

FREQUENTLY ASKED QUESTIONS

PERMANENT / INTERMITTENT

1. What is a permanent appointment?

A permanent appointment is made to a position with a permanent tenure of an employee who has been certified and appointed from an employment list, reinstatement, or who has transferred. Permanent status is attained after the completion of the probationary period.

2. What is an intermittent appointment?

Government Code 18552 defines an intermittent appointment as an appointment in which the employee is to work periodically or for a fluctuating portion of the full-time work schedule.

3. How many hours can an intermittent employee work?

Based on business need, an intermittent employee can be scheduled to work 0 to 40 hours in a work week. Intermittent appointments are not to be used to fill full-time or part-time positions. Thus, a maximum of 1,500 hours represents the number of hours that an intermittent employee may work in a Federal fiscal year (October 1 thru September 30).

4. How is a probationary period calculated when in a permanent intermittent appointment?

Based on a 12 month probationary period, a permanent intermittent employee must actually work 1,680 hours and at least 12 calendar months to complete a probationary period. The first report is due after 560 hours are worked. The second report is due after 1,120 hours are worked. The third report is due after both 1,680 hours and 12 calendar months have been completed.

5. Is a permanent intermittent employee eligible for health benefits?

Yes, after the employee completes 6 months of employment and works at a half-time time base or greater. The employee must be paid for a minimum of 480 hours within one of the two yearly six-month control periods. The control periods are January 1 through June 30 and July 1 through December 31. In order for the employee to continue to qualify, the employee must continue to be paid for 480 hours within the six-month control period or at least 960 hours in two consecutive control periods (the current and prior control period). At the same time the employee is eligible for Health Benefits, they are eligible for Dental, Vision, and Group Legal.

6. Does an intermittent employee earn State service and leave credits?

Upon completion of 160 hours worked, one month of State service is earned. Additional hours worked in a pay period do not add additional credit beyond 1 month. For each month of State service earned, sick leave and vacation is accrued (or annual leave if elected).

7. Are newly hired intermittent employee's allowed to use vacation immediately?

No, a newly hired employee is not entitled to vacation leave credit for the first 6 qualifying pay periods of service. On the first day of the monthly pay period following completion of 6 qualifying monthly pay periods of continuous service, the intermittent employee shall receive a one-time vacation credit of 42 hours. This may encompass longer than 6 months depending on the number of hours worked in a pay period.

8. Can an Employment Program Representative hired as permanent intermittent elect to enroll in annual leave upon appointment?

Yes, a permanent intermittent employee in Bargaining Unit 1 (contract that covers Employment Program Representatives) can participate in the Annual Leave Program (ALP). Under annual leave, employees earn 4 additional hours of annual leave credits (in lieu of the current 8 hours of sick leave) added to the existing monthly vacation accrual schedule. For example, a new employee would receive 7 hours of vacation and 8 hours of sick leave or 11 hours of annual leave if ALP is elected.

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9. Does a newly hired intermittent employee need to wait for 6 qualifying pay periods to use sick leave or annual leave?

No. Once leave is earned, these types of leave can be used immediately in accordance with bargaining unit provisions for use of sick leave and in compliance with contract and office policy for leave requests.

10. When do intermittent employees get paid?

Payday for intermittent employees is no later than the 15th of the month. The Human Resource Services Division makes every effort to release intermittent pay by the 8th working day.

11. What if an employee does not like permanent intermittent status, can they return to their previous full time position?

This would be considered a permissive reinstatement and would require a vacant position that has been approved to be filled. Vacant positions are filled by the standard hiring process with the candidate selection at the discretion of the hiring manager. Permissive reinstatement is not a mandatory right.

12. When a permanent full-time Employment Program Representative (EPR) position is posted to be filled, would a permanent intermittent EPR be eligible to apply for the position?

All vacant EPR full time positions are subject to the Bargaining Unit 1 Post & Bid process. For additional information regarding Bargaining Unit 1 Post & Bid process, visit EDD's [Post & Bid intranet site](#).

Selected candidates must be reachable on a full time certification list or meet SPB Rule 277 which states:

Increase in time base of part-time or intermittent employees to full-time or movement of intermittent employees to part-time are permitted when:

- (a) The employee has previously held a permanent or probationary status appointment at or above the desired time base in the classification to which the appointment is to be made or in the classification that is substantially at or above the salary level of that classification; or
- (b) The appointing power can clearly demonstrate that the employee has previously been eligible for an appointment from an employment list to the position and time base in questions; or
- (c) For at least two years the employee has held any combination of permanent or probationary appointments to the types of classes specified in subsection (1) and has worked at least 1,920 hours in such appointments.

13. How does a permanent intermittent appointment affect transfer eligibility?

If an individual has only had a permanent intermittent appointment, this employee cannot transfer to a permanent full-time position (unless the requirements as specified in #9 are met). Appointment to a position must be from a permanent full-time certification list. Therefore, individuals in permanent intermittent appointments must maintain examination/list eligibility (i.e., continue to participate in examinations for the EPR classification which is located at [EPR Examination](#).)