

APPOINTMENTS, TRANSFERS AND SEPARATIONS 1020
(No.168 May 2014)

APPOINTMENTS 1021
(No.168 May 2014)

REFERENCES 1021.1
(No.168 May 2014)

[California State Personnel Board \(SPB\)](#)
[California Code of Regulations, Title 2, § 250](#)

POLICY 1021.1.1
(No.168 May 2014)

All appointments, including additional appointments, regardless of funding source, must comply with civil service laws and rules, and merit principles, unless an appointment is expressly exempt from civil service.

As such, appointments will be made on the basis of merit and fitness, defined exclusively by the State Personnel Board (SPB). Each individual's job-related qualifications for a position, including his/her knowledge, skills, abilities, experience, education, training, physical and mental fitness, and any other personal characteristics will be considered relative to the job requirements. Candidate performance can be determined with fair and equitable selection procedures, including, but not limited to, hiring interviews, reference checks, background checks, and/or any other procedures, which assess job-related qualifications and are designed and administered to select those individuals who best meet the selection need. For more information, please refer to [California Code of Regulations, Title 2, § 250](#).

APPOINTING AUTHORITY 1021.2
(No. 26 May 2014)

The Director of CAL FIRE is the official appointing authority. The Director will be involved in and may personally select exempt employees, Unit Chiefs, and those being hired at the Forestry and Fire Protection Administrator (FFPA) level and above.

The Director has granted Region Chiefs and Deputy Directors the necessary authority to select and appoint individuals to all other vacancies within their area of responsibility. They will be held accountable for meeting all departmental and control agency mandates, such as selection, classification and budgetary considerations. The Region Chiefs and Deputy Directors are responsible for issuing a congratulatory letter and notifying the candidate selected for a permanent appointment. The congratulatory letter shall include the classification the employee is being appointed to, the effective date of the appointment, and moving expense information as applicable.

NEPOTISM

(No. 26 March 1992)

1021.3

Nepotism is generally defined as the practice of an employee using his/her influence or power to aid or hinder another in the employment setting or situation because of a personal relationship. An employment setting or situation referenced is one of the following:

- Working in close quarters and in association with one another; or,
- Working for the same immediate supervisor; or,
- Having a direct or indirect supervisor/subordinate relationship.

Personal relationships include, but are not limited to, associations by blood, adoption, marriage and/or cohabitation; e.g., husband, wife, father, mother, son, daughter, brother, sister, grandparent, grandchild, uncle, aunt, first cousin, nephew, niece, in-laws, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and two people living together outside marriage.

The department recognizes that there are many situations where two individuals who have a personal relationship may appropriately be allowed to work in the same program, activity, or location without adverse impact. However, under circumstances where work, safety, morale, or impartial supervision is demonstrably and adversely impacted by a personal relationship, the affected employees may be accommodated by the reassignment of one or the other to the next available vacancy in his/her classification within reasonable commute distance.

A region chief or Deputy Director's approval is required for the employment of those with a personal relationship to one or more people in the employment setting. The supervisor is responsible for ensuring that nepotism does not occur.

To obtain approval, the affected employee's supervisor must contact, through channels, the appropriate ranger-in-charge or section chief. The ranger-in-charge or section chief will advise the regional chief or Deputy Director of the circumstances and make a recommendation on the appropriate course of action. If the request is denied, a written explanation outlining the adverse impact of the personal relationship and any administrative action to be taken will be provided to the affected individual.

If the request is approved, it too will be provided in writing to the affected individual, and a copy will be maintained by the immediate supervisor.

Nothing in this section precludes mandatory reassignments, transfers, or other administrative action by the department to avoid or correct nepotism situations.

REQUEST FOR PERSONNEL ACTION (PO-200) PROCESS 1021.4 (No. 139 May 2010)

REFERENCES 1021.4.1 (No. 139 May 2010)

Classification and Pay Guide Sections 155, 170, 180, 300-399
Government Code Sections 19818-19818.21, 3513(e)
Department of Personnel Administration Policy Memo PML 2007-026

POSITION ALLOCATION 1021.4.1.1 (No. 139 May 2010)

It is the policy of the California Department of Forestry and Fire Protection (CAL FIRE) to administer the personnel classification plan of the State of California, including the allocation of every position to the appropriate classification in the classification plan. This process is called "position allocation." Every position in state civil service must be allocated to the appropriate classification based on assigned duties and responsibilities.

Under the modified classification review (MCR) program, the Department of Personnel Administration (DPA) has delegated allocation decisions to departments in most situations. This authority allows department personnel offices to independently allocate newly established positions, reallocate existing positions, and refill vacancies without prior classification review by DPA staff.

Within CAL FIRE, the Classification and Pay Unit within the Labor and Human Resource Management Office is responsible for ensuring that proper allocation decisions are made. The Northern and Southern Region offices have been delegated allocation authority for the filling of vacant positions at or below the Battalion Chief (Nonsupervisory) level, however certain PO 200 packages require approval from the Classification and Pay Unit prior to Region offices filling these vacancies (e.g. Out-of-Class requests, Training and Development Assignments, etc.). For additional information on delegation authority for the Region office, please contact your Region Administrative Officer or assigned Classification and Pay Analyst.

Allocation of positions is based on class specifications, as well as other authoritative information such as allocation standards or guides, a description of levels, and staffing ratios and patterns. DPA staff provides advice and assistance upon request and conducts a post-audit program to ensure statewide standards are maintained. A request to use another department-specific classification is considered an exceptional allocation requiring DPA approval.

Allocation guidelines are work requirements and/or characteristics that can be compared in order to measure the similarity and/or difference in evaluating the level of work. The purpose of utilizing the allocation guidelines and determining the appropriate classification is to supplement and clarify the class specification, as needed, to differentiate between the various working levels in a class series and to ensure the

consistency of how a particular classification or classifications are allocated and used in various state departments.

Positions shall be included in the same classification if their duties and responsibilities are such that:

1. The positions are sufficiently similar in respect to duties and responsibilities that the same working title could be used;
2. Substantially the same requirements as to education, experience, knowledge and ability are demanded of incumbents;
3. Substantially the same tests of fitness may be used in selecting qualified candidates; and
4. The same schedule of compensation can be made to apply with equity.

There are two key criteria used to differentiate between positions:

1. Type of work, and
2. Difficulty of work, which may be one of the following levels:
 - a. Entry
 - b. Journey
 - c. Advanced journey (typically staff specialist positions)
 - d. Working supervisor
 - e. Line supervisor
 - f. Managerial

Analysts follow four basic steps to determine position allocation:

1. Obtain or gather the pertinent facts, which include activities of an organization, organizational structure, authority relationships, classification concepts and usage, and duties and responsibilities assigned to the position.
2. Analyze the information and facts gathered in comparison to the class specification.
3. Evaluate the information and facts gathered in comparison to the class specification.
4. Determine the appropriate classification for the position allocation. The tasks performed must be at least 51% of the classification identified.

Ensuring that subordinate positions are properly classified begins with each supervisor. The necessity to review duties and initiate classification action is apparent when new positions are created or a major organizational change or reassignment of duties occur. However, supervisors need to be alert to more gradual changes that accumulate over a period of time and result in the need to initiate action.

It should be emphasized that the proper action is not always to reclassify the position. If changes have occurred and are not in the best interest of the Department, it may be appropriate to remove the added or new duties and return to the original assignment without a change of classification. Regardless of the decision that is made, or what course of action is decided, the supervisor will need to develop a Position Essential Functions Duty Statement (PO-199) to assist the analyst in determining the appropriate classification for the position.

ESSENTIAL FUNCTION DUTY STATEMENTS

1021.4.2

(No. 76 April 2001)

Essential functions are those functions that the individual appointed to the position must be able to perform unaided or with the assistance of a reasonable accommodation. The essential functions duty statement should be concise; represent the majority of the duties of the position; and be consistent with the concept of the class. It is the supervisor's responsibility to develop and maintain essential function duty statements (CAL FIRE Form [PO199](#)) for positions under his or her authority.

