

EMPLOYMENT OF TEMPORARY AND LIMITED TERM EMPLOYEES

Departments may budget funds for temporary and limited term positions to assist with additional work load or seasonal projects. The Personnel Ordinance and individual collective bargaining agreements govern the employment of temporary and limited term employees. Any individual working in a temporary or limited term position has limited rights under the Personnel Ordinance.

Note: The Employees Association and the County have a separate collective bargaining agreement governing employment of temporary employees. The general County policies outlined below may not be applicable for temporary appointments in departments represented by the Employees Association.

DEFINITIONS

Unallocated positions (also known as temporary positions) appointments are made to positions which are for an uncertain or limited duration. Temporary appointments are subject to general County policies and/or union contracts governing the length of appointments. The Personnel Ordinance in section **2.05.040.5 Annual Hours-Worked Limit for Unallocated Positions** has the following limits: Employees working in unallocated positions (also known as temporary positions) are limited to working 1560 hours annually (in divisions using 40 hours/week schedules), or 1462.5 hours annually (in divisions using 37 ½ hours/week schedules). The annual work-hour limit is applied for the 12 month period starting from the employee's first day of work. When the employee has reached the annual hour limit, they will be dismissed from employment. Unallocated employees who have been dismissed because they have reached the annual hours limit cannot be rehired for an unallocated position until the employee's next 12 month cycle begins. Unallocated employees dismissed and then rehired will continue to retain their 12 month cycle based on the original date of their first day of work. Work hours include regular hours and overtime hours worked.

Temporary appointments may be extended beyond the hour limit only if all the following are met: 1) extensions are allowed by the collective bargaining agreement applicable to the temporary position; 2) approval is secured from the Director of Employee Services prior to expiration of the temporary appointment; 3) there is a signed letter of agreement between an authorized union representative and the County's collective bargaining representative where applicable.

Requests for any extension of temporary employment must be in written form and addressed to the Director of Employee Services. If deemed appropriate, the Director of Employee Services will develop a letter of agreement and request approval with the union and the County's Collective Bargaining Representative.

Temporary positions do not have to be filled from an eligibility register, although use of an appropriate eligibility register is encouraged. Temporary employees do not receive service accruals, time served in County employment or benefits, except those associated with PERS/OPSRP retirement contributions, as part of the [Employees' Association - Temporaries and Part-Time](#) bargaining contract, or as required by the Affordable Care Act (ACA). Temporary and seasonal employees shall accrue sick leave at the rate of one (1) hour per thirty (30) hours worked.

Temporary employees do not receive preference in hiring for regular positions. If a temporary employee is hired for a regular status position, the time employed as a temporary does not count toward waiting periods for benefits (except as required by ACA) or time in service for accruals such as vacation, sick leave and longevity.

Seasonal employees are those temporary employees who are hired for a very limited duration (less than six (6) months) and whose employment is based on the calendar months (season) in which they work. Examples include employees hired during the summer as interns, road workers, lifeguards, marine patrol officers, instructors, law clerks, park rangers, as well as holiday and vacation replacements any time of year, students during school breaks, election poll workers, etc.

Seasonal employment may not be extended beyond six (6) months, but all other provisions relating to temporary employees apply to seasonal employees. Seasonal employees must be terminated prior to their six-month work anniversary and no later than the end of the season for which they were hired. Seasonal employees may not be rehired within the six-month period following the last date of termination.

Limited term appointments are made to positions which have been budgeted and allocated for a limited duration not to exceed two (2) years and are specified as limited term at the time of hire. Limited term positions are to be used for employees working half-time or greater. Less than half-time positions should be filled with a temporary appointment. Applicants for limited term assignments shall undergo a screening of qualifications by either the Department of Employee Services or the appointing authority prior to employment.

A limited term position is has limited rights under the Personnel Ordinance, but may be included within a collective bargaining group. Limited term appointments should only be used for nonrepresented positions or bargaining unit positions where the union has entered into an agreement with the County regarding the use of these appointments. This agreement should indicate that limited term employees may not be employed beyond the term specified at time of hire and there are no rights over regular status employees related to layoff, re-employment or bumping.

