

Confidential Employees

<http://www.calstate.edu/HRAAdm/Policies/confidential.shtml>

TITLE 5 (CALIFORNIA CODE OF REGULATIONS) LANGUAGE	PROCESS
<p><u>Probationary Periods - 1 and 2 year Probation (3, 6 and 11 month) (If 2 yr, add 18 and 23 month)</u></p> <p>Title 5 provides the criteria for determining probationary periods of "administrative" and "nonacademic" Confidential classifications.</p> <ul style="list-style-type: none"> ▶ 1-Year Probation - A "nonacademic" Confidential employee who serves full-time for one year gains permanent status at the beginning of the second year. "Nonacademic employees" means an employee who provides noninstructional and nonadministrative supporting services such as secretarial, clerical, and maintenance services. Full-time temporary service counts toward the one year probationary period. Part-time service is excluded from the probationary period. ▶ 2-Year Probation - An "administrative" Confidential employee who serves full-time for two years gains permanent status at the beginning of the third year. "Administrative employee" means an employee engaged primarily in one or a combination of professional or quasi-professional activities. Full-time temporary service counts toward the two year probationary period. ▶ An employee serves one probationary period within a classification; it can be at any skill level. If an employee moves to a higher skill level within the same classification, no new probationary period is served. <p><u>Definition of 'Confidential' under HEERA</u> - 3562(d) "Confidential employee" means any employee who is required to develop or present management positions with respect to meeting and conferring or whose duties normally require access to confidential information which contributes significantly to the development of those management positions.</p> <p>3562(m) "Meet and confer" means the performance of the mutual obligation of the higher education employer and the exclusive representative of its employees to meet at reasonable times and to confer in good faith with respect to matters within the scope of representation and to endeavor to reach agreement on matters within the scope of representation.</p> <p><i>"Administrative" and "Nonacademic" employees are defined in Title 5, Section 42700(m) and (o). Probationary period directives are set forth in Title 5, Sections 43588.1-3 and 43580 - 86. California Code of Regulations, Title 5, can be found on-line at: http://ccr.oal.ca.gov.</i></p>	<p><u>Temporary Employees:</u> Evaluate at least once before the end of the temporary appointment.</p> <p><u>Probationary Employees - 2-Year (Administrative) Probation:</u> Evaluate by the end of the 3rd, 6th, 11th, 18th, and 23rd month during the two-year probationary period. <u>1-Year (Nonacademic) Probation:</u> Evaluate by the end of the 3rd, 6th and 11th month during the one-year probationary period.</p> <p><u>Permanent Employees:</u> Evaluate annually.</p> <div style="background-color: #e8f5e9; padding: 5px; text-align: center; margin-top: 10px;"> <p>Process</p> <p><u>Temporary, Probation &/or Permanent Employees</u></p> </div> <ul style="list-style-type: none"> ▶ The employee shall be provided with a copy of the official performance evaluation which is to be placed in his/her personnel file prior to such placement. ▶ Evaluations shall be signed by the evaluator and the employee. ▶ The employee shall be given the opportunity to discuss the evaluation in a meeting with the appropriate administrator. Such a meeting shall take place at a mutually acceptable time and location. ▶ Performance Evaluations shall be in writing and shall be placed in the employee's personnel file.