Essential function duty statements benefit supervisors and managers by:

1. Identifying the duties of each position;
2. Defining what is expected of employees;
3. Organizing work efficiently;
4. Identifying training needs;
5. Providing a common ground of understanding among personnel;
6. Allowing managers to control workloads;
7. Assisting in the recruitment of qualified employees;
8. Assisting in evaluating performance;
9. Assisting in evaluating a request for reasonable accommodation; and
10. Avoiding out-of-class situations.

Duty statements describe the duties of a position in writing. The beginning of the statement indicates to whom the position would report, where it is located within the organization, and how much supervision/guidance the incumbent will receive.

Each major duty is identified by the percentage of time it requires. The major duties are arranged from those that take the greatest amount of time to those that require the least. An asterisk [*] shall be placed in front of the duties the supervisor determines to be essential to the job. All the duties listed may not necessarily be identified as essential to the position. Job qualifications, conditions of employment, and working situations may be included in the space provided on the essential duty statement form. Using the information above, the first-line supervisor prepares the essential function duty statement on CAL FIRE Form [PO199](#).

Whether a particular function is essential is a factual determination that must be made on a case by case basis. In determining whether or not a particular function is essential, all relevant evidence should be considered. These factors include, but are not limited to:

- (1) The amount of time spent on the job performing the function;
- (2) The consequences of not requiring the incumbent to perform the function;
- (3) The terms of a collective bargaining agreement;
- (4) The work experience of past incumbents in the job;
- (5) The current work experience of incumbents in similar jobs; and/or
- (6) The supervisor's judgment as to which functions are essential.

For assistance with identifying what are essential functions of a position, contact the Unit Administrative Officer. CAL FIRE Form PO199 may be accessed on the CAL FIRE Intranet.

Upon hire, the supervisor is to discuss and review the essential functions duty statement with the incumbent and both sign the document where indicated. The supervisor retains the signed original and provides a copy to the employee.

ORGANIZATIONAL CHARTS **1021.4.3**
(No. 149 January 2011)

REFERENCES **1021.4.3.1**
(No. 149 January 2011)

[CAL FIRE Resources for the PO 200 Process Guide](#)
[Classification and Pay Guide Section 320](#)
[Department of Personnel Administration \(DPA\) Personnel Management Liaisons \(PML\) 2007-026](#)

CAL FIRE POLICY **1021.4.3.2**
(No. 149 January 2011)

Under the Delegation Program Agreement, DPA has delegated organizational decisions to Departments in most situations. As such, all positions within the Department have been allocated based upon the work assigned and their reporting relationship to other positions within CAL FIRE. For that reason, how CAL FIRE organizes (or reorganizes) may influence not just one position, but several.

In accordance with the Delegation Program Agreement between CAL FIRE and DPA, current organizational charts are to be submitted to DPA annually on July 1, and prior to any major reorganization. In addition to this requirement, it is imperative that organizational charts are kept updated and on file with each unit/program for DPA audit purposes.

DPA and Department of Finance (DOF) approval is required for major reorganizations. The Labor and Human Resource Management Office and Budget Office in Sacramento must be kept informed about all organization changes or reorganizations to assess the need for control agency involvement and general classification or budgetary impact.

DEVELOPMENT AND MAINTENANCE OF CHARTS

1021.4.3.3

(No. 149 January 2011)

Organizational charts provide an overview of the Department or organizational unit and are a ready reference to each position's placement within the organization. An organizational chart depicts the reporting relationship between positions and provides a basis for understanding the various levels of supervision and distribution of responsibilities. Organizational charts must be kept current and must include:

- Unit/Program name, along with applicable section names on each page.
- Page numbers (e.g., Page 3 of 6, etc.) on each page.
- An electronic (typed in) or original signature and effective date on each page. Organizational charts should be signed by the Unit Chief within field units and Deputy Director (or designee) within Sacramento Headquarters.
- Each position should be identified by position number, full civil service classification title (working titles may also be included), time base of fractional positions, location (if work location is not within the unit), and incumbent name (if vacant, list as "Vacant").
- Permanent positions shall be outlined in solid lines. Limited term, blanket funded, or special consultant positions shall be outlined with a dotted line.
- Connecting lines shall be solid when the reporting relationship is direct. Connecting lines shall be dotted when the reporting relationship is indirect.
- Indicate the number of permanent positions supervised in parenthesis above each supervisory position.

[Sample organizational charts](#) may be found on the [CAL FIRE Intranet under Labor and Human Resource Management/Classification and Pay](#).

Each unit within Sacramento Headquarters, Northern Region, and Southern Region is required to maintain its own organizational chart which accurately reflect reporting relationships. Copies, which serve to update information, will be sent to the Classification and Pay (C&P) Analyst within Sacramento Headquarters or the Administrative Officer within the Northern and Southern Regions.

All authorized organizational charts must be neatly typed, preferably using a computer program designed for this purpose (e.g., Microsoft Visio). Each chart should be printed on 8 1/2" x 11" paper, when possible, so that when assembled with others for distribution they are professional and uniform in appearance.

Organizational charts must be submitted for all Request for Personnel Action (PO 200) packages. Any position the submitted PO 200 pertains to should be clearly identified on the organizational chart by circling the position. If the organizational structure is

proposed for change (e.g., reclassifying a position, etc.), two charts are required: a “current” organizational chart showing reporting relationships of the position prior to changes and a “proposed” organizational chart showing the reporting relationships of the position subsequent to changes. “Current” and “Proposed” are to be clearly identified in the upper right hand corner of the submitted organizational charts.

When reviewing an allocation request, it is necessary to look at the entire organization, rather than just the proposed position. Occasionally, a position may appear to support a requested allocation when viewed in isolation but when the organization is viewed as a whole, the responsibilities and reporting relationships of other positions may be affected by or have an effect on the proposed new allocation.

REORGANIZATIONS

1021.4.3.4

(No. 149 January 2011)

If a major reorganization is being proposed, the proposing unit is required to work closely with their Administrative Officer and the Labor and Human Resource Management Office. Reorganization requires a detailed examination and assessment of all positions within the unit/program, the impact of the movement of these employees/programs on existing positions, and the overall impact on the Department.

When requesting or proposing a reorganization, the unit/program must submit a detailed explanation of the need for reorganization, copies of all current and proposed organizational charts, as well as a current and proposed Position Essential Functions Duties Statements (PO 199s) for each affected position, to the Labor and Human Resource Management Office. The assigned C&P Analyst will review the submitted documentation, and may ask for additional or clarifying information.

DPA and DOF approval is required for major reorganizations. If the proposed reorganization is found to be appropriate by the Labor and Human Resource Management Office, the C&P Analyst is required to submit all appropriate documentation to DPA. Included in this submission is:

- A memorandum detailing the reason for the requested reorganization. This memorandum must address all fiscal concerns, every change to be made, and the potential impact on all affected positions.
- Current and proposed organizational charts.
- Current and proposed PO 199s (with an explanation of changed duties).
- Completed Classification and/or Certification Request (STD. 625) (if applicable).

Once the reorganization has been approved, the Labor and Human Resource Management Office will provide the requesting unit with a copy of the approved request and organizational chart to maintain on file.

REQUEST FOR PERSONNEL ACTION - PO 200

1021.4.4

(No. 170 November 2014)

INTRODUCTION

1021.4.4.1

(No. 170 November 2014)

A Request for Personnel Action, Form [PO 200](#), is used at CAL FIRE to convey information about positions and employees and to request approval for specific types of personnel actions.

PO 200 FORM – PURPOSE

1021.4.4.2

(No. 170 November 2014)

The Request for Personnel Action, Form PO 200, must be completed for for the following appointment transactions:

1. To fill a vacancy;
2. To reorganize positions;
3. To fill new positions;
4. To reclassify positions;
5. To transfer positions, and
6. Any other appointment action that is keyed into the SCO system.

Please reference the “Resources for the PO 200 Process” guide for instruction for completion of the PO 200, along with the necessary attachments. This guide can be located on the [CAL FIRE Intranet Personnel Organizational page](#).

1. Filling a Position

The hiring supervisor begins the process by filling in the information under "Position Identification: (division/region/unit, location, class title and who vacated the position). Information on how the position will be filled is conveyed by completing the section entitled: "Position Action." A position may be filled by list appointment, transfer of an employee from another department, reinstatement, etc. The "Tenure and Timebase" must also be completed. The supervisor must indicate whether the position is being filled on a permanent, temporary, limited-term or exempt basis and what the timebase will be (full-time, part-time, intermittent).

At the time the supervisor is completing the PO 200, he or she may know who will fill the position. If known, the name should be stated together with the social security number, proposed effective date and CAL FIRE position number under "Employee Data". If not known, leave this section blank and work closely with your personnel analyst/specialist.

Under the "Employee Data" section, there are questions relating to the position's collective bargaining identification designation (CBID), whether the employee will be covered by the Fair Labor Standards Act (FLSA) and to what work week group the employee will be assigned. For classes that are delegated to the field to fill (see Section 1021.3.5.1), it is the responsibility of the Regional Administrative Officer (RAO) to complete these items. For classes that are reviewed by DPO, it is the responsibility of the classification analyst to complete this section. Instructions for making these assessments are found in Section 1021.3.7. See [Section 1031.1.2](#) as it relates to "confidential" designations.

The appropriate approvals for the action must be obtained by routing the form. The supervisor initiating the form signs it and obtains approval from the chief or section head of the program where the vacant position is located. The Personnel Specialist, Personnel Analyst and Budget Office will sign off and date the form as their review is completed. In some cases, (filling CEA or other high level positions) it may be necessary to have the Director's approval.

The section titled "Personnel Use" will be used by the personnel staff to record information about the position and/or employee.

2. Reorganization

How a position is classified (or allocated) often depends on its direct and/or indirect relationship to other positions. Therefore, the impact of reorganizing can extend beyond what is apparent to the casual or untrained viewer.

A reorganization is defined as a change in reporting relationship of one or more positions. For uniformed classes, a reorganization which changes subordinate

staffing (number or classifications of employees supervised) for an employee at the Ranger I level and above must be conveyed to DPO through the PO 200 process. For non-uniformed classes, any movement of positions that changes the subordinate staffing of a supervisory position must be reported to DPO through the PO 200 process. The program manager completing the Form PO 200 will indicate under "Position Action" that this is a reorganization. The unit supervisor and chief/section head must sign the form before routing it to DPO. PO 200s originating in the regions or units must contain corresponding signatures as well.

Once the PO 200 and attached documents have been reviewed from a position allocation perspective by the personnel analyst, they will be forwarded to the Budget Office. If the budget analyst denies the request, the Budget Office will notify the affected region or headquarters unit, the Personnel Officer, and the Director's Administrative Assistant. If approved, the Budget Office will return the approved PO 200 and attached documents to DPO. DPO will notify the affected region or headquarters unit and the Director's Administrative Assistant.

3. To Fill a New Position

When filling a new position, the "proposed" side of the "Position Identification" section is completed on the PO 200. The box "Fill a New Position" is checked under "Position Action." How the position will be filled is completed by checking the appropriate box under "Employee Action."

Again, "Tenure and Time Base" of position are indicated by checking the appropriate boxes. "Employee Data," to the extent possible, is completed by the hiring supervisor.

The Regional Administrative Officer (RAO) or classification analyst in DPO will complete the questions regarding whether the employee is covered under FLSA and his/her work week group assignment.

The PO 200 is signed by the unit supervisor who obtains the other levels of approval before sending the form to the appropriate personnel office (region/headquarters) for processing. PO 200s from the units should always go through the region headquarters for approval. (See Sections 1021.3.5 and 1021.3.6 to determine which personnel office to use.)

4. To Reclassify a Position

When reclassifying a position, the process is much the same as filling a vacancy. The "Position Identification" section is completed which will indicate what position is being changed and what classification is proposed. Under "Position Action," the "Reclassify a Position" box is checked and under "Employee Action" how the position will be filled is completed. Again, complete the "Tenure and Timebase" section. "Employee Data," to the extent known, is completed by the hiring supervisor, including whether the CBID is changing.

The RAO or the classification analyst will complete the questions regarding FLSA and work week group designations using Section 1021.3.7 of the Personnel Handbook.

The unit supervisor signs the form, obtains the necessary approvals, and forwards to the appropriate personnel office (region/headquarters). See Sections 1021.3.5 and 1021.3.6 to determine which personnel office to use.

ATTACHMENTS TO THE PO 200

1021.4.4.4

(No. 26 March 1992)

The PO 200 will identify the type of personnel action being requested and the method of filling or reclassifying the position that is requested. For each type of action, attachments are required. (NOTE: The Budget Office does not need to review a PO 200 for a temporary help appointment.) Duty Statements and organization charts are typical attachments. For instructions relating to the development of a duty statement refer to Section 1021.3.2. For more information relating to organizational charts, refer to Section 1021.3.3.

1. Refill with no change in duties

Duty Statement: For audit purposes, a copy of the "prior" duty statement and the "proposed" duty statement for comparison. The "proposed" duty statement will have the proposed effective date of hire. Check the box on the PO 200 that indicates this is a refill with no change in duties.

Organization Chart: A copy of "existing" organization chart and "proposed" organization chart if there is a change in the organization structure.

2. Refill with change in duties

Duty Statement: A copy of the "prior" duty statement and the "proposed" duty statement.

Organization Chart: A copy of the "existing" organization chart and "proposed" organization chart if there is a change in the organization structure.

Justification: A memo explaining the change in responsibilities. Examples of questions that should be answered include: Are the "new" duties as a result of new program responsibility or a redirection of duties from an existing position? If so, who performed them before? What impact does removing these duties have on that position? Are some duties removed from the proposed position? If so, why? Where did they go? What impact do they have on the position that assumed them? Why are the proposed duties appropriate for the requested class?

3. New position

Duty Statement: "Proposed" duty statement.

Organization Chart: A current and proposed organization chart with "proposed" position added. (New position(s) must be highlighted.)

Justification: A memo explaining new responsibilities. Where did the work originate? Does it have an impact on any other position(s) or allocation(s)? If so, explain.

4. Reorganizations

Organization Chart: The "prior" organization chart and "proposed" organization chart.

Duty Statements: For positions that have been impacted by the reorganization, copies of prior duty statements and proposed duty statements.

Justification Memo: An explanation of the reorganization including why it is necessary and how the reorganization of programs/employees impacts the existing classification levels of positions.

5. Change in collective bargaining identification designation (CBID)

For the classes of State Forest Ranger I, II, III and Forester II, the following instruction applies: When refilling one of the "UO8" designated positions, a copy of the duty statement and organization chart must be attached to the Form PO 200.

See [Section 1031](#) as it relates to "confidential" designation changes.

6. Movement of employee to disability blanket

Justification: A memo which includes the reason for the movement, effective separation date, and calculated costs by fiscal year of salaries and benefits, vacation, sick leave, holidays, CTO, and planned overtime (if applicable).

PROCESSING REGION/UNIT PO 200

(No. 26 March 1992)

1021.4.5

DELEGATED RESPONSIBILITY

(No. 26 March 1992)

1021.4.5.1

In the field, the PO 200 and attachments are forwarded from the supervisor to the Region Administrative Officer (RAO) who completes a review of the documents. The review of classification requests where there are no changes in duties (and no reorganization) has been delegated to the region offices for the following classes:

- Forestry Aid
- Fire Fighter I
- Fire Lookout
- Fire Fighter II
- Fire Fighter II (Paramedic)
- Fire Apparatus Engineer
- Fire Apparatus Engineer (Paramedic)
- Fire Captain
- Fire Captain (Paramedic)
- State Forest Ranger I
- State Forest Ranger II*
- State Forest Ranger III*
- Forester I
- Forester II
- HFE0
- Forester III*
- Fire Prevention Officer I
- Fire Prevention Officer II

* Though processing the PO 200 has been delegated using the criteria described in this section, the regions/unit must obtain verbal approval from the Director's Office regarding the actual individual they propose appointing.

