



## Chabot Las Positas Community College District Office of Human Resource Services

### Use of Short-Term Employees, Substitutes, and Professional Experts

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Community College Districts are not required to expand the ranks of the Classified Service to cover work that is not an-ongoing component of their services or activities. The Education Code provides some flexibility for a Community College District to employ persons outside the classified service in very specific situations, as noted below:

1. **Short-Term Employee**
2. **Substitute Employee**
3. **Professional Expert Employee**

#### **Short-Term Employee**

Education Code 88003 defines a short-term employee as one that is hired to perform a service that once completed will not be extended or needed on a continuing basis.

As such, the Education Code dictates that districts must ensure the service to be performed is one that once completed **will not**:

- be extended; or
- needed on a continuing basis.

The employee will be working less than 75% of the college year (i.e., July 1 to June 30 of the following year). Seventy-five percent means 195 working days, including holidays, sick leave, vacation, and other leaves of absence, irrespective of the number of hours worked per day. The 195 days must be all within the *college year*.

**Short-term employees employed by Chabot-Las Positas Community College District may not exceed 150 working days within a *college year*.**

***CLPCCD limits short-term employees to 150 working days each college year (July 1 – June 30)***

#### **Substitute Employee**

***Substitute A (to cover temporary leave of classified member):***

The Education Code defines a “substitute” employee as an individual who is hired to replace a classified employee temporarily absent from duty. The employee must be employed and paid for less than 75% of the college year (i.e., July 1 to June 30).

***Substitute A employed by Chabot-Las Positas Community College District may not exceed 150 working days within a college year.***

***CLPCCD limits substitute A employees to 150 working days each college year (July 1 – June 30).***

### ***Substitute B (Recruitment):***

The Education Code allows a Community College District, that is in the process of trying to fill a permanent position, to hire a substitute employee on a temporary basis, providing that employment does not exceed 60 calendar days, unless a collective bargaining agreement provides otherwise.

***CLPCCD limits substitute B employees to 60 calendar days.***

### **Professional Expert Employees**

The Education Code permits Community College Districts to hire professional experts, who are exempt from the classified service when the needs arises for work on a discrete and finite project that falls outside the skills and knowledge of positions within the classified service.

While the duration of employment is not limited, the work must be temporary in nature, and for a specific project.

### **General Guidelines for use of Professional Expert:**

- The work requires specialized knowledge or skills that fall outside of the classified service.
- The work can be described in terms of a specific project. Specific projects may include one-time projects and work for which the on-going need is uncertain because the funding source is unpredictable or is demand driven. If the work cannot be described in terms of a specific, temporary project, Professional Experts should not be used.
- If the hiring of a Professional Expert entails regular and on-going work of the Community College District, then the Community College District should consider other staffing options.

### **Options:**

- Assignment to existing classified staff positions consistent with their duties
- Creating or redefining classifications to cover the on-going work
- Contracting out as permitted by law

*Excerpts taken from Liebert Cassidy Whitmore handbook: Temporary Employees of a Community College District, 2008.*