Limited term positions must have prior budget approval and an allocated position. Any personnel action for a limited term appointment must be accompanied by a written agreement with the employee specifying the position, pay rate and end date of the assignment, and written agreement with the union. The end date cannot exceed two (2) years from the date of appointment. Copies of the employment contract shall be forwarded to the Department of Employee Services and Payroll.

HEALTH INSURANCE

Beginning January 1, 2015, the Affordable Care Act (ACA) requires employers to offer affordable health insurance to fulltime employees or pay a substantial penalty. Under the ACA,

fulltime employees are defined as those who work on average thirty (30) or more hours per week in a month (regardless of job classification or regularly scheduled hours). Fulltime status is based on actual hours of service and includes paid leave time. Fulltime employees, including temporary employees, must be offered employer-sponsored health insurance effective no later than 90 days after the date of hire.

If a hiring manager employs a temporary employee with the intent that the employee will work fulltime and will work longer than 90 days, it must be noted on the Personnel Action form authorizing the hire. The Department of Employee Services will notify the employee and provide the opportunity to enroll in one of the County's health insurance plans.

If a hiring manager employs a temporary employee with the intent that the employee will work variable hours or for an unknown duration or for less than fulltime, the manager and the Department of Employee Services will monitor the employee's hours. If the employee is identified as a fulltime employee, the Department of Employee Services will notify the employee and provide the opportunity to enroll in one of the County's health insurance plans.

The County is not required to offer health insurance to seasonal employees.

Limited term employees are eligible to participate in the benefits program available to regular employees.

PROCEDURES FOR FILLING TEMPORARY AND LIMITED TERM POSITIONS

Any proposed appointment shall be processed through a Personnel Action form and sent to the Department of Employee Services as close as possible to the actual employment date.

1. If a regular position is being filled and no eligibility register exists, a temporary appointment can be made while a recruitment is conducted to refill the position (see #4). The Department of Employee Services and County departments will both be responsible for monitoring employment of individuals so that no temporary employee works more than the annual hours limit and no seasonal employee works longer than six (6) months, or as otherwise required by the appropriate collective bargaining agreement.
2. When no eligibility register exists for classified positions, a temporary appointment may be made while a recruitment is conducted and an eligibility register is established. Appointment to a temporary position does not provide preference to regular status appointments nor does it provide service time or benefits associated with regular status employment, except as required by law.
3. Temporary employees working within an established classification shall be paid at a rate within the range established for that classification. Temporary positions outside of a current classification (special title) must be paid at temporary pay rates established by the department and approved by the Department of Employee Services.
4. Personnel Action forms on all temporary, seasonal, and limited term appointments must show the number of hours worked per week, daily hours to determine overtime thresholds, and the expected date of termination.
5. All temporary and limited term employees must be dismissed by a Personnel Action when their temporary assignment has ended due to lack of work or the annual hours limit has been exhausted. Seasonal employees must be dismissed at the of the work season or at

the prior to six (6) months of employment, whichever comes first. (“Dismissal” on a Personnel Action form /Reason field for these employees will not be construed negatively by this office when reporting employee information). “Resignation” on a Personnel Action is appropriate when a temporary employee voluntarily ends the employment relationship. A “layoff” is not appropriate for temporary or limited term employees, as layoff implies certain rights and privileges only afforded to regular employees.

6. Temporary employees are subject to State and Federal overtime regulations. Payment of overtime is required for hours worked in excess of 40 in a week, or as otherwise provided by a collective bargaining agreement governing temporary employees. .
7. Temporary and limited term employees are eligible for cash compensation for overtime. Compensatory time may be allowed when “budgeted funds” are not available for those employees who are part of the [Employees' Association - Temporaries and Part-Time](#) bargaining contract.

If you have any questions regarding the employment of temporary and/or limited term employees, please contact the Department of Employee Services.

INTERNET LINKS

County Ordinance (<http://www.co.clackamas.or.us/about/code/Title2.pdf>)

Attachment 1

JOB CODES, RANGES, AND RATES FOR TEMPORARY AND LIMITED TERM EMPLOYEES

Temporary Employees

Temporary employees working within an established classification shall be paid at a rate and/or step within the range established for that classification. Temporary positions outside of a current classification (special title) must be paid at the pay rates established by the department and approved by the Personnel Division.

