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ARTICLE 51--LIMITED DURATION APPOINTMENT

Section 1. Limited Duration Appointments.

An Agency may hire employees for special studies or projects of uncertain or limited duration which are subject to the continuation of a grant, contract, award, or legislative funding for a specific project. Additionally, employees may be hired as limited duration appointments, for workload purposes, when needed to fill short-term or transitional assignments, including, but not limited to, legislative directive, reorganizations, unanticipated workload needs or when position reduction is anticipated.

(a) Limited duration appointments may be filled by hiring new employees to state service or hiring current employees.

(b) Such appointments shall be for a stated period not exceeding two (2) years. If an Agency needs to extend a limited duration appointment beyond two (2) years, they will provide written notice of the extension to the employee. A copy of the notice shall be forwarded to SEIU Local 503 (mrc@seiu503.org) and the DAS CHRO Labor Relations Unit (LRU@das.oregon.gov). The notice of extension will include:

- the employee's name, email address and contact phone number;
- the employee's classification;
- the date the employee was originally appointed to the limited duration position;
- the date the limited duration appointment is scheduled to end;
- the reason for extension; and,
- the date the limited duration appointment is being extended through.

(c) These appointments will not be used in a manner that subverts or circumvents the filling of budgeted positions pursuant to Article 45 and Article 45.1-45.5. The

Employer will not end a limited duration appointment to circumvent Section 4(b) below.

Section 2. Conditions of Limited Duration Appointments. An employee accepting such appointment shall be notified of the conditions of the appointment and acknowledge in writing that they accept that appointment under these conditions. Such notification shall include the following:

(a) The appointment is of limited duration.

(b) The appointment may cease at any time within the first twenty-four (24) months.

(c) If an appointment extends beyond twenty-four (24) months, the appointment may cease at any time only when special studies, projects, or the need for additional workload ends.

(d) Employees that accept a limited duration appointment who are newly-hired to state employment or have not gained regular status in their current position are not entitled to layoff rights except as provided for in Section 4(b). If a limited duration employee is hired directly into a permanent position in the same classification within the same Agency, time served in the limited duration appointment shall count towards the required trial service period in the permanent position. If the limited duration appointment was equal to or longer than the required trial service period, they shall not be required to serve a trial service period and shall be considered a regular status employee.

(e) In all other respects, limited duration appointees have all rights and privileges of other classified employees including but not limited to wages, benefits, and Union representation under this Agreement.

Section 4. Layoff and Recall Rights.

(a) A newly-hired employee to state employment for a special study or project limited duration appointment shall not be entitled to layoff rights unless the special study or project limited duration appointment exceeds two (2) years. In the latter instance, they shall be placed on the Agency recall list **and the secondary recall list** in the affected geographic area when the limited duration appointment ends.

(b) A newly-hired employee to state employment for a workload limited duration appointment shall be entitled to layoff rights after seventeen (17) months of continuous employment.

(c) A current, regular status employee hired into a limited duration appointment shall be entitled to layoff rights within the Agency where the limited duration appointment occurred. The Agency will initiate the layoff procedure pursuant to [Article 70, Section 2](#) as follows:

(1) If the employee was hired into a special study or project limited duration appointment, the Agency will initiate the layoff procedure in the classification the employee held prior to the limited duration appointment, regardless of the length of the limited duration appointment.

(2) If the employee was hired into a workload limited duration appointment, the Agency will initiate the layoff procedure in the classification that has the higher salary range between:

(A) The classification the employee held prior to the limited duration appointment, regardless of the length of the limited duration appointment, or;

70 (B) The classification of the workload limited duration appointment, provided
71 the employee has worked seventeen (17) continuous months.

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