For the classes of Forestry Aid, Fire Lookout, Fire Fighter I, Fire Fighter II, Fire Fighter II (Paramedic), Fire Apparatus Engineer, Fire Apparatus Engineer (Paramedic), HFE0, Fire Captain (station and camp positions only), and Fire Captain (Paramedic), it is not necessary to prepare a PO 200 package to fill a position. The region is required, however, to keep an up-to-date listing of position numbers which are filled by each of these classes and a "sample" duty statement describing the responsibilities of all of the positions listed for that class. This recognizes that a "Lookout is a Lookout" and that there are a number of positions that can be described with one duty statement. Additionally, this allows movement of fire fighters from one station to another without the need to prepare a PO 200.

When a request is made for one of the classes listed under "Delegated Responsibility" and there is no change in the duties of the position or organizational structure, the region office can complete the request. The delegation does not include the establishment of new positions, the transfer of positions or the reclassification of any of these positions. See [Section 1031.1.2](#) as it relates to "confidential" position designations. See [Section 1021.3.7](#) as it relates to FLSA, CBID and work group determinations.

Because the Department of Personnel Administration has authority to audit all classification actions, a clear audit trail must be maintained. For each hire in one of the above listed classes, the Deputy Chief, Management Services (DCMS) will be responsible for ensuring that appropriate documentation is on file and ready for audit at all times. Each PO 200 will be complete and have the appropriate duty statements and organization charts attached. It is recognized that for some positions, such as Fire Fighter II, one duty statement will be prepared and will have a list of positions assigned to the class, as well as an organization chart attached to it. DPA audits by position number; therefore, for each position filled, a complete record must be on file.

CENTRALIZED RESPONSIBILITY

1021.4.5.2

(No. 26 March 1992)

Where delegation does not exist, the region office will prepare a Form 625 - Request for Certification and Classification Approval - when required, and a Form 607 - Change in Established Positions - if required. In cases where the Department is establishing a new position, or deleting an existing position (e.g., Schedule A, new positions due to approved Budget Change Proposal, etc.), the Budget Office is responsible for preparing the Form 607. Affected region or headquarter units will be notified via an approved Form 607. These forms are attached to the PO 200, which already includes appropriate duty statements and organization charts. The complete PO 200 package is then forwarded to Sacramento DPO for processing. It is the RAO's responsibility to understand the request and be able to answer questions from the classification analyst in Sacramento headquarters and/or budget analyst.

Upon receipt in DPO, the PO 200 will be logged in and forwarded to the classification analyst who will review the classification proposal and determine if any of the required documentation is missing. If so, a form letter will be prepared and immediately sent back to the requesting region advising of the deficiencies.

If all relevant information is included, the analyst will review the classification requested and decide if the request is appropriate. The analyst will respond to the request within ten working days. If additional information is needed, the ten working days will begin once the requested information has been received. For MCR I and II classes where

Budget Office approval is needed, once the PO 200 has been approved by the DPO analyst it will be sent to the headquarters Budget Office and the affected region or headquarters unit will be notified.

If the Budget Office receives a telephone inquiry regarding the status of a PO 200, and it is not logged in, the budget analyst will contact the classification and pay analyst to find out the status and then advise the field. If a backdate is requested on a PO 200 from headquarters, the classification and budget analysts will discuss appropriate dates. If a PO 200 requesting a back-date comes in from the field, the budget analyst will discuss the date with field personnel. (If the backdate is for more than 60 days and requires DPA approval, the budget analyst will be given a copy of the DPA justification memo. If the date of an appointment is changed by the Budget Office, the budget analyst will inform the classification and pay analyst. The DPO analyst will notify the region of the classification approval.)

If the classification requested requires DPA approval (Form 625), it is the responsibility of the DPO analyst to prepare the memo requesting approval from DPA. Once DPA approves the request, a copy of Form 625 is sent to the DPO analyst who will attach a signed copy to the PO 200 package. At that time, if a Form 607 is attached, the entire package will be sent to the Budget Office for approval.

The budget analyst will review the PO 200 package to identify funding and ensure that the funding source is adequate. If the budget analyst denies the request, he/she is responsible for notifying the region and the DPO analyst. If the Form 607 requires Department of Finance (DOF) approval, the budget analyst will forward it to DOF. Once the PO 200 and the Form 607 are approved, the budget analyst will return all copies to the DPO for disbursement. DPO will send a copy of the approved Form 607 to the State Controller's Office (SCO) and a copy of the approved PO 200 package to the region headquarters Personnel Specialist. The original PO 200, PO 199, Form 625, Form 607, justification memo and other pertinent documents will be sent to the DPO files unit for retention.

If a Form 607 is not required, the DPO analyst will send a copy of the approved PO 200 to the Region Personnel Specialist. The original PO 200 will be filed in the DPO file unit.

If the request is denied by DPO, the DPO analyst will telephone the RAO and advise him/her and the reasons for the denial. The denial will be noted on the PO 200 package which will be returned to the appropriate region. A copy will be kept in DPO headquarters.

PO 200s that have the potential for statewide impact will be reviewed by the DPO analyst and referred to the Classification Manager. The Classification Manager will discuss the potential allocation with each DCMS. If there are no concerns or issues raised, the PO 200 will be processed with a notation for consideration by the Budget Officer. If DCMS or Budget Office concerns are expressed, the issue will be scheduled for discussion on the next DCMS agenda. This would include an upgrade/reclass of a position that is used on a statewide basis to perform basically the same functions statewide.

**PROCESSING A PO 200
FROM SACRAMENTO HEADQUARTERS**

1021.4.6

(No. 26 March 1992)

The PO 200 is originated by the hiring supervisor/program manager. It will have attached the appropriate duty statements, organization charts, and justification memo, if necessary.

It is the hiring supervisor's responsibility to obtain the chief or section head's approval to fill the position. The request is submitted to the Headquarters Administrative Officer (HAO) who will review the classification request to make sure all required documents are attached and that the PO 200 is accurately filled out. The HAO will initial the PO 200 and forward it to the DPO.

The PO 200 package will be logged in. The PO 200 will go to the appropriate Personnel Specialist. The Personnel Specialist will note if a certification is requested, what the MCR is for the class and, if required, will prepare a Form 625 and/or Form 607. These forms will be prepared and sent to the DPO classification analyst within one working day of receipt. The DPO analyst will review the PO 200 package. If any items are missing, a letter will be sent back to the HAO informing him/her. Once all of the required information is provided to the DPO analyst, the analyst will review the request and sign or deny it within ten working days or forward it to DPA if DPA approval is required.

If Budget Office approval is necessary, the PO 200 package will be sent to the Budget Office with a copy of a signed Form 625 (if required). The budget analyst is responsible for identifying the funding and position authority and determining if the funding source is adequate. When a Form 607 is required, the budget analyst is responsible for reviewing it and seeing that any necessary changes are made. When changes are made that significantly affect the PO 200, the budget analyst is responsible for notifying appropriate individuals involved in the PO 200 process. Once the Budget Office approves the PO 200 and Form 607, the package is returned to transactions staff in DPO. DPO is responsible for sending a copy of the approved Form 607 to the State Controller's Office. When Department of Finance (DOF) approval is necessary, the Budget Office holds the PO 200 package until the approved Form 607 is received. Once an approved Form 607 is received, the Budget Office returns the PO 200 package and a copy of Form 607 to transactions staff in DPO. DPO is responsible for sending a copy of approved Form 607 to the State Controller's Office if the Department of Finance has not already done so.

Upon receipt from Budgets, the clerical staff in DPO forwards the PO 200 to the appropriate Personnel Specialist. A copy is sent to the Headquarters Administrative Officer. The Personnel Specialist sends a copy of the approved PO 200 to the Human Rights Office. The Personnel Specialist waits until all documents are received (Form 625 and 607) before contacting the hiring supervisor to find out how the supervisor wants to fill the position. If needed, a list certification will be ordered and cleared. Before a hiring commitment is made, the Personnel Specialist will make sure that the proper certification has been cleared, that there are no SROA candidates, and that the proposed employee has eligibility by transfer of list score verification or by verifying current civil service status.

Once these checks have been made, the Personnel Specialist will inform the hiring supervisor that a commitment can be made. The complete PO 200 package will then be sent to files.

