
CLASSIFIED EMPLOYEES APPOINTMENTS, REINSTATEMENTS AND TRANSFERS

PURPOSE: To identify the policies and procedures for appointments--permanent and limited service, reinstatement privileges, and transfer rights for classified employees.

I. Appointment Policy

- A. The Department of Human Resources must be notified of actions taken and of selection of an employee at least three (3) working days prior to the date on which the new employee is to begin work. Two weeks of overlap is authorized in filling a new position to allow sufficient amount of training by the incumbent prior to his/her separation. An overlap period in excess of two weeks must have prior approval from the BSU Budget Director.
- B. All necessary forms regarding employment are prepared by the Department of Human Resources. The Department of Human Resources will contact new classified employees to schedule benefit orientation.
- C. Appointments to a class are not permissible as long as there is a departmental layoff register for the class with names of eligibles who are willing to accept employment.

II. Limited Service Appointments

- A. Limited service appointments are appointments to the state classified service and are designed to cover appointments to non-career positions of relatively short duration that for the most part operate outside of a department's mainstream operations and are funded through non-appropriated sources.
- B. A classified position established under a limited service category is limited to 36 months (6,240 hours) or the duration of the funding, whichever is less, qualifies as a limited service appointment and must be made from an official limited service register certified by the Idaho Personnel Commission. All Personnel Commission rules and regulations with respect to permanent status, merit increases, transfers, promotions, demotions, leave accrual and other fringe benefits will apply to persons hired under limited service appointments as they do to regular classified employees. However, in the event the position is abolished due to the expiration of funding, no preference under Reduction in Force and Reemployment Preference, will apply and the affected employee's name will not appear on a layoff register.
- C. Each appointing authority making a limited service appointment shall, no later than the date of appointment, prepare a written agreement for signature by both the employee and appointing authority describing the non-career nature of the appointment and the duration the employee may expect to work.
- D. Employees appointed under limited service appointments will automatically convert to regular career, permanent appointments if employed under limited service

appointments in excess of six thousand two hundred and forty (6,240) hours of credited state service.

III. Temporary Appointments

- A. Temporary appointment means appointment to a position which is not permanent in nature, and in which employment will not exceed one thousand three hundred eighty-five (1,385) hours during any twelve (12) month period. Temporary appointments are made without the use of an Idaho Personnel Commission register.
- B. Temporary appointments allow no credit towards permanent status so it cannot be used in lieu of the probationary period.
- C. All temporary appointments must be classified by the Department of Human Resources and compensated at the minimum hourly rate of the pay grade unless otherwise authorized by the Director of Human Resources.
- D. The hiring department must indicate in advance how long the temporary appointment will be needed in order for the Department of Human Resources to discern if the employee qualifies for benefits.
- E. Temporary appointments must be approved in advance by the Department of Human Resources and Budget Director. The Department of Human Resources must be notified at least three (3) working days prior to the date that the employee is to begin work.
- F. Temporary employees who are on benefits will accrue annual and sick leave. Annual leave taken must be approved in advance by the immediate supervisor. Sick leave can only be utilized in case of actual illness and will be forfeited at the time of separation. Any accrued annual leave will be lump sum paid at the end of the appointment. Time should be reported on a regular classified employee time sheet.
- G. Credited state service will accrue for temporary appointments.
- H. It is required that all temporary employees complete the appropriate time sheet, and submit it to the Payroll Department according to the pay period schedule in order to receive payment for time worked.
- I. Positions needed on a continual basis for twenty (20) hours or more per week do not meet the definition of a "temporary" position and should be established. If the position is not approved to be established by BSU administration, the department may request from the appropriate department administrator/vice president/Provost or President authorization for a temporary on an "extended" basis until a permanent position is approved.
- J. Temporary employees have no rights to their temporary position and must compete and score within the top five names on the appropriate register to be considered for a permanent position.
- K. Temporary employees are not eligible for the fee waiver program.

IV. Reinstatements

- A. A current or former employee shall be eligible for reinstatement to a class in which he or she held permanent status, or if deleted its successor, or to another class of equal or lower pay grade under the following conditions (salary treatment is covered by classified employees compensation section):
 - 1. Reinstatement must occur within a period equal to the length of the employee's probationary and permanent employment combined.

