

City and County of San Francisco
Department of Human Resources

**TEX 16 Enforcement of 1040-
Hour Charter Limit**



Overview

- Background
- Program Overview
- Departmental Options
- Ongoing Management
- Resources



Background

- **Memorandum from HR Director and Controller (March 11th)**
- **Charter Section 10.104(16)**
 - “Temporary and seasonal appointments not to exceed the equivalent of half-time [**1040 hours worked**] during any **fiscal year**, except that such positions may be filled through regular civil service procedures;”
 - The 1040 hours is cumulative so can be from numerous TEX, AN appointments.



Program Overview

- New reporting program developed to help departments manage their Temporary Exempt (TEX) appointments more effectively
 - Avoid Charter Violations
 - Convert positions held by TEX employees to PCS where appropriate
- eMerge PeopleSoft reporting tools to manage TEX 16 employee hours
- DHR responsibility to ensure that all City employees maintain valid appointments
- Notifications to TEX employees at or near Charter limit on hours
- Centralized termination and notification program for TEX employees in excess of Charter limit on hours



Departmental Actions

- Departmental actions required by close of business March 14th
- Departments have three options to resolve TEX appointments currently in violation of the Charter:
 - Appointment TEX employee to other Non-TEX 16 position (e.g., Project, Backfill, Permanent)
 - Transition TEX employee to Project-based (Category 18) position pending a PCS appointment from an eligible list
 - Separate TEX employee
- Updated report of TEX appointments in continued violation of the Charter to be run close of business March 21st



Departmental Actions

- Appointment to Non-TEX 16 Position
 - Department must have an approved position
 - If appropriate, submit a request and supporting justification directly to your DHR Client Service Consultant to transition the employee to a non-Category 16 exempt appointment (e.g., Category 17- backfill or Category 18- project position).



Departmental Actions

- Transition TEX Employee to Project-Based (Category 18) Position pending a PCS appointment from an eligible list
 - If the department intends to transition the employee to PCS status from a current eligible list, transition the employee to an approved Category 18 position using the “Individual Exempt to Permanent Transition” project justification.
 - If the department intends to transition the employee to PCS status from an exam in development, transition the employee to an approved Category 18 position using the “Organizational Exempt to Permanent Transition” project justification.



Departmental Actions

- Separation of TEX Employee
 - Effective April 4th, employees that have not transitioned to another appointment type or that have not been separated by their departments will be “centrally” separated
 - Notices of separation from TEX appointments will go out to affected employees the week of March 28th
 - Departments will receive a report of “centrally” separated TEX employees



Departmental Actions

- Appointment Processing
 - Upon full RTF approval department submits a Conviction History Review ESR with the “Candidate Notice of Fingerprinting” form attached.
 - CS Operations will let the department know if fingerprinting is required. If required, fingerprinting will be scheduled post-appointment.
 - Department submits Appointment Processing ESR (In Section IX: OTHER, use **TEMP1040** as the clearance number)
 - Department issues employee a “Notice to Exempt Appointee” form.



Ongoing Management

- Notices to TEX 16 employees
 - Notice 1: 900 hours
 - Notice 2: Termination
- Centralized terminations every other pay period
 - December - June only



Notice 1: 900 hours

- Informational notice sent once an employee exceeds 900 hours worked
- Sent to employees who have worked between 900 – 1039 hours only
- Distributed bi-weekly, after each pay period end
- Employees may receive more than one notice as they approach 1040 hours worked
- Departments can opt in or out of this notice



Notice 2: Termination

- Termination notice sent to TEX 16 employees who have worked in excess of 1040 hours
- Distributed during the last pay period of the month for total hours worked as of the first pay period end of the month
- Departments will be provided with a list of employees who will receive a termination notice



Centralized Termination

- Termination goes into effect after close of business one week after the last pay period end of the month

Last Pay Period End of Month	Termination Effective Date	Based on Hours Worked As Of
March 28, 2014 (clean-up)	April 4, 2014	January 31, 2014
April 25, 2014 (clean-up)	May 2, 2014	April 11, 2014
May 23, 2014	May 30, 2014	May 9, 2014
June 20, 2014	June 27, 2014	June 6, 2014



Resources

- General questions regarding TEX 16 Enforcement of 1040-Hours and/or Transitional Plans should be directed to your DHR Client Services Consultant
- Questions about the data or reports should be directed to eMerge PeopleSoft User Support at PSoft_Support@sfgov.org
- Questions about compliance issues should be directed to Steve Ponder, DHR Classification and Compensation Manager, at Steve.Ponder@sfgov.org