**CBID, WORK WEEK GROUP
AND FLSA DETERMINATIONS** **1021.4.7**
(No. 26 March 1992)

TYPES OF APPOINTMENTS **1021.5**
(No. 26 March 1992)

REINSTATEMENTS **1021.5.1**
(No. 26 March 1992)

When an employee is reinstated he/she must, unless it was a mandatory reinstatement, meet all medical requirements of the classification. The employee will bear the expense of any necessary medical examination(s).

A reinstated employee who previously withdrew his/her retirement contribution may elect to redeposit the contributions. To do so, the employee must contact the Public Employee's Retirement System (PERS) and arrange for the restoration of the retirement funds through payroll deductions.

APPOINTMENTS OTHER THAN PERMANENT FULL TIME 1021.5.2
(No. 26 March 1992)

TEMPORARY AUTHORIZATION (TAU) 1021.5.2.1
(No. 26 March 1992)

When a position cannot be filled by using an employment list, it may be necessary for a hiring unit to request temporary authorization to hire a person who does not have list eligibility. The policy and criteria for TAU appointment may be found in SPB Rule 265 and Government Code Sections 19058 and 19059. Further information is contained in Section 3600 of the SPB Selection Manual.

The following are guidelines for TAU hires:

- TAU is applicable to all classes.
- TAU may be requested when:
 - there is no employment list, or
 - the certified list has been cleared (a copy of the cleared list must be submitted to SPB with the TAU request), or
 - the open list has fewer than three available names (see SPB Rule 265).
- TAU is typically not appropriate when
 - an examination is in progress, or
 - it is to a promotional class.

(Extraordinary circumstances must be shown by the hiring unit in the above situations.)

When it is determined that a TAU is necessary, the hiring unit should contact Personnel Services through channels and provide the following information:

- The number of hires and location.
- Description of operational needs (new program, Schedule A contract obligation, court or legislative mandate, etc.).
- Description of urgency or compelling need (public health, safety, work stoppage).

- A copy of the cleared certification list.

The Personnel Services analyst will prepare a written request to the SPB for approval to recruit a TAU hire. If the SPB approves the TAU request, the personnel analyst will notify the appropriate region office by telephone.

Following notification of SPB's approval, the hiring unit may begin recruitment efforts. When the hiring unit has selected a candidate, the following must be forwarded to the Personnel Services analyst:

- A completed, signed application (Form 678).
- A completed Form 215 (Review of Minimum Qualifications).

The personnel analyst sends this information to the SPB for review. If the candidate meets the minimum qualifications for the class and the application is approved by SPB, the Form 215 is approved by the SPB and returned through channels to the initiator. A commitment may then be made to hire the approved candidate.

PERMANENT INTERMITTENT APPOINTMENTS

1021.5.2.2

(No. 26 March 1992)

Permanent intermittent appointments are to be used for work that is less than full-time each year. It is used to provide a trained work force available to supplement full-time staffing. As with permanent full-time appointments, permanent intermittent appointments are made from an eligible list.

An intermittent appointment is appropriate when the varying nature of the work schedule makes it impractical to use full-time or part-time employees. For further information, see Government Code Section 18552.

Government Code Section 19100 gives DPA responsibility for establishing rules for vacation and sick leave privileges, salary, and other conditions of employment for permanent intermittent employees. More specific information may be found in some MOUs and in the following DPA Rules:

- Automatic Resignations - Rule 599.828
- Minimum Work Time - Rule 599.709
- Sick Leave - Rule 599.747
- Vacation - Rule 599.740
- Continuity of Employment - Rule 599.827

For standards and guidelines regarding permanent intermittent employment, refer to Section 333 of the Personnel Management Policy and Procedures Manual.

During the interview process, each eligible individual should be advised of the anticipated days and hours of work and the circumstances which might increase or decrease the anticipated work schedule. It should be made clear that there is no absolute guarantee of work hours.

The hiring unit is responsible to notify a permanent intermittent employee if it does not intend to call that employee to work again.

A system to determine the order of call-to-work of permanent intermittent employees should do the following:

- Be fair to the employee and should avoid personal favoritism or prejudice.
- Meet the particular needs of the unit as efficiently and economically as possible.
- Be easily understood and administered.

Some of the factors that should be considered in establishing an order of call-to-work for permanent intermittent employees are listed below:

- Requirements of the position to be filled.
- Availability of funds and staff to train employees who do not already possess the required skills.
- Training and experience of the employees available to fill the positions.
- The amount of work available and the number of qualified employees available.
- Length of time that each employee has worked during the previous 12 months.

Work should be offered to all qualified permanent intermittent employees already on the payroll before making new appointments to the same class in the same location.

Permanent intermittent employees must be given reports of performance during the probationary period.

VOLUNTARY DEMOTIONS BY SUPERVISORS AND MANAGERS

1021.5.3

(No. 26 March 1992)

When the Department deems it necessary to fill a vacant position, the needs of the Department must be given first priority. These needs include the right to fill vacant positions using such methods as voluntary transfer, reassignment, reinstatement, voluntary demotion, or other selection alternatives such as affirmative action, special skills, abilities or aptitudes.

Without prejudice to these needs, or the inherent rights of the Department to hire, transfer, promote, or demote employees, the Department recognizes the need for a voluntary demotion policy.

With respect to any vacancy within the Department for which there is a voluntary demotion request on file, if the Department elects to fill the vacancy using an eligible or promotional list, it will consider voluntary demotion requests from within the Department at the same time. The Department will evaluate the specific requirements of the position which may exceed the specific requirements for the class and may include such objective factors as public speaking ability, structural fire-fighting experience, EMT certification, specialized training and other similar qualifications. The specific qualifications shall be determined by the delegated appointing authority and are not grievable.

Any employee may request consideration for a position through this voluntary demotion procedure consistent with the following:

1. When filling a vacancy, all active voluntary demotion requests on file must be evaluated pursuant to this policy. The specific qualifications and objective criteria required to fill the position shall be provided to the applicants at the time they are notified of an interview.
2. Voluntary demotion candidates shall be informed of the final selection decision within ten working days of the selection.
3. Requests for voluntary demotion will be valid for the calendar year for which they are submitted. It will be necessary to resubmit voluntary demotion requests on or after January 1 of each year.
4. The unit manager or the program manger of the employee's home unit, or headquarters as applicable, has the authority to disapprove voluntary demotion requests based on one or more of the following considerations:
 - a. a serious impact would result to on-going programs,
 - b. employee has fewer than three years satisfactory performance in his or her position,
 - c. documented performance is below standard,

- d. employee has never held permanent status in the position to which voluntary demotion has been requested.

Voluntary demotion requests may not be denied solely on the basis that the request is to a position within the same administrative unit.

The decision to disapprove a voluntary demotion request is grievable only through the second level of the grievance procedure.

The appointing authority may evaluate and select candidates for positions by personal interviews or by resumes only, depending upon the circumstances surrounding a specific position(s). Interviews may be conducted by telephone.

A voluntary demotion from a nonrepresented to a represented classification must be approved by the region chief.

All voluntary demotions must meet the criteria established by the State Personnel Board law and rules.

Moving costs for voluntary demotions will typically be borne by the employee. They may be paid for by the Department, if approved by the region chief, where because of unusual circumstances, it is in the best interest of the State to do so. Travel and subsistence costs associated with interviews for any voluntary demotion shall be borne by the employee.

STATE RESTRICTION OF APPOINTMENTS (SROA) 1021.6 **(No. 26 March 1992)**

Before any permanent full-time appointment is made from a list, reinstatement, or transfer from another department (in classes not used exclusively by CAL FIRE), it is mandatory to determine if SROA candidates are available. The types of appointments which may qualify for an exception from this policy are described below. Because some exceptions must be in writing to the DPA and/or the SPB, contact Personnel Services in Sacramento if circumstances require such a request.

- Emergency Appointments
 - Mandatory Reinstatements
 - Limited-Term and Intermittent Appointments
 - Intradepartmental Transfers
- (1) Lateral transfers involving the same class within one department are not restricted. No prior clearance is needed. These transfers should be explained on the transactions document (PAR).

(2) Transfers involving different classes need to be approved in advance by the SROA Unit.