The Job Code Report reflects job codes, pay grades, and rates for all approved standard classifications and non-standard classification (special titles). The Job Code Report is sorted by salary administration plans for each group and then lists the classifications in alphabetical order. You may pay a temporary at any step or anywhere in the grade listed on the Job Code Report. Temporaries who are covered by a collective bargaining contract may have additional requirements and restrictions.

Limited Term Employee

When submitting a Personnel Action to appoint a person to a limited term position, use the same job code and salary administration plan code as for a regular status position. However, it must be noted on the Personnel Action that this is a limited term appointment and the end date for the appointment. Most bargaining contracts have specific language for the establishment of a limited term position. Contact the [Employee Relations unit in DES](#) for further clarification. The Personnel Action appointing the employee to a limited term position must be accompanied by the signed agreement by the union that they acknowledge the limited term status and end date for the position.

If you have further questions, please feel free to contact the Department of Employee Services at (503) 655-8459.

ATTACHMENT 6

APPLICATION FOR TEMPORARY EMPLOYMENT

Applications and employment interviews must be limited to inquiries which can be proven to be job-related. For this reason, the attached application form should be used when assessing individuals for temporary employment. The Supervisor's Guide to Interviewing and EPP #23 provide further information.

The Bureau of Labor cites examples of inappropriate and appropriate questions on employment applications and job interviews. .

You may modify the Temporary Employment form to fit your department needs. Representatives from the Department of Employee Services are available to discuss and assist in redesigning the attached application to meet any particular needs of your department.

CLACKAMAS COUNTY - APPLICATION FOR TEMPORARY EMPLOYMENT

PLEASE PRINT IN INK

Current Date: _____

Date Available For Work: _____

POSITION APPLIED FOR: _____

Name: _____
Last First M.I.

Address: _____
and Street City State Zip

Home Phone: _____ Daytime or Message Phone: _____

If Required For The Position For Which You Are Applying:

Valid Driver's License: _____
Number State Class Expiration Date
Are You 18 Years Of Age Or Over? Yes No

WORK EXPERIENCE: Please list prior experience (paid or volunteer). Start with the most recent employment.

Employer Address From: Mo/Yr To: Mo/Yr

Title Supervisor Phone

Duties (include equipment Operated): _____

Reason for Leaving: _____

Employer Address From: Mo/Yr To: Mo/Yr

Title Supervisor Phone

Duties (include equipment Operated): _____

Reason for Leaving: _____

Employer Address From: Mo/Yr To: Mo/Yr

Title Supervisor Phone

Duties (include equipment Operated): _____

Reason for Leaving: _____

APPLICATION CONTINUED ON OTHER SIDE

EDUCATION:

Circle Highest Grade Completed

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Grade School								High School				College/Graduate School									

High School Attended: _____
 Name _____ Location _____

College/Vocational Schools Attended: _____
 Name _____ Location _____

Major: _____

To the best of your knowledge, are you able to perform the duties of the position for which you are applying, with or without reasonable accommodation?

REFERENCES:

1. _____
 Name _____ Address _____ Phone _____

2. _____
 Name _____ Address _____ Phone _____

Address of next of kin or someone to be notified in case of emergency:

_____ Name _____ Address _____ Phone _____

Doctor (In Case of Accident):

_____ Name _____ Address _____ Phone _____

My signature affirms that I release from liability any employer, person, or employee supplying reference information regarding me and my previous employment. I also release Clackamas County from all liability which may result from making any investigation of information provided in the application materials. All information on this application is true to the best of my knowledge. I understand that falsification or misrepresentation may result in disqualification from employment consideration.

_____ Applicant Signature _____ Date

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

FOR OFFICE USE ONLY

Eligible Ineligible Date Interviewed: _____

Notice of Results Sent: _____

Date Started: _____ Classification: _____

Range: _____ Step: _____ Hourly Rate: _____

Division/Section Assigned: _____