

MEMORANDUM

DATE: August 2, 2024

TO: ALL INTERESTED PARTIES

FROM: /s/ MICHELLE LA GRANDEUR
Michelle La Grandeur
Chief, Policy Division

SUBJECT: REGULATORY ACTIONS EFFECTIVE JULY 1, 2024

This memo supersedes the memo transmitted to interested parties on June 26, 2024. There were several inaccuracies in that correspondence which have been corrected.

This memo is to advise interested parties that the regulations pertaining to examinations, appointments, probationary periods, and temporary assignments or loans were enacted on July 1, 2024. The final regulations have been incorporated into [the Westlaw website for California Code of Regulations, title 2](#); however, for your convenience, a summary of the substantive changes are outlined below.

Rule 170. Civil Service Examinations and Announcements

Examination announcements shall be posted for a minimum period of ten calendar days.

Rule 249.1.1: Job Announcements

Job advertisements must include the following: each classification being considered to fill a vacancy, the types of eligibility being considered to fill a vacancy, and, if the position is advertised as limited term, the expected duration of the appointment.

Additionally, appointing authorities will be allowed to advertise multiple vacant positions within different units on the same job advertisement if the positions are of the same classification(s). In these instances, a description of each unit must be provided along with all relevant duty statements.

Rule 249.1.2. Job Applications

Appointing powers shall not disqualify or reject applicants from the hiring process for non-job-related reasons for failing to submit documentation that is not used to assess the qualifications of the applicants, such as checklists or incidental recruitment surveys.

Note: An appointing power may require the applicant to submit specific job-related

documentation¹ (e.g., transcripts, certificates, licenses) to determine if the applicant satisfies the minimum qualifications (MQ's).

Rule 249.2. Postings of Job Announcements on Websites or by Other Electronic Means

In addition to advertising job vacancies on CalCareers, appointing powers may post job announcements on social media sites, as well as career recruitment websites, career fairs, or other electronic means.

Rule 249.4. Verification of Minimum Qualifications Prior to Appointment

For purposes of meeting MQ's, appointing authorities are required to verify valid licensure, certification, or similar credential prior to appointment for all hires, including mandatory reinstatement candidates. Furthermore, if a mandatory reinstatement candidate no longer possesses the required license, certification, or similar credential, they must be reinstated to their position pursuant to Government Code section 19140.5, then the appointing authority shall act in accordance with Government Code section 19585.

Additionally, the process for appointing powers to reverse withholds is outlined.

Lastly, all documentation related to verification of minimum qualifications shall be kept in accordance with Rule 26.

Rule 262. Waiver of Appointment

The repeal of Rule 262 eliminates the requirement that an eligible candidate's record shall be removed from the eligibility list when the candidate waives three appointments in any given class.

Rule 321. Extension of Probationary Period

Appointing powers must provide written notification to the probationer explaining the reasons for the extension and the date the extended probationary period will end. Appointing powers are no longer required to submit extension requests that fall under subdivision (d) to CalHR for approval.

Additionally, subdivision (f)(1) provides that a probationer may respond to the extension of probation to SPB's Executive Officer within five calendar days after service of the extension on the employee.

¹ Statements of Qualifications (SOQ) are considered job-related documents; thus, it is acceptable to reject or disqualify an applicant for failure to submit an appropriate SOQ.

Furthermore, subdivision (f)(3) clarifies that in instances where the Executive Officer is reviewing a request for extension and the probationary period will end during the review, the probationary period will be automatically extended until the Executive Officer's decision is issued.

Rule 438. Temporary Assignments or Loans in General

Most employees serving in a temporary assignment or loan may request in writing that their temporary loan or assignment be terminated prior to the anticipated end of the temporary assignment or loan. Appointing powers shall grant the request within a reasonable time period, not to exceed 10 working days, upon receipt of the request.

Rule 438.1. Period of Time for the Temporary Assignment or Loan.

Clarification has been added to specify that employees have no right to appeal to the Board or Executive Officer concerning most temporary assignments or loans.

Rule 439.4. Completion of a Training and Development Assignment

Appointing powers are to provide a written statement to employees certifying training and development experience within 30 calendar days of the completion and/or termination of their training and development assignment. Also, the rule clarifies that an employee may file an appeal with the Board concerning an appointing authority's denial of training and development experience for meeting MQ's in an examination pursuant to Rule 52.

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