- Interdepartmental Transfers - Fill Behind Policy

If one department wishes to fill a vacancy with a transfer from another department, this may be allowed provided that the vacancy left in the other department is filled according to restriction of appointments procedures for that class.

These transactions must be cleared in advance by the State Personnel Board SROA Coordinator and must involve positions at the same level. The department from which the employee is transferring must provide written certification to the SROA Unit that it will use the SROA process to "fill behind" the transferring employee. This must occur prior to the transfer actually taking place.

- Employee in Classes and Departments of Layoff Who do Not Have SROA Eligibility

An employee who is working in a class with surplus employees within a department of layoff, but who is not eligible for SROA because he/she is not in jeopardy of layoff due to higher seniority, may be allowed to move to another position or department if the resulting vacancy provides for the retention of a surplus employee. In order to be approved, the department must provide the name of the surplus worker who will be retained to the SROA Unit so that his/her name may be removed from appropriate SROA lists.

- Promotions in Place

"Promotions in place" that do not result in a vacancy do not require prior clearance. These types of promotions do not involve a change of position or assignment by the affected employee. They typically involve recognition of an employee reaching the fully skilled level within a particular occupational specialty (Staff Services Analyst promoted to the Associate level) or result from a reclassification of duties and responsibilities. Where appointments to a class would not normally be a promotion in place, the department should attach an explanation of the circumstances to the certification for audit purposes.

- Other In-Place Appointments

Employees who, at the time a class goes on SROA restriction, are in TAU appointments or Training and Development assignments may be given a permanent appointment to their position when they become eligible. Such appointments must be "in place" where no true vacancy exists.

NOTE: The conversion of a limited-term or intermittent appointment to a permanent full-time appointment is not exempted from SROA procedures and requires clearance of the SROA list.

- Prior Commitments

Commitments made by departments prior to a class being restricted may be honored but need to be cleared through the State Personnel Board's SROA Unit. Inappropriate commitments made after a class is restricted will not be honored. Regions must educate their line managers not to make hiring commitments until they are sure that the SROA process has been cleared.

- Reduced Worktime Program

Employees who are on reduced worktime are guaranteed first priority for full-time jobs under Government Code Section 19996.24. An employee who requests return to full-time work in a restricted class should be accommodated.

- Placement of Disabled Workers

Disabled state workers who would lose their employment unless specially accommodated may be placed.

- Resolving Surplus Employees Prior to Initiating Layoff Action

If a department develops surplus employees but does not want to initiate layoff action because it feels that it can place the employees within the department, it should discuss the situation with DPA. DPA must recognize the need to reduce the surplus before employees are eligible for SROA or before exceptions to transfer restrictions can be made. Requests for exception must be submitted in writing and must fully explain the situation.

- Reinstatement After Layoff

After layoff, individuals may be permissively reinstated to appropriate classes for which they have no reemployment list eligibility. However, if a reemployment list exists for the class of reinstatement, it must be cleared first. If there is also an SROA list, it need not be cleared if an SROA exemption is requested and granted. The exemption request should include the names of the individuals to be reinstated, the classes from which they were laid off, and the names of their former departments.

- Other Exceptions

Other requests for exception based on critical hiring needs may be submitted to the SROA Coordinator for consideration. Such requests must be submitted in writing and include information on the following:

1. The nature of the critical need and why it cannot be met through SROA hiring.
2. The consequences if an exception is not granted.
3. The efforts that have been made to fill the position using the SROA list.
4. Whether granting the exception creates a vacancy which can be filled through the SROA process.
5. What other positions in the department have been filled through SROA hires.

The approval or denial of special exceptions will be based on balancing special departmental hiring needs with the policies on restriction of appointments.

FEDERAL FORM I-9
(No. 26 March 1992)

1021.7

Public Law 99-603, Immigration Reform and Control Act of 1986 (IRCA), mandates that all employers help control illegal immigration. As an employer, CAL FIRE must comply with the IRCA documentation requirements.

An Employment Eligibility Verification (Form I-9) must be completed for every employee hired on or after November 6, 1986. To avoid suggestions of possible discriminatory practices, all new employees are to be included in this procedure. This includes permanent, limited term, and seasonal appointments, as well as those hired as pick-up labor or paid call personnel. Returning seasonal employees will need to complete a Form I-9 only if one is not already on file with the Department or if the employee has had a break in service of three years or longer. Promotions and transfers from other state agencies do not require completion of Form I-9 unless the initial hire took place after November 6, 1986.

The employee or preparer-translator must fill out "Part One" of the Form I-9. As appropriate, preparer-translators must also fill in the section provided for them. Departmental representatives (e.g., personnel clerks or personnel assistants) must fill out "Section Two" of the Form I-9.

The employee must provide documented proof of his/her citizenship or employment eligibility as outlined in the U. S. Department of Justice Handbook for Employees which is available from the regional or headquarter offices. Photocopies of documents used to verify employment eligibility are no longer required. The unit personnel assistant/clerk (or the CAL FIRE employee who is receiving the documents initiating the employment) must ensure that the verification documents appear genuine and relate to the employee in question. Place the completed Form I-9 in a sealed envelope marked with the employee name and "Form I-9 enclosed." The envelope is then placed in the employee's personnel file. The Form I-9 is retained for the life of the file.

The information must not be used for any purpose other than an audit by authorized Federal personnel.

APPOINTMENT OF EX-OFFENDERS OR PERSONS ON PAROLE

1021.8

(No. 26 March 1992)

CAL FIRE endeavors to aid in the rehabilitation of ex-offenders on an individual merit basis. However, due to working conditions and program objectives, persons convicted of crimes involving sex offenses or arson are not acceptable for CAL FIRE peace officer, firefighter, or safety retirement member positions.

Any former state prisoner or parolee seeking employment should contact the region or unit headquarters. If on parole, he/she should submit a written recommendation from his/her parole agent. If a representative of the department decides to hire the individual and he/she will be working in or near a correctional facility, a letter requesting concurrence must be sent to the superintendent of the appropriate Department of Corrections conservation camp until concurrence has been received from the facility superintendent.

VOLUNTEER EMPLOYEES

1021.9

(No. 26 March 1992)

A volunteer is an individual who performs hours of service for a public agency for civil, charitable, or humanitarian reasons without promise, expectation, or receipt of compensation for services rendered. These services must be offered freely and without pressure or coercion, direct or implied, from the employer.

State employees covered by the Fair Labor Standards Act (FLSA) ([see Section 1043](#)) may not volunteer for work with any state agency if the services are the same type for which the employee is paid during the course of his/her regular employment. If a CAL FIRE employee volunteers to perform in the same capacity for any state agency, including CAL FIRE, the volunteer time must be counted as hours worked. The time is then added together with that accumulated in the regular job for purposes of calculating overtime pay. If an employee of another state agency volunteers to work for CAL FIRE, the potential overtime liability must be coordinated by the two agencies. Any questions concerning the impact of FLSA on a potential volunteer should be directed to Personnel Services.

There are no limitations or restrictions imposed by the FLSA on the types of services private individuals may volunteer to perform for CAL FIRE.

VOLUNTARY TRANSFERS

1021.10

(No. 26 March 1992)

Cross References:

Personnel Management Policy and Procedures Manual Section 315
Government Code Section 18525.3
Government Code Sections 19050.2- 1950.9
Government Code Sections 19994.1 - 19994.10
State Personnel Board Rules 425 - 444
Applicable Collective Bargaining Agreements

INTRODUCTION

1021.10.1

(No. 26 March 1992)

This section of the manual covers voluntary transfers between classifications and between state departments where the candidate has not relied on employment list status to gain eligibility for the position. It is not intended to address transfers between geographic locations though a change in the employee's work site may occur as an incidental part of transferring between classifications or between state departments.

"Transfer" in this context means both of the following:

1. The appointment of an employee to another position in the same classification but in another state department; and,
2. The appointment of an employee to a position in a different class that has substantially the same level of duties, responsibility, and salary, as determined by State Personnel Board rule, in the same or another state department.

