


Temporary Appointments

	Louisiana Department of Health (LDH)	
	Policy Number	55.2
	Content	Provides guidelines for the use of WAE (When Actually Employed) appointments, job appointments and details to special duty
	Effective Date	July 5, 2017
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If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/override/supersede the conflicting section within the Program Office or facility policy.

I. POLICY STATEMENT

The Louisiana Department of Health (LDH) is committed to using temporary appointments only when necessary. Such appointments shall conform to State Civil Service rules and policy standards, good management practices and the standards set forth in this policy. Temporary appointments include classified WAE appointments, unclassified WAE appointments, job appointments and details to special duty.

II. PURPOSE

This policy provides guidelines for the use of temporary appointments in LDH.

III. APPLICABILITY

This policy shall apply to all Offices of LDH.

IV. EFFECTIVE DATE

The effective date of this policy is July 5, 2017.

V. RESPONSIBILITIES

- A. Appointing authorities are responsible for implementing this policy within their respective jurisdictions. Appointing authorities are the officers and employees authorized by statute or by lawfully delegated authority to make appointments to positions in the State Service.
- B. The Human Resources Director is responsible for advising appointing authorities regarding the use of temporary appointments and for maintaining the required records.

VI. POLICY PROVISIONS

- A. General Provisions
 - 1. Appointing authorities must submit written justification for all temporary appointments to Human Resources via LDH Form HR-3.
 - 2. Temporary appointments may be terminated by the appointing authority at any time. Appointing authorities shall consult with Human Resources before making such terminations.
 - 3. State Civil Service monitors agencies for patterns of abuse. The State Civil Service Director may terminate a temporary appointment and/or withdraw an agency's authority to make temporary appointments at any time.
 - 4. It is the policy of the State Civil Service Director that agencies use form Statement of Agreement and Understanding – Employment in a Non-Permanent Appointment for all WAE appointments and Job Appointments. This document provides clarity and information to the employee of his type of appointment.
 - 5. It is the policy of LDH that employees must sign form HR-69 Statement of Agreement and Understanding – Employment in a Non-Permanent Appointment for all Details to Special Duty appointments. This document provides clarity and information to the employee of his type of appointment.
- B. Classified WAE Appointments (State Civil Service rule 23.6)
 - 1. There are three reasons for employing a person on a classified WAE appointment:

- a. Pending filling the position in the regular manner.
 - b. To address an emergency.
 - c. To address a work overload situation.
2. To establish the required classified WAE position the appointing authority shall submit a completed Classified WAE Position Description to Human Resources prior to offering a classified WAE appointment to a prospective employee. The appointee must meet the minimum qualification requirements for the classified job.
 3. The classified WAE appointment shall not exceed 1245 hours worked in a 12 month period. The number of hours (1245) follows the individual employee regardless of the agency in which he/she is employed. The following provisions apply:
 - a. The 12 month period begins upon the appointment date and continues for 12 consecutive months thereafter.
 - b. A subsequent 1245 hours cannot be worked until the end of the previous 12 month period.
 - c. Appointing authorities must monitor the hours worked to ensure compliance with the 1245 hours worked in a 12 month period. When it is determined that the employee is nearing the 1245 hours in a 12 month period and the appointing authority determines that the work cannot be completed in the allotted 1245 hours, the appointing authority may request approval to exceed the 1245 hours within the already established 12 month period. Such requests should be rare and must be submitted, with justification based on rational business reasons, to the Human Resources Director who will submit them to the State Civil Service Commission for approval.
 4. Department Preferred Reemployment List (DPRL) – If a DPRL exists for LDH, a new classified WAE appointment shall be offered to the first person on the list per State Civil Service Rule 17.23. Each subsequent person on the DPRL is offered the appointment until one accepts. If no

one on the DPRL accepts the appointment, the appointing authority is then authorized to hire someone who is not on the DPRL.

C. Unclassified WAE Appointments (State Civil Service Rule 4.1[d] 1)

1. The intent of the unclassified WAE is to provide flexibility to agencies to hire individuals to perform work of a temporary nature that is outside the scope of classified duties.
2. Appointing authorities shall submit requests for unclassified WAE appointments to the Human Resources Director who will submit the requests to the State Civil Service Director via the Exemption from the Classified Service Request Form along with an organizational chart.
3. The determination as to whether the duties are outside the scope of classified duties shall be made by the State Civil Service Director.
4. The unclassified WAE appointment shall not exceed 1245 hours worked in a 12 month period. The number of hours (1245) follows the individual employee regardless of the agency in which he/she is employed. The following provisions apply:
 - a. The 12 month period begins upon the appointment date and continues for 12 consecutive months thereafter.
 - b. A subsequent 1245 hours cannot be worked until the end of the previous 12 month period.
 - c. Appointing authorities must monitor the hours worked to ensure compliance with the 1245 hours worked in a 12 month period. When it is determined that the employee is nearing the 1245 hours in a 12 month period and the appointing authority determines that the work cannot be completed in the allotted 1245 hours, the appointing authority may request approval to exceed the 1245 hours within the already established 12 month period. Such requests should be rare and must be submitted, with justification based on rational business reasons, to the

Human Resources Director who will submit them to the State Civil Service Commission for approval.

