

UTAH DEPARTMENT OF HUMAN SERVICES POLICY AND PROCEDURES		
Reference: 02-07	Effective Date: October 1, 1997 Revision Date: July 2, 2004	Page 1 of 4
SUBJECT:		
A. SCHEDULE AJ, AI, AL APPOINTMENTS		
B. CONVERSION FROM SCHEDULE A (Exempt) TO SCHEDULE B (Career Service)		
RATIONALE: To ensure compliance with Utah Code Annotated 67-19-15,16 and the State of Utah Human Resource Management Rules R477 in filling temporary career service exempt positions and, in some instances, converting eligible employees to career service.		

A. SCHEDULE AJ, AI, AL APPOINTMENTS

1. Definitions

The Utah Code Annotated 67-19-15 (1) and State of Utah Human Resource Management Rules defines the criteria an employee designated as Schedule AJ, AI, or AL must meet in order to be exempt from the career service (merit) system. These definitions are as follows:

- a. AJ employees are non-career employees compensated for their services on a seasonal, contractual, or temporary basis who are hired for limited periods of time. AJ employees must meet one of the following criteria: a) AJ Part-Time – less than half time (for those 19 hour a week or less, who can work indefinitely); b) AJ Seasonal – half time or greater, (for those 20 hours a week or more, 9 months is equivalent to 1560 hours worked in any twelve (12) month period); or c) AJ Temporary – Maximum of 520 hours worked from start date in the same assignment and/or cost center.
- b. AI employees are appointed to a position vacated by an employee who has a right to return under Federal or State law.
- c. AL employees are appointed to perform work of a limited duration not exceeding two (2) years or to perform work with time limited funding which may exceed two (2) years.

2. Policy: Schedule AJ, AI, or AL

- a. Agency management may use any process to select an employee for a career service exempt position that is not based on race, religion, national origin, color, sex, age, disability, protected activity under anti-discrimination statutes, military status or affiliation or any other non-job related function and, which complies with state and federal laws and regulations.
- b. Hiring officials shall adhere to established time frames as stipulated under the definitions section of this policy.
- c. Employees designated Schedule AI or AL may be eligible for employee benefits (holidays, paid leave, health, life, dental, and retirement), if the recruitment announcement states benefits in addition to salary are part of the employee compensation package and the agency has the funding for the benefits. Benefit eligibility is determined by the employing agency.
- e. Employees designated as Schedule AJ are not eligible for employee benefits as a term or condition of employment.

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- f. Schedule AJ, AI, or AL employees are exempted by law from the rights and privileges of the career service (merit), and the employee is appointed and works at the will and pleasure of the hiring agency.
- g. Employment actions for AJ, AI, or AL schedule positions shall not be based on age, race, creed, religion, color, disability, sex, national origin, ancestry, political affiliation, military status or affiliation or any other non-job related factor.
- h. No employee shall be subjected to or subject others to unlawful harassment.
- i. Employment actions including appointment, tenure or term, condition or privilege of employment shall be in accordance to applicable Federal regulations, State laws, and Department policies governing employment and on the ability to perform the essential duties, functions, and responsibilities assigned to a particular position.

3. Procedure

- a. New positions to be designated as Schedule AJ, AI, or AL on the position control system shall be established through the DHRM authorized process. Requests for AL positions to be established for time limits exceeding two (2) years shall include documentation stipulating when the project funding will end.
- b. To establish a new position as Schedule AJ or AL an agency shall send a Position Management Request (PMR) to their assigned OHR Analyst.
- c. Employees designated as Schedule AJ, AI, or AL shall be assigned to a job classification and a salary step from the State of Utah General Classified Pay Plan consistent with the Department of Human Services Compensation Policy 02-05.
- d. Employees designated as Schedule AJ, AI, or AL and hiring officials shall complete and sign the State of Utah Department of Human Services AJ, AI, or AL Employee Agreement stipulating the terms and conditions of non-career service employment, hours to be worked, and duration of agreement. Established time frames/hours of work are communicated to affected AJ, AI, or AL employees when the agreement is completed and signed. The Overtime Compensation Election/Agreement Form shall also be completed and signed for FLSA non-exempt employees designated as Schedule AI and AL. Schedule AJ employees are not required to sign an Overtime Agreement because overtime worked by these employees is always paid rather than providing them the option of accruing compensatory time.
- e. The supervisor or other designated officials monitor the conditions of the agreement to ensure compliance.