TRANSFERS FROM OTHER STATE DEPARTMENTS 1021.10.2

(No. 26 March 1992)

Before an individual from another state department voluntarily transfers into regular CAL FIRE civil service fire suppression classes for which a rank-and-file or supervisory employment list exists, the hiring supervisor must:

1. Determine that no eligible CAL FIRE employee is interested in the job. That includes those CAL FIRE employees eligible for a geographic transfer within the same classification as the vacancy, those seeking demotion into the affected classification, those eligible for promotion into the affected classification, and those eligible for a lateral transfer between classifications within CAL FIRE as outlined below. The supervisor may exclude current CAL FIRE employees from this requirement if a performance problem which has previously been documented in writing exists;

2. Be sure the candidate meets all of the criteria for transfer between departments (and classification if applicable) as established by law and the rules of the State Personnel Board and Department of Personnel Administration;
3. Make sure the candidate complies with the instructions outlined in Sections 1021.9.3 and 1021.9.4 below if a transfer between classifications is also involved;
4. And, obtain approval for the appointment from the Director via the PO 200 process and the Departmental Personnel Office.

All employees transferring from another state department to CAL FIRE in a civil service capacity will be placed on probation regardless of their classification and whether it changed as part of the transfer (authority: SPB rule 322(c)(1)). He or she must also successfully complete any training required by the class specification during the probationary period (e.g., Basic Fire Control).

VOLUNTARY TRANSFERS BETWEEN CLASSIFICATIONS 1021.10.3 (No. 26 March 1992)

Before an individual is transferred into a regular CAL FIRE civil service fire suppression classification for which a rank-and-file or supervisory employment list exists, the hiring supervisor must do the following:

1. Be sure the candidate meets all of the criteria for transfer between classifications as established by law and the rules of the State Personnel Board (SPB) and Department of Personnel Administration (DPA). The following is a general (and not a comprehensive) outline of this criteria. For more information about application of the SPB rules.
 - A. Transfers may not be used to accomplish promotions. Typically, promotions occur when the maximum rate of the salary range of one class is at least two steps higher than the maximum salary range of another class.
 - B. Consecutive transfers or combinations of transfers, demotions or reinstatements which in total represent a promotion are prohibited.
 - C. The "from" and "to" classifications are in a different series.

The Departmental Personnel Office analyst assigned to the region/program will be responsible for a final determination on whether the SPB and DPA rules have been satisfied.

2. Make sure the employee to be transferred possesses any licenses, certificates, or registration required in the new classification.
3. Make sure the candidate has current employment list eligibility if he or she meets the minimum qualifications for the new classification. (NOTE: The candidate

does not need to be reachable on the list if he or she otherwise meets the transfer criteria established by SPB and DPA.)

Candidates who do not meet the minimum qualifications (MQs) for the new classification, and those who meet the MQs but do not have active list eligibility must take a transfer exam. The transfer exam will be similar in scope to that taken by list eligibles. It will be arranged by the Departmental Personnel Office at the request of a region office or Sacramento Deputy Director.

All employees transferring between classifications will be placed on a new probationary period unless one had previously been completed in the same classification and there has been no break in service since (authority: SPB rule 322). Those on probation must also successfully complete any training required by the class specification during the probationary period (e.g., Basic Fire Control).

VOLUNTARY TRANSFER FROM FORESTER TO STATE FOREST RANGER

1021.10.4

(No. 26 March 1992)

In addition to the requirements found in Section 1021.9.3 above, Foresters transferring to State Forest Ranger (SFR) must satisfy the following experience requirement.

Forester I to State Forest Ranger I

Two years of permanent full-time experience in CAL FIRE performing the duties of a Forester I; and, successful completion of Basic Fire Control training.

Or

One year of permanent full-time experience in CAL FIRE performing the duties of a Forester I; and, two years of experience in CAL FIRE as a Forestry Assistant II; and, successful completion of Basic Fire Control training.

Forester II to State Forest Ranger II

Two years of permanent full-time experience in CAL FIRE performing the duties of a Forester I; successful completion of probation as a Forester II; and, successful completion of Basic Fire Control training.

Or

Two years of permanent full-time experience in CAL FIRE performing the duties of a Forester II; and, successful completion of Basic Fire Control training.

Forester III to State Forest Ranger III

One year of permanent full-time experience in CAL FIRE performing the duties of a Forester II; one year of permanent full-time experience performing the duties of

a Forester III; successful completion of probation as a Forester III and, successful completion of Basic Fire Control training.

The Department encourages State Forest Rangers to consider lateral transfers into the forester series. In addition to the requirements found in Section 1021.9.3 above, State Forest Rangers transferring to Forester must possess any licenses required by law and satisfy the following experience requirements.

SFR I to Forester I

Two years of permanent full-time experience in CAL FIRE performing the duties of a State Forest Ranger I.

SFR II to Forester II

Two years of permanent full-time experience in CAL FIRE performing the duties of a State Forest Ranger I; and, successful completion of probation as a State Forest Ranger II.

SFR III to Forester III

One year of permanent full-time experience in CAL FIRE performing the duties of a State Forest Ranger II; and, successful completion of probation as a State Forest Ranger III.

OATH OF ALLEGIANCE

1021.11

(No. 26 March 1992)

The oath of allegiance is to be administered to every new civil service or exempt employee, except legally employed aliens. With the exception of exempt employees, this is accomplished by signing form STD 689. Exempt employees may be required to take the oath verbally.

All new employees will be given an orientation packet which includes an STD 689, oath of allegiance form. The oath must be subscribed to on or before the effective date of appointment and before the employee begins his/her official duties. It is the responsibility of the hiring unit to ensure that the oath is administered, signed, and placed in the employee's official personnel file.

DUAL APPOINTMENTS UNDER THE FLSA

1021.12

(No. 26 March 1992)

The FLSA requires that all work for the same employer be taken into consideration when calculating overtime compensation. That means that all time routinely worked for the state regardless of department must be added together in determining overtime compensation. (Note: state colleges, universities, and the Legislature are considered separate employers from the balance of state service.) If, however, the second job is in

a different capacity and is occasional or sporadic, the time worked will not be combined with the primary position for purposes of determining overtime.

In determining whether employment is in a different capacity, the Department of Labor (DOL) will be guided by the criteria of education, experience, duties, skills, and knowledge as well as by all facts in a particular case. Class specifications and occupational/schematic groupings are indicators when determining whether the job is in a different capacity. Another indicator is whether both jobs are in safety retirement.

The term "occasional or sporadic" means infrequent, irregular, or occurring in scattered instances. In order for an employee's occasional or sporadic work on a part-time basis to qualify for exemption, the employee's decision must be made freely. Furthermore, the additional employment may not be pre-scheduled on a regular continuous basis. If an employee knows he/she will be working part-time on a specific regular and re-occurring schedule each week or month, the additional work must be counted in computing any overtime compensation due.

The 7(K) exemption is lost if a CAL FIRE fire protection employee also works for another state department and spends more than 20 percent of his/her total work time performing nonfire protection services. This means CAL FIRE must provide overtime compensation for all time worked in excess of 40 hours per week. It also means that both jobs are added together in determining the total number of hours worked.

THE LIMITED EXAMINATION AND APPOINTMENT PROCESS (LEAP)

1021.13

(No. 108 February 2006)

The Limited Examination and Appointment Process (LEAP) is an alternative selection program for persons with disabilities. The State Personnel Board (SPB) established the LEAP program on January 1, 1989. The program is designed to minimize the adverse impact of the traditional selection process by providing an alternative means of assessing the qualifications and skills of job applicants with disabilities. LEAP facilitates the recruitment of applicants with disabilities to provide State agencies with qualified referrals for selected job classifications. LEAP consists of a two-part civil service testing program for persons with disabilities. Part I is a Readiness Evaluation and Part II is a Job Examination Period, which is performed on-the-job. Persons who obtain disability certifications from the Department of Rehabilitation are eligible to participate in LEAP.

REFERENCES

1021.13.1

(No. 108 February 2006)

State Personnel Board's website: www.spb.ca.gov

Department of Rehabilitation: (916) 263-8762 or (916) 322-8500 or TTY (916) 263-7477

LEAP Coordinator, CAL FIRE Equal Employment Opportunity Office:

(916) 653-0946

LEAP Certification Coordinator in the CAL FIRE Human Resources Exam Unit:

(916) 445-0500

Government Code Sections: 12926, 19240, 19241, 19242.2, and 19242.8.

