

### 3.03 TYPES OF APPOINTMENTS

**Rule** The ~~Auditor's Office has appointing~~ authority ~~is authorized~~ to fill vacant positions, subject to ~~Auditor's Office~~ Civil Service rules and in accordance with the terms of the Charter and ~~Auditor's Office Human Resources~~ Administrative Rules ~~of the City of Portland~~.

A budgeted position is not authorized to be filled until ~~the position is established in the classification and compensation system~~ ~~Classification/Compensation has established the position~~ and it is declared a vacancy by the ~~division managers and supervisors~~ Management Services appointing authority. The ~~division managers and supervisors~~ Management Services appointing authority ~~has~~ the right at any time to withdraw the declaration of a vacancy and to leave any position in their ~~bureau or~~ office unfilled. While a position remains unfilled under this delegation of authority, it shall not be considered a vacant position.

No person shall be appointed or promoted to a position in the ~~Auditor's Office~~ classified service unless certified as qualified by ~~the Bureau of Human Resources,~~ the hiring manager and Management Services, ~~except on a temporary basis as provided in the~~ Administrative Rules on Temporary Appointments. For the purpose of this Administrative Rule, qualified means those candidates whose names appear on an eligible list.

An employee may be assigned a full-time or part-time schedule of work in any appointment category.

#### Initial Permanent Appointment

A permanent appointment is an appointment from a certified list of eligible ~~applicantss~~ to an established budgeted position following a ~~selectionn~~ examination process. An employee attains regular status in a classification only upon successful completion of the probationary period. See Administrative Rule on Probationary Periods.

Employees with a permanent appointment receive vacation and sick leave, holiday pay, service credit, retirement and health benefits, and when applicable, priority reemployment consideration. Permanently appointed ~~represented~~ employees maintain bumping rights under the Administrative Rule for Layoff & Recall.

Regular part-time employees who serve at least 40 hours but less than 72 hours each pay period are eligible for pro-rated (based on percentage of full-time work) vacation and sick leave, service credit, and health benefits after 80 hours of continuous part-time service. Regular part-time employees are eligible for holiday pay upon hire.

See Administrative Rules for permanent appointments resulting from a training plan, demotion, deep classification or reclassification.

## Limited Duration Appointment

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A Limited Duration appointment is an appointment to:

✚ an identified classification through the Auditor's Office Civil Service Process. It must be made to a permanent budgeted position that is vacant because of the incumbent's leave of absence and when the replacement employee's services will be needed for a period of two years or less. Limited duration appointments differ from limited term appointments in that the latter are intended to cover a specific work assignment for a limited period with an identifiable end point, such as a project or a grant. See Limited Term Positions below. and

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Limited duration appointments:

~~2. to a permanent budgeted position that is vacant due to the incumbent's leave of absence and when the replacement employee's services will be needed for a period of two years or less; or~~

~~3. a Limited Term position identified for a project with a defined time frame. For purposes of this Administrative Rule, a project is defined as a specific work assignment intended for a limited term with an identifiable end point not to exceed two years. See Limited Term Positions below.~~

- ~~• Limited duration appointments are May not to exceed 24 months. With showing of good cause, however, the Director of Human Resources Auditor may extend a limited duration appointment.~~

~~Limited duration employees M may be released at any time without a showing of just cause.~~

- ~~• This type of appointment is distinguished from a temporary appointment by the longer length of time and appointment through the Civil Service Process, and from a permanent appointment by its limited duration and status. Employees with a limited duration appointment r Receive the same vacation and sick leave, holiday pay, service credit, retirement and health benefits as regular employees.~~
- ~~Limited duration employees a Are not eligible for reemployment under the Administrative Rule on Reinstatement or Layoff and Recall and do not have bumping rights.~~

~~Limited duration employees shall be compensated in the same manner as regular employees.~~

- ~~• Are compensated in the same manner as regular employees.~~
- ~~• A limited duration appointment m May not result in the replacement of a regular employee.~~
- ~~• May be subsequently permanently appointed to the classification; seniority begins the date of the permanent appointment although credit may be given for all accumulated limited duration service in that classification in the previous three (3) years for the purpose of determining salary range and anniversary date~~

~~If an employee in a limited duration appointment is subsequently permanently appointed to the classification, seniority begins the date of the permanent appointment although credit may be given for all accumulated limited duration service in that classification in the previous three (3) years for the purpose of determining salary range and anniversary date.~~

Permanent appointment of a limited duration employee requires approval by the Human Resources Director/City Auditor or designee (Use “BHR Personnel Action Request” form.). A limited duration employee who becomes permanent must serve

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a probationary period as prescribed in the Administrative Rule on Probation, unless waived by the ~~City Director of Human Resources Auditor~~.

See attached **Guidance for HR Administrative Rule 3.03 Limited Term Positions and Limited Duration Appointments**.

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### Appointment to Job Share

A job share is an appointment to 50 ~~percent%~~ of a full-time budgeted position. Job Share employees receive pro-rated (50 ~~percent%~~) vacation and sick leave, holiday pay, service credit, retirement and health benefits, and when applicable, priority reemployment consideration. Job share employees maintain bumping rights in accordance with the **Administrative Rule for Layoff & Recall**.

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### Temporary Appointments

A temporary appointment is an appointment not to exceed one (1) year to a budgeted or non-budgeted position. See **HR Administrative Rule 3.04 Temporary Appointments**.

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### Trainee

A Training Plan is a tool that bureaus can use to promote permanently appointed City employees through satisfactory completion of training, education and career development factors in lieu of the regular examination process. See **Administrative Rule on Training Plans**.

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### Appointment to Limited Term Positions

A limited term position is a position that has been approved and established by the ~~Bureau of Human Resources Auditor's Office~~ for a specific and finite period of time to allow coverage for specific needs related to grants, one-time funds, and special projects. A limited term position shall not exceed two (2) years except for the extension of grants or funding from outside sources. Upon showing of good cause, the ~~Director of Human Resources City Auditor~~ may extend a limited term position.

Limited ~~Term~~ positions may be filled with limited duration employees, ~~or~~ temporary employees ~~only~~ (if the limited term will not exceed the one year maximum ~~for temporary employees~~), ~~or except when the limited term position is filled with a~~ regular City employees. Regular employees temporarily assigned to a limited term position shall have the right to return to their former position upon conclusion of the limited term position. If that former position has been abolished, the ~~bureau Auditor's Office~~ shall follow the **Administrative Rule for Layoff & Recall** to place the employee. Regular employees temporarily assigned to limited term positions in a different class shall accrue seniority in their previous class for the duration of the appointment. Regular employees continue to accrue vacation and sick leave at their current accrual levels.

Regular employees who are appointed to a limited term position through a recruitment process do not retain rights to return to their former position at the conclusion of the limited term position.

~~Bureaus-Managers~~ are responsible for monitoring limited term positions. If the position has not been extended by the ~~Director of Human Resources City Auditor or designee~~, the employee shall be removed at the end of the limited term authorization. If a limited term position is filled with a limited duration or temporary employee, or a regular employee who obtained the limited duration appointment through a recruitment process, the employee shall be released from City employment at the conclusion of the limited term authorization.

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~~Approval of limited term positions shall be through a classification request form containing the following: (Proposed change: Authorization for change of classification will include the following:~~

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1. The title of the requested classification
2. The requested duration of the position
3. A description of the work to be performed
4. The funding source and authorization for the position
5. The reason for the requested position
6. Effective date of the position

~~7. Required technical information to properly enter the change of classification into the City's payroll and human resources management system. See Bureau of Human Resources Classification Request Form (P-4) or successor form for pertinent information required.~~

~~The classification request shall be reviewed (propose to add definition of technical accuracy) and approved/denied by the Bureau of Human Resources and the City Budget Office. See the Classification/Compensation Procedures Manual for authorization of funding sources. See Attached Guidance for HR Administrative Rule 3.03 Limited Term Positions and Limited Duration Appointments.~~

## Casual/Casual Other Appointments

Casual/Casual Other appointments are used for positions that occur, terminate, and recur periodically or regularly. Casual/Casual Other employees serve at-will and do not accrue status in the class to which they have been appointed and have no appeal rights upon demotion, suspension or termination from employment. A Casual appointment is the designation used for the appointment of an employee to an unbudgeted position in accordance with this Administrative Rule and/or a collective bargaining agreement that also covers seasonal employees. A Casual Other appointment is the designation used for the appointment of an employee to a non-represented classified or exempt from classified service unbudgeted position.

Casual/Casual Other employees do not accrue vacation, or service credit. Casual/Casual Other employees may accrue sick leave as required by City of Portland City Code or State law. Casual/Casual Other employees generally are not eligible for retirement benefits unless they have worked at least 600 hours in a calendar year in a qualified position. Full-time Casual/Casual Other employees are eligible for holiday pay if they were hired at least two weeks prior to the holiday and are in pay status the day before and the day following the holiday. Part-time Casual/Casual Other employees are not eligible for holiday pay. Casual/Casual Other employees may qualify for medical coverage under the federal Affordable Health Care Act (ACA). Such coverage will be equivalent to the medical, dental and vision coverage offered to other seasonal employees.

Casual/Casual Other employees are not eligible for reemployment under the **Administrative Rules on Reinstatement or Layoff & Recall** and do not have bumping rights. Casual/Casual Other appointments are limited to 1400 hours per calendar year.

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## Working out of Classification

See Administrative Rule on Working out of Classification.

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### Appointments to Under-fill/Over-fill/Lateral-fill Positions

Employees may be appointed or moved to under-fill, over-fill and laterally-fill positions at a job classification level other than that to which the position was originally ~~allocated and recorded in position management~~ assigned. Generally, under-fills, over-fills and lateral-fills will not be authorized by the City Auditor in lieu of properly reclassifying a position.

Under-fills, over-fills and lateral-fills ~~of positions for less than 30 days do not~~ require approval by the City Auditor or designee and may Director of Human Resources. ~~Under-fills, over-fills and lateral-fills of positions expected to last more than 30 days must be approved in writing by the Director of Human Resources in advance of the appointment and the appointment must~~ not exceed a six-month time period, unless requested in conjunction with another appointment which has been approved for a longer period of time, such as a temporary or working out of class appointment or position double-fill.

Under-fills, over-fills and lateral-fills of positions are allowed under certain conditions:

1. To meet non-recurring or short-term work load needs; or
2. For training or in preparation for the implementation of an adopted budget; ~~The Bureau of Human Resources must have approved the classification change prior to the appointment of the employee;~~ and
3. The classification to which the employee is appointed must accurately reflect the type and level of duties to which the employee will be assigned and be within the job series of the position unless otherwise approved by the ~~Director of Human Resources~~ City Auditor or designee.

No employee can be on the layoff or injured worker list for the classification for which the under-fill, over-fill or lateral-fill is requested.

~~(technical review definition needed?) Requests from bureaus for approval to under-fill, over fill or lateral fill a position must be submitted in writing to the Director of Human Resources prior to filling the position. The request must~~ Authorization for underfill, over-fill or lateral-fill, signed by the City Auditor or designee, will contain the following information:

1. The reason for the request (training or change in work load need);
2. The title of the classification of the budgeted position;
3. The title of the classification of the under-fill, over-fill or lateral-fill;
4. A description of the duties to be assigned to the position;
5. The period of time the under-fill ,over-fill or lateral-fill is expected to last;
6. A formal request to reclassify the budgeted position, if the change in work need is permanent.
- 6-7. Required technical information to properly enter the change of classification into the City's payroll and human resources management system.

Upon showing of good cause, the ~~Director of Human Resources~~ City Auditor may extend the six-month time period.

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**Appointments to Double-fill Positions**

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A double-fill appointment may be used to fill a budgeted position with two employees at the same time. ~~Bureaus may double fill a position~~ for a short period of time to:

1. fill in for an employee on extended leave; or
2. to permit a training period when replacing a key employee who is leaving a position and has given written advance notice; or
3. to provide for increased staffing levels in the event of a natural disaster, local or regional emergency or other extenuating circumstances as approved by the ~~Director of Human Resources~~ City Auditor.

Employees appointed to double-fill a position shall not be given a permanent appointment unless the purpose of the appointment is to replace an employee who has given advanced written notice of leaving.

Double-filling a position must be approved in writing by the ~~Director of Human Resources~~ City Auditor prior to the appointment and meet the following criteria:

1. The employee appointed must be assigned work appropriate to the classification of the position unless otherwise approved by the ~~Director of Human Resources~~ City Auditor.
  2. The employee must be appointed to the classification to which the budgeted position has been allocated unless otherwise approved by the ~~Director of Human Resources~~ City Auditor.
  3. The double-fill of the position must not exceed a one-year time period or the time period specified in an approved training plan.
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**Work-Study Students**

See Administrative Rule on the Work-Study Program.

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**Retirees**

See Administrative Rule on Employment of Retirees.

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**Volunteers**

A volunteer is one who performs hours of service ~~for a bureau~~ for civic, charitable or humanitarian reasons without promise or expectation of compensation. An individual shall not be considered a volunteer if the person is otherwise employed by the city to perform the same type of services as those the person proposes to volunteer.

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**Probationary Period**

See Administrative Rule on Probation.

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**Full Time/Part Time**

Full time employees are scheduled to work at least nine-tenths of the normal working hours of a biweekly payroll period (72 hours). Part time employees work 40 hours or more during a biweekly payroll period but less than full time.

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**At-Will Employment**

At-will employment appointments refer to those employees not permanently appointed under the Auditor's Office Civil Service System. See Administrative Rule 3.01 for list of at-will positions, including, but not limited to, those positions exempt from the classified service under Chapter 4 of the City Charter.

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**Premium Pay  
Assignment**

Premium Pay assignments are made at the sole discretion of ~~a bureau director~~the City Auditor, are outside the civil service process and do not require a competitive recruitment. Employees so assigned may be removed from the position (but not from City employment) without a statement of cause and shall have no appeal rights concerning the premium pay assignment or removal from the assignment. Employees removed from a premium pay assignment, unless dismissed from City service for cause, shall be returned to the last classification ~~in their bureau~~ where they held Auditor's Office Ceivil Sservice status and where a vacancy exists.

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**Anniversary and  
Appointment Dates**

See **Administrative Rule on Compensation** for rules on Anniversary Dates and Adjustments to Appointment Dates.

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**All Hires ~~Through Central  
Human Resourees~~Checked  
through Central Human  
Resources IT System**

~~The Auditor's Office shall perform~~ Bureaus are responsible for administering a pre-employment crosscheck through the City's Human Capital Management system (HCM). All prospective new hires are subject to the crosscheck. Completion of the crosscheck must be verified before an offer of employment is extended.

The following items, verified through the crosscheck, may eliminate the candidate from further considerations:

1. a settlement agreement or other severance package that limits or waives the candidate's right to re-employment with the City; or
  2. prior discharge from City service; or
  3. resignation in lieu of discharge from City service.
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**Administrative Rule  
History**

~~Adopted by Council March 6, 2002, Ordinance No. 176302~~  
~~Effective April 5, 2002~~  
~~Revised October 15, 2002~~  
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