D. Job Appointments (State Civil Service Rule 23.5)

1. There are two reasons for employing a person on a job appointment:
 - a. To fill a position for which there is a specific need for a limited period of time within a definite time frame (for example, a special project or work overload that may have a more long term duration).
 - b. To substitute for another employee who may be on extended leave or detailed to another position.
2. The duration of the job appointment should fit the reason for it and not exceed the period of actual need.
3. At the discretion of the appointing authority, an employee who has served at least 24 months in a job appointment with no break in service may be appointed to the same position, or a position in the same job title, in the same agency without serving a probationary period.
4. Job appointments shall not exceed 4 years, although for rational business reasons the appointing authority may request an extension for a longer term appointment. Such requests shall be submitted to the Human Resources Director who will submit them to the State Civil Service Commission for approval.
5. Department Preferred Reemployment List (DPRL) – If a DPRL exists for LDH, a new job appointment shall be offered to the first person on the list per State Civil Service Rule 17.25. Each subsequent person on the DPRL is offered the job appointment until one accepts. If no one on the DPRL accepts the job appointment, the appointing authority is then authorized to hire someone who is not on the DPRL.

6. Each person appointed to a job appointment must meet State Civil Service minimum qualification requirements for the classified job along with State Civil Service eligibility requirements (State Civil Service Rules 23.2 and 22.9).

E. Details to Special Duty (State Civil Service Rule 23.12)

1. An appointing authority may unofficially detail an employee to perform the duties of another position for up to one month without a change in the employee's title, status or pay.
2. An appointing authority may officially detail an employee to another position for a period not to exceed one year. The duration of the detail should fit the reason for the detail.
3. Details longer than one year require the prior approval of the State Civil Service Director. Justification must be submitted to the State Civil Service Director before any detail extends beyond one year.
4. Examples of situations where a detail may be justified are:
 - a. The regular incumbent is on leave, or is detailed to another position, or is on leave without pay from his classified job to serve in an unclassified job.
 - b. Pending filling the position in the regular manner.
 - c. To double encumber a position for training purposes due to the impending retirement of the regular incumbent.
 - d. For a trial period to determine if an employee is suited for the position, or for a trial period prior to any promotion.
 - e. When there is a pending reclassification of the position and it would not be wise to permanently appoint an employee to a

position that is being reviewed for possible job title change.

- f. The detail is made to one of the few job titles that may only be filled by temporary appointment.
 - g. To a position for a period of time to complete a special project.
5. Employees must meet the State Civil Service minimum qualifications and testing requirements for the job title of the detail position.
6. Prior approval from the State Civil Service Director is required when detailing a probational employee. The written request for approval must include:
- a. Written justification of why the detail of such an employee is necessary,
 - b. If there are other qualified employees, if there is an inadequate applicant pool, and
 - c. Why this employee is being selected for the detail.
7. Prior approval from the State Civil Service Director is required when detailing a permanent employee who does not meet the State Civil Service minimum qualifications and testing requirements for the job title of the detail position.
8. Avoid manipulating the time limits of details to circumvent the requirement for the State Civil Service Director's approval of details that exceed one year (for example, detailing an employee for one year and then re-detailing him/her after a short break).

VII. DISCIPLINARY ACTIONS

Deliberate misuse of temporary appointments may result in disciplinary actions up to including dismissal from employment and/or penalties imposed by the State Civil Service Director.

VIII. REFERENCES

- A. State Civil Service Rules
- B. LDH Form: HR-3 Justification for Temporary Appointment
- C. State Civil Service Form: Classified WAE Position Description
- D. State Civil Service Form: Exemption from the Classified Service Request Form
- E. State Civil Service Form: Statement of Agreement and Understanding – Employment in a Non-Permanent Appointment
- F. LDH Form HR-69 Statement of Agreement and Understanding – Employment in a Non-Permanent Appointment

IX. REVISION HISTORY

Date	Revision
9/12/2000	Policy created
4/18/2011	Policy revised
2/26/2014	Policy revised (per State Civil Service Rules changes)
7/05/2017	Policy revised (per State Civil Service Rules changes)
	Policy revised