California Code of Regulations Sections: CCR 321, 547.50 (b), 547.52, 547.53, and 547.54

POLICY

1021.13.2

(No. 108 February 2006)

The LEAP selection process is a two-part process consisting of: (1) a competitive examination to determine readiness for appointment, and (2) an on-the-job performance examination. The competitive examination provides a basic screening for an applicant's ability to meet critical class requirements (CCR) and determine whether he or she is ready to be placed in a work setting. The on-the-job examination is designed to evaluate the candidate's knowledge, skills, and abilities to do the job and substitutes for the written test in the traditional examination process. The time in which the on-the-job examination is conducted is called the "job examination period" (JEP).

In order to conduct the on-the-job examination, the SPB has established the special class, "LEAP Candidate (Identified Class)". The "Identified Class" is the parallel regular civil service class. A candidate who has been successful in the competitive portion of the examination must be appointed to the special class (regardless of the identified parallel class) in order to complete the on-the-job examination. Upon successful completion of the on-the-job examination, a candidate is considered to have passed the LEAP examination and may be appointed to the identified parallel class. The "Identified Classes" are listed in the General Provisions of this section.

The purpose of the JEP is to assess the knowledge, skills, and abilities of an individual in LEAP Candidate identified classifications. A candidate must successfully demonstrate his or her ability to perform the essential functions of the job classification in order to successfully complete the LEAP examination. The length of the JEP is one-third that of the probationary period for the parallel class (i.e., two months for classes with a six-month probationary period, and four months for classes with a twelve-month probationary period). If a candidate is working part time, the JEP is prorated at a rate comparable with two months equaling 280 hours or four months equaling 460 hours of full time employment.

CRITERIA

1021.13.3

(No. 108 February 2006)

In order to participate in LEAP, a person must meet the definition of an “Individual with a Disability”, as defined by *California Code of Regulations, Title 2, Division 1, Chapter 1, (CCR) Sections 10(a) and 547.51* and be certified eligible for the program by a California Department of Rehabilitation (CDR) counselor. Interested individuals should contact the CDR to make an appointment to become LEAP certified. Each applicant must provide the counselor with documented verification of his or her disability (e.g. medical records). The counselor will evaluate the information and decide whether the person meets the LEAP eligibility requirements. If the person is judged to meet the requirements, the counselor will issue a LEAP Certification form. The LEAP Certification form will indicate the person’s disability (by number code) and be signed by both the counselor and the applicant. Once the individual is eligible, the next step is to file an application to participate in a LEAP examination. A copy of the LEAP Certification form must be attached to the standard State application form when filling for a LEAP examination. If a copy is not attached, the application will be returned to the applicant. A LEAP certified **individual should always keep the original LEAP Certification form** and make copies for LEAP examination submissions.

GENERAL PROVISIONS

1021.13.4

(No. 108 February 2006)

SPB maintains LEAP certification lists for the following classifications used by the California Department of Forestry and Fire Protection (CAL FIRE):

- Account Clerk II
- Accountant Trainee
- Accounting Technician
- Carpenter I
- Custodian
- Food Service Technician I
- Groundskeeper
- Maintenance Mechanic
- Office Assistant (General and Typing)
- Office Technician (General and Typing)
- Research Analyst I
- Staff Counsel
- Staff Services Analyst

REQUIRED DOCUMENTATION AND APPROVAL PROCESS

1021.13.5

(No. 108 February 2006)

When CAL FIRE managers/supervisors request certification lists for making hires for the above classifications, the Human Resources Office (HRO) provides them with both the LEAP list and the regular civil service list. All candidates on the LEAP Referral List are eligible for hiring consideration since "Rule of List" applies when using LEAP Referral Lists.

CAL FIRE may use LEAP Referral Lists to fill vacancies and are allowed to contact qualified individuals by "Rule of List." "Rule of List" permits any candidate to be appointed from a LEAP Referral List in order to make a good job-person match. "Rule of List" also gives LEAP candidates the opportunity to contact CAL FIRE in order to promote an interest in their qualifications as prospective employees. Rankings are included on LEAP Referral Lists in order to provide CAL FIRE with information on the relative qualifications of candidates.

The LEAP Referral List contains names of qualified persons with disabilities who meet the minimum requirements for the job classification, have been certified as eligible by the Department of Rehabilitation, and have demonstrated the potential to perform the duties of the classification in a competitive examination to determine readiness for appointment.

LEAP Referral Lists contain all information necessary for departments to contact qualified individuals when filing vacancies in a particular job classification. Lists are statewide and include all names, addresses, phone numbers, ranks, location preference codes, and tenure or time-base preference codes. CAL FIRE may order an official certified list of names by specific location or on a statewide basis.

ROLES AND RESPONSIBILITIES OF THE SUPERVISOR

1021.13.6

(No. 108 February 2006)

The JEP is comprised of the time the supervisor is observing the performance of the individual in the LEAP Candidate identified class. In order to provide a fair evaluation of the LEAP Candidate's performance, the supervisor must observe the performance over the full two-month or four-month JEP. If the supervisor is unable to observe the performance of the LEAP candidate for any period of time, the JEP should be extended accordingly. For instance, if the LEAP candidate attends classroom training for two weeks, the JEP should be extended to 10 weeks for a two-month evaluation or 18 weeks for a four-month evaluation period.

The supervisor evaluates the LEAP candidate once each month during the JEP, documenting the evaluations on the "LEAP Candidate Job Examination (SPB 273)" form. A copy of the SPB 273 must be submitted to the CAL FIRE LEAP Coordinator. The CAL FIRE LEAP Coordinator is responsible for monitoring the progress of the candidate during the JEP.

1. CAL FIRE LEAP Coordinator Responsibility

CAL FIRE must complete the appropriate form SPB 273 at the time an individual is appointed to the LEAP Candidate identified class. The CAL FIRE LEAP Coordinator keeps the original form SPB 273, and copies are given to the candidate and the immediate supervisor for monthly evaluations. A copy must also be sent to the Statewide LEAP Coordinator at SPB.

2. Supervisor's Responsibility

The supervisor evaluates the LEAP candidate's performance at the end of each month during the JEP by completing the form (SPB 273). The evaluation contains the supervisor's assessment of the candidate's performance on each of the Critical Class Requirements and the supervisor's signature.

At the time individuals appointed to the LEAP candidate identified class successfully complete their JEP, they will be transitioned to the parallel class. The department must complete a final form SPB 273 requesting approval to appoint the LEAP candidate to the parallel class. SPB approval of the LEAP candidate appointment to the parallel class is contingent upon the following conditions:

1. The JEP has been successfully completed; and
2. The appointing power submits verification to the executive officer that the LEAP candidate has successfully completed the LEAP job examination period.

At the time of the final evaluation, the individual in the LEAP candidate identified class should be ready for appointment to the parallel civil service class. If the department fails to produce a final examination within 30 days after the last day of the JEP, it shall be presumed that the LEAP candidate has demonstrated satisfactory performance in the LEAP examination, and therefore the department must appoint the LEAP candidate to the parallel class.

ADDITIONAL APPOINTMENTS OF MANAGERS AND SUPERVISORS

1021.13

(No.164 August 2013)

REFERENCES

1021.13.1

(No. 164 August 2013)

[California Department of Human Resources \(CalHR\)](#)

POLICY

1021.13.2

(No.164 August 2013)

Additional appointment is the term used when a State civil service employee is appointed to a second position within State service.

In accordance with Personnel Management Liaison (PML) 2013-015, issued by the California Department of Human Resources (CalHR) on April 25, 2013, departments are not authorized to make additional appointments for managers and supervisors.

As members of the management team, employees in supervisory and managerial classifications can reasonably be expected to perform work as needed to ensure that a department meets its mission. A manager should be expected to fulfill a wide range of duties not normally part of his/her assignment and classification without additional compensation.

For more information, please refer to [CalHR PML 2013-015](#) or contact your appropriate region or headquarters personnel office.

[\(see next section\)](#)

[\(see HB Table of Contents\)](#)

[\(see Forms or Forms Samples\)](#)