



**Date:** April 14, 2021  
**To:** Civil Service Commission  
**From:** Christina Pizarro Winting, Executive Director  
**Subject:** **REQUEST TO APPROVE NEW CIVIL SERVICE COMMISSION POLICY 1.81 – REQUESTS TO TEMPORARILY USE CLASSIFIED POSITIONS IN THE UNCLASSIFIED SERVICE**

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**BACKGROUND:**

At the November 7, 2018 Civil Service Commission meeting, Commissioner Arias requested that staff provide guidance for evaluating requests from departments to temporarily use classified positions in the unclassified service. Civil Service staff developed recommendations with input from City departments and presented the recommendations to the Commission at their meeting of January 23, 2019. At that meeting a subcommittee of the Commission was created to include Commissioner Arias and Commissioner Morrison, to review the recommendations and develop a draft of a new Civil Service Commission Policy.

The subcommittee returned to the Civil Service Commission on April 17, 2019 to present a draft policy for review and discussion. Following the discussion, the Commission moved to receive and file the report and instructed staff to begin the meet and confer process with Human Resources and the associations.

Following the April 17, 2019 Commission meeting Civil Service staff and Human resources entered the meet and confer process with all associations. Revisions were recommended because of the meet and confer process. The Subcommittee met to review the recommendations and subsequently revised the policy. The revised policy was presented to all associations and as of March 30, 2021, Civil Service was informed by Human Resources that the meet and confer process was officially completed with all associations.

**RECOMMENDATION:**

It is recommended that the Civil Service Commission approve the newly created Civil Service Commission Policy 1.81 – Request To Use Classified Positions In The Unclassified Service.

Staff is in the process of revising Civil Service Department forms to be completed by requesting departments and will include the form for this policy in the form revision process.

Staff is available to answer any questions the Commission may have.

## CIVIL SERVICE COMMISSION POLICY

<b>SUBJECT:</b> Requests to Temporarily Use Classified Positions in the Unclassified Service	<b>FILED UNDER:</b> Civil Service Commission Policies	<b>ITEM NO:</b> 1.81 <b>PAGE</b> 1 of 2
<b>APPROVED BY:</b>  <div style="text-align: center; border-top: 1px solid black; margin-top: 10px;"> <b>AUTHORIZED SIGNATURE</b> </div>		<b>EFFECTIVE DATE:</b>
<b>NOTES:</b>		

Pursuant to Section 115, subsection (3) of the Civil Service Rules and Regulations, “the Commission may authorize an exception to its rules, if such exception is consistent with the mandate of Article XI of the City Charter and if, in the opinion of the Commission, the best interest of the City would be served.”

### PURPOSE:

To establish guidelines for the review and authorization of requests to temporarily use Classified position(s) in the Unclassified service via an Exception to the Civil Service Rules and Regulations.

### POLICY:

Prior to approving such a request, the Civil Service Commission shall require the requesting department to demonstrate that the exception would be in the best interest of the City by providing the following information on the approved Civil Service request form:

- A statement indicating a clear and immediate operational necessity to temporarily utilize a classified position in the unclassified service.
- If the position(s) is/are needed for a specific project, a description of the project and its criticality to department/City operations. The requesting department shall indicate whether it is a City-wide project and/or a project that has been approved by the City Manager, City Council, or a Board or Commission of the City of Long Beach.
- If the department is requesting to fill a temporary vacancy, the reason why a temporary vacancy exists and how long the position has been vacant. The department shall also indicate the number of employees available to do the work during the temporary, extended vacancy period and detail any safety, productivity, and/or fiscal impacts if the request is not approved.
- A description of the impact the exception will have on the requesting department's operations. The impact statement shall address how the exception will facilitate completion of mission-critical functions.

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- A statement outlining the fiscal impact of the request. This shall include an analysis of the cost of the unclassified position(s) compared with alternative solutions explored and any lost revenue opportunities if the request is not approved.
- A thorough explanation of what other options were considered and why they would be impractical or inferior. Particular attention shall be given to explaining why hiring a classified employee, whether temporary or permanent, is not feasible.

If an exception to temporarily utilize a classified position in the unclassified service is granted, the duration of the assignment shall be specified in the Civil Service Commission action and recorded in the minutes. The employment of an individual hired under this policy shall not exceed the duration of the assignment approved by the Commission and recorded in the minutes.

Extensions of employment under this policy may be approved by the Civil Service Commission, provided that the department requests an extension prior to the initial expiration of the assignment and the Commission deems such an extension to be in the best interests of the City. No more than two extensions may be granted for each position approved under this policy. The Civil Service Commission shall determine the length of each extension.