request of Employee

Notwithstanding any other provision of these rules, nothing provided herein shall prohibit the Agency from layoffs or reductions in force for administrative, organizational, or economic reasons. Layoff or reduction in force is not disciplinary in nature and is not subject to disciplinary appeal. Where feasible, the Agency will provide thirty (30) working days of notice before the effective day of any regular or temporary reassignment or layoff. Upon the



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employee's written request, an employee may be placed in a lower classification with a lower salary if possible.

7.10 Acting Out of Class Assignment

With the prior written approval of the General Manager, regular or probationary employees may be temporarily assigned to a higher level of classification where there is an actual or anticipated temporary vacancy of at least thirty (30) consecutive calendar days. The assignment must last for a minimum of thirty (30) consecutive calendar days to a maximum of six (6) consecutive months. The General Manager may approve extending the length of an assignment. Employees appointed to an Out of Class Assignment will be compensated by a five percent (5%) increase over their current salary. Benefits levels will remain unchanged for the duration of the Out of Class Assignment. Compensation changes will be effective with the first day of the Out of Class Assignment.

7.11 Interim

An interim assignment differs from Acting Out of Class Assignments and will be governed by the rules for salary treatment for promotions. The interim designation indicates the Agency's intent to continue to assess candidates for permanent assignment to the position.

7.12 Promotion

"Promotion" is the appointment of an employee to a vacant position in a higher classification. Promotions are not automatic. Promotions are given when available, applied for, and awarded because of demonstrated merit. The award of a promotion is at the sole discretion of the Agency. The Agency reserves the right to recruit and hire outside applicants if it is deemed to be in the Agency's best interest.

A promoted employee is subject to a six (6) month probationary period during which he or she must demonstrate the ability to perform the duties of the new position. This time may be extended for an additional three (3) months by the General Manager. This time period will extend automatically during the period of any authorized leave. The employee will become regular in the promoted position upon successful completion of the probationary period. Any employee who fails satisfactorily to complete the probationary period following a promotion shall be reinstated to the regular position from which the employee was promoted.

7.13 Demotion/"Y" Rated

7.13.1 Demotion

Employees may be demoted in the event of a reduction in personnel due to lack of work, funds, in the case of an employee's inability to perform his or her required duties, or for disciplinary purposes, at the discretion of the General Manager.



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7.13.2 “Y” Rated

The term "Y" Rated refers to the Agency paying an employee above the maximum of the salary range assigned to the position's class. When a position is reallocated to a class with a lower salary range, the Agency may consider the employee's salary to be "Y" Rated.

A "Y" Rating may be given to employees by the Agency when they are classified downward, for considering an employee's merit, or lack thereof, or demotion. Employees, who are "Y" Rated, will continue to receive cost of living adjustments.