



These policy standards apply to requests for unclassified authority under Civil Service Rules 4.1(d)1 and 4.1(d)2. Civil Service Rule 4.1(d)1 gives the Director authority to add to the unclassified service positions which are of a temporary nature. Civil Service rule 4.1(d)2 gives the Commission authority to add positions to the unclassified service. Since both of these rules essentially exempt positions from the classified service, the authority granted is based on duties being outside of the scope of classified job duties.

Appointments made under Civil Service Rule 4.1(d)1 into positions of a temporary nature are generally the unclassified WAE appointments. The intent of the unclassified WAE is to provide flexibility to agencies to hire individuals to perform job duties that are outside of the scope of classified duties and on work schedules as needed up to a total of 1245 hours in a 12-month period.

The intent of the 4.1(d)2 appointment is generally for those unclassified appointments that are of a longer term or based on an initiative or program specific to the current Administration. Since the 4.1(d)2 has the potential for a longer term and of a more permanent nature, the Commission provides the authority for this type of appointment. State Civil Service will recommend these appointments for a maximum of up to 4 years.

Violation of the policy standards may result in a formal investigation and required corrective action.

Policy Standards for Unclassified WAE Appointments Civil Service Rule 4.1(d)1:

1. Civil Service [Rule 4.1\(d\)1](#) states the purpose of this type of appointment is that the duty assignments are of a temporary nature. Based on written justification from the requesting agency, the Director will determine if the duties are outside of the scope of a classified job and whether the request meets the criteria for exempting the position from the classified service.
2. The agency shall submit the Exemption from the Classified Service Request Form including the job duties anticipated for the positions (inclusive in the form). An organizational chart must be attached to indicate where this position sits in the organization. **Any form that does not contain position duty information or the attached organizational chart will be returned without action.**
3. The Exemption from the Classified Service Request Form shall be submitted prior to appointment. Upon approval, the form will be returned to the agency for retention. The agency must maintain this document in the employee's personnel file for audit purposes
4. If the position is in a LA Gov HCM agency, the Position Priority field on the position record in Organizational Management must be maintained to reflect **Director** or **Commission Approved** authority.
5. Once position authority is granted, the agency has the authority to appoint an unclassified WAE appointment. 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 employed.

The unclassified position authority is valid for a 12-month period, which begins upon the appointment date and continues for a full 12-months.

A subsequent 1245 hours cannot be established until a new 12-month period is established.

When the WAE appointment exists for 1245 hours or less and the agency has a need to establish a subsequent 1245 hour, 12-month appointment, the agency will be provided authority by the Director in accordance with Civil Service Rule 4.1(d)1 to establish such an appointment. Examples of the 12-month period are:

Example 1:

Employee Jerry begins an unclassified WAE appointment at Agency A on 4/25/13. The 12-month period in which a total of 1245 hours may be worked is 4/25/13 through 4/24/14.

Example 2:

If Jerry completes the work at Agency A on 2/4/14, and is appointed for work at Agency B on 3/10/14, Jerry can only work the balance of hours to reach 1245 until 4/24/14.

Example 3:

Jerry completes the assignment at Agency B on 4/24/14 with hours that did not exceed 1245. **It would be acceptable for Agency B to establish a new 1245 hour, 12-month appointment beginning 4/25/14 using Jerry.** Approval must be obtained under Director's authority (4.1(d)1).

6. It is the policy of the State Civil Service Director that agencies use form ["Statement of Agreement and Understanding – Non-Permanent Classified Appointment"](#) for all non-permanent appointments. This document provides clarity and information to the employee on his type of appointment. The following shall be required:
 1. The Statement of Agreement and Understanding shall be completed each time a 12-month appointment period is established and/or upon extension of the existing 1245 hours within a 12-month period.
 2. The form shall be retained in the employee's personnel file.
7. Agencies must monitor hours worked by the employee to ensure compliance with the 1245 hours in a 12-month period.
8. When it is determined that the employee is nearing the 1245 hours in a 12-month period and the agency determines that the project cannot be completed in the allotted 1245 hours, the agency may request, for rational business reasons, approval from the Civil Service Commission to exceed the 1245 hours within the already established 12-month period. The agency must submit the request timely and in advance of the expiration of the 1245 hours for consideration at the next available Civil Service Commission meeting. **Failure to comply with the time limitations may have unintended consequences such as termination of the appointment without any further approval to exceed 1245 hours.**

Example:

If Jerry's appointment started on 4/25/13 and he exhausts the 1245 hours **prior to the end** of the 12-month period on 3/10/14 at Agency A, and the project or work is not completed, the agency may, with justification, request approval from the Commission to exceed the 1245 hours for the remainder of the period until 4/24/14 to complete the work. Agency A must then establish an extended period for an extended number of hours as approved by the Commission. For example,

Original unclassified WAE appointment: 4/25/13 – 4/24/14

1245 hours reached: 3/10/14

Pd/Hrs to exceed 1245: 3/11/14 – 4/24/14; additional 250 hrs

Requires Commission approval

9. When approval has been granted to exceed 1245 hours in a 12-month period and the agency determines the need to establish a subsequent 1245 hour, 12-month period for the same position with the same duties, the agency must request approval from the Commission.

Example:

Original appointment: 4/25/13 – 4/24/14

1245 hours reached: 3/10/14

Approval Pd/Exceed: 3/11/14 – 4/24/14; up to 250 hrs

New Appointment Pd: 4/25/14 – 4/24/15/1245 hours

Requires Commission approval

Policy Standards for Unclassified Appointments Civil Service Rule 4.1(d)2:

1. Civil Service Rule 4.1(d)2 is typically used for the longer-term appointment or appointments that are more of a permanent nature during a particular Administration or Governor's term. Based on written justification from the requesting agency and recommendations from the Director, the Commission may grant approval for this type of authority.
2. The agency shall submit the Exemption from the Classified Service Request Form including the job duties anticipated for the positions (inclusive in the form). An organizational chart must be attached to indicate where this position sits in the organization. **Any form that does not contain position duty information or the attached organizational chart will be returned without action.**
3. The Exemption from the Classified Service Request Form shall be submitted prior to hire and appointment. Upon approval, the form will be returned to the agency for retention. The agency must maintain this document in the employee's personnel file for audit purposes.
4. If the position is in a LA Gov HCM agency, the Position Priority field on the position record in Organizational Management must be maintained to reflect **Director** or **Commission Approved** authority.

5. When the agency determines there is a need to renew the appointment, the Exemption from the Classified Service Request Form must be submitted providing further information regarding the need for renewal. Any prior approval of authority must be attached to the document.