2. The current or former employee must have separated from the class for which reinstatement is desired without prejudice. A former employee must also have separated from state classified service without prejudice.
 3. The current or former employee must meet the current minimum qualifications of the class to which reinstatement is desired.
- B. Reinstatement of a current or former employee is not permissible as long as there is a departmental layoff register for the class with names of eligibles who are willing to accept reemployment.
 - C. The State Personnel Director may require a current or former employee to pass an examination for the class to which reinstatement is desired.
 - D. An employee returning from military leave without pay who is relieved or discharged from military duty under conditions other than dishonorable shall be, upon application, reinstated in his/her former position, or one of comparable classification, without loss of credited state service, status, or pay as prescribed by Idaho Code, or the Military Selective Service Act, Title 38, Chapter 43, U.S. Code. Application for reemployment must be made within ninety (90) calendar days after separation from military duty or from hospitalization continuing after discharge up to one year.

V. Transfers

- A. An appointing authority may transfer an employee at any time from one position to another in the same class.
- B. An appointing authority may transfer an employee from a class in which he or she holds permanent status to another class allocated to the same pay grade for which the employee meets the minimum qualifications.
- C. Transfers shall not be used to abridge an employee's rights in reduction in force prescribed by the Reduction in Force Policy.
- D. An employee shall be eligible for transfer between agencies in the same class in which he or she holds permanent status or to another class in the same or lower pay grade for which the employee meets the minimum qualifications. Accrued vacation and sick leave shall be transferred in accordance with IPC Rules.
- E. Transfer of an employee between agencies is not permissible as long as there is an agency layoff register for the class in the agency to which transfer is desired with names of eligibles who are willing to accept reemployment.
- F. The State Personnel Director may require an employee transferring between classes to pass an examination for the class to which transfer is desired.

VI. Change From Classified to Non-Classified

- A. A BSU employee changing from a classified "covered" (covered under FLSA definitions, earns time and one-half for overtime worked) appointment to a full-time professional staff appointment will transfer all annual leave and sick leave. Any accrued compensatory leave shall be lump sum paid at the time of transfer.
- B. A BSU employee changing from a classified "exempt" (exempt under FLSA definitions, earns straight compensatory leave time for overtime worked) appointment to a full-time professional staff appointment will transfer all annual leave and sick leave. Any accrued compensatory leave may be used while at BSU. If the employee should retire or leave BSU prior to exhausting remaining compensatory leave, said leave would not be paid and would be lost. Earned Administrative Leave (EAL) balances will be tracked manually by Payroll. Exceptions must be approved by the

Vice President of Finance and Administration and may need State Board of Examiners' approval.

- C. A BSU employee changing from a classified "covered" appointment to a full-time academic appointment will transfer all accumulated sick leave. Any accrued annual leave, compensatory, or EAL leave would be lump sum paid at the time of transfer.
- D. A BSU employee changing from a classified "exempt" appointment to a full-time academic appointment will transfer all accumulated sick leave. Any accrued annual leave would be lump sum paid at the time of transfer. Any accrued compensatory leave or EAL would be retained in case the employee changed to a professional staff or another classified appointment whereby the compensatory leave could be utilized. If the employee should retire or leave BSU prior to exhaustion of remaining compensatory or EAL leave, said leave would not be paid and would be lost.

VII. Acting Appointments

- A. A classified employee with permanent status and who meets the higher classifications' minimum qualifications, may be appointed to a position in a class of higher pay grade within his/her own agency in an acting capacity whenever: (a) the incumbent in the higher class position is on authorized leave of absence; or (b) a vacancy exists and there is no departmental layoff register with names of eligibles who are willing to accept reemployment, nor adequate agency register for the class.
- B. Such appointment shall be limited to the period of time necessary to fill the vacancy through the examination and certification procedures prescribed in these rules, but in no case shall continue beyond one thousand forty (1,040) hours of credited state service unless specifically extended by the State Personnel Director and will not be authorized for a period less than one month (174 hours).
- C. For any credited state service which an employee serves in a class in an acting capacity, he/she shall receive the salary for the class, as though he/she had actually been promoted.
- D. When the incumbent in the class returns from sick leave or leave of absence, or the vacant position is filled, the acting appointment shall expire. The salary of the acting appointee shall be reduced to the proper grade and rate for the class held immediately prior to the acting appointment.
- E. Should the employee on leave of absence separate from state service, the employee serving in the acting appointment may continue to serve in that capacity until the vacancy has been filled but in no case exceed the time limits prescribed in Item VII.B. above.
- F. The time served in an acting appointment immediately preceding an employee's promotion from an eligibility register to the class shall be credited to the employee's probationary period.