

		Policy # 107
Subject: Provisional Appointments		
Responsible Department: Personnel Services		
Effective Date: 02/1981		Revision Date: N/A
David Devine Director of Personnel Services		Navdeep S. Gill County Executive

1. **Purpose**

To define the policy and outline the procedures to be followed regarding provisional appointments.

2. **Authority**

Sacramento County Civil Service Rule 7.5 – Provisional Appointments
Sacramento County Civil Service Rule 7.6 – Limitation on Provisional Appointments
County Charter, Section 71-F(d) – Selection

3. **Scope**

This policy applies to each of the County agencies and departments requesting authorization for a provisional appointment.

Provisional appointments are authorized only when an eligible list and other alternatives are not available. Provisional appointments are permitted only after authority is given by the Department of Personnel Services (DPS).

Authorization Requirements

Each of the following conditions and factors are required to obtain provisional appointment authorization:

- The position is vacant and authorized to be filled.
- No eligible list or departmental reemployment list exists for the class.
- The applicant meets the minimum qualifications for the class in which the vacancy exists.
- The examination for the class has not been announced.

Provisional Appointments, Policy # 103

- The operating department has considered other alternatives for filling the position, such as transfer requests, demotion requests, County-wide reemployment lists, reinstatement or alternate eligible lists where appropriate and approved by the Sacramento County Civil Service Commission (CSC).
- Layoffs are not pending in the class or classes related to the class in which the vacancy exists.
- Less than three persons are available for appointment from the eligible lists specified in Civil Service Rule 7.3.

Authorization Authority

The CSC has delegated authority to DPS to approve provisional appointments. Provisional appointments shall terminate 20 calendar days following the establishment of the eligible list for the class for which the position was provisionally appointed or for a period of up to six months (five months and 29 days), whichever comes first. No provisional appointments may be extended except when approved by the CSC.

A provisional appointment may only be valid beyond 20 calendar days following the establishment of the eligible list with authorization from DPS. No provisional appointment can be effective prior to the date on which the Department of Personnel Services grants written authorization.

CSC's policy is to not approve the extension of provisional appointments beyond one year, with the exception of certain conditions. The CSC's guidelines for considering an extension to permanent County positions beyond one year are attached (see Civil Service Commission Policy: Extension of Provisional Appointments of More Than One Year in Permanent County Positions).

Eligible List Priorities

Priority is given to establishing eligible lists for classes in which provisional appointments have been authorized.

Provisional Appointments to Temporary or Limited-Term Positions

The status of an appointment should not be confused with the status of a position. If a department has extended the temporary or limited-term position occupied by a provisional appointee, the provisional status of the appointee must still be requested for extension, if applicable.

Provisional Appointments, Policy # 103

Provisionals appointed to temporary positions are authorized for a maximum of five (5) months and 29 days. Temporary provisional appointments are terminated on the expiration date of the position or on the expiration date of the appointment, whichever comes first. In the event that the applicable eligible list expires before the temporary position expiration and/or the provisional appointment expires (before 5 months and 29 days), the temporary appointment may continue provided a new request to fill the temporary position is approved.

This authority does not apply to intermittent employees.

Exceptions

Exceptions may be made to the authorization requirements provided the operating department justifies the urgency to DPS.

Provisional appointments in student classes are authorized for extension without CSC approval. Student classes consist of the following: Student Intern, Engineer/Architect Student Intern, Social Worker Student Trainee, and Legal Research Assistant (Sacramento County Charter Section 71-F(j)).

4. Procedures Not Applicable

5. Review Not Applicable