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4. Policy: Adherence to Established Time Frames/Hours of Work

Agencies are required to adhere to established time frames/hours of work as stipulated in the AJ, AI, or AL Employment Agreement.

B. CONVERSION FROM SCHEDULE A CAREER SERVICE (Exempt) TO SCHEDULE B (Career Service)

1. Policy and Procedures: Conversions of Career Service Exempt Schedule AJ, AI, or AL Employees to Career Service

- a. Employees designated as Schedule AJ, AI, or AL are not eligible to convert to Schedule B unless they were hired through Utah Job Match.
- b. All conversions of employees designated as Schedule AJ, AI, or AL to Schedule B job positions must be approved by the Office of Human Resources.
- c. Career service exempt employees designated Schedule AJ, AI, or AL may only convert to career service status under the following conditions:
 - i) They are eligible for appointment within a designated hiring rule through Utah Job Match and complete a probationary period. For purpose of this policy, a competitive process shall include the following:
 - a) Utah Job Match requisition number.
 - b) Documentation on the requisition of all searches including criteria (including full/part-time, counties, permanent/temporary, etc.) and skills used for searches, and the dates(s) searches were conducted.
 - c) Written documentation showing that applicants contacted regarding an AJ, AI, or AL position were informed the position might be converted to Schedule B.
 - d) Documentation indicating which applicants were interviewed and the results of each interview.
 - e) Selected applicant met job requirements as outlined on job analysis, requisition search criteria and job description in effect at that time.

2. Compensation Practice: Schedule Conversion

- a. Employees whose schedule designation changes from Schedule AJ, AI, or AL to Schedule B shall only be eligible for a salary increase if their current salary rate is less than the normal and customary rate of pay for new hires into that job classification.

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- b. Employees designated as Schedule AJ are not eligible for merit increases. Merit increases for employees in Schedule AI or AL are not mandatory unless they are receiving benefits, and the increase is funded by the Legislature as stipulated in the Appropriations Act.

Robin Arnold-Williams

DATE: 07-02-04

Robin Arnold-Williams, Executive Director
Department of Human Services

**STATE OF UTAH, DEPARTMENT OF HUMAN SERVICES
EMPLOYEE SCHEDULE AJ, AI, AL AGREEMENT**

Pursuant to the Utah Code Annotated 67-19-15(1) and the State of Utah Human Resource

Management Rules, this Agreement hereby specifies that the _____ has
appointed _____; herein referred to as “the employee”;

Employee ID#: _____ as a _____ Job Identification #: _____

in an _____ temporary assignment.
(AJ-Part-Time, AJ-Seasonal, AJ-Temporary, AI, AL-2 Year Time-Limited, AL-Time-Limited)

The employee will work _____ hours/week at a rate of \$ _____ per

hour and will/will not receive benefits. (Schedule AJ employees are not eligible for benefits;

benefits for Schedule AL and AI employees are optional per management discretion.) This

temporary appointment will commence on _____ and is limited in duration as

explained below.

- Schedule AJ – There are three options for Schedule AJ:
 1. Part Time - Employees may be designated AJ indefinitely so long as they do not work more than 19 hours a week.
 2. Seasonal - Employees working half time or greater are prohibited (UCA-67-19-15(1)(j)) from working longer than nine (9) consecutive months and must have at least three (3) months subsequent separation prior to possible re-employment. For purposes of this agreement, nine (9) consecutive months shall be equivalent to 1560 hours worked in any 12 consecutive month period.
 3. Temporary – Temporary appointments lasting no longer than a maximum of 520 hours worked from the start date in the same assignment.
- Schedule AL employees are appointed to perform work of a limited duration not exceeding two (2) years or to perform work with time-limited funding.
- AI employees are appointed to a position vacated by an employee who has a right to return under Federal or State law.

The employee is here advised that he/she is a non-career service (non-merit) employee and is exempted by law from the rights of a career service (merit) employee and works at the will and pleasure of the hiring agency. An agency head or appointing official may dismiss or demote a non-career service status employee at any time, without just cause, and without right of appeal by providing written notification to the employee specifying the reasons for the dismissal or demotion and the effective date. Furthermore, only those appointments which are made consistent with the Utah Department of Human Services Policy 02-07 regarding Schedule appointments and conversion from Schedule A (exempt) to Schedule B (career service) may be considered for conversion to career service.

Employee Signature

Date

Agency Representative

Date

07/02/04