

FLEX-YEAR APPOINTMENTS AND GUIDELINES

GENERAL INFORMATION

By definition, flex-year appointments are permanent and continuous appointments under the State Universities Civil Service System. However, these appointments do differ in some respects from full and part time twelve-month appointments. The fundamental factor distinguishing a flex-year appointment from all others is the division of the twelve-month year into two predetermined periods: a work period and a non-work period. This is substantially different from the percent-time appointment that requires work and non-work periods to occur within each workweek.

POSITION REQUIREMENTS

- The non-work period is a single block of time that must exceed one month's duration but must be less than four months' duration.
- The work period is a single block of time within a 12-month period that must cover a time span sufficient to allow the employee to take vacation during the work period.
- The work period plus the non-work period must total one year (12 months).
- Flex-year appointments should be used only in instances where the work of the department is not constant and requires the work of fewer employees at specified periods of the year.

EMPLOYEE RIGHTS

- An employee in a position that is changed to a flex-year appointment cannot be forced into accepting such an appointment and will be entitled to exercise his/her seniority rights if such a change is made.
- An employee or candidate offered employment in a flex-year appointment must be advised of the work and non-work periods and must sign a flex-year Acceptance form acknowledging the special employment conditions (see attached) that apply to such appointments **prior to employment** in the flex-year appointment.
- A position established as a flex-year appointment is expected to continue indefinitely without significant change in the ratio of work to non-work periods. A substantive change requires advance notice and entitles an incumbent employee to exercise his/her bumping rights. If an employee is unwilling to accept the proposed change in appointment, the situation is the equivalent of a lay off. An attempt to change a flex-year appointment to a regular 12-month appointment before the completion of the first 12-month period will be closely reviewed by the Staff Human Resources Office.

DEPARTMENTAL FLEX-YEAR APPOINTMENT GUIDELINES

A flex-year appointment is one that divides the work year into two pre-specified periods--a work period and a non-work period:

- **Work Period**
The employee's job record in Banner will reflect the effective date and end date of the work period. The department should be sure that the specified dates can accommodate any vacation and compensatory time that the employee may want to use. Staff Human Resources Office (SHR) Records Administration section should be notified well in advance of any change in the defined dates. Unless the Records Administration section is otherwise notified, employees will be removed from the payroll as of the end date specified in their job record, should the dates need to be changed a HRFE transaction will need to be processed to change the dates on their job record in Banner.

- **Non-work Period**
 - Flex-year employees will not work during the agreed upon non-work period even on an extra help basis.
 - **Return from Non-work Period**
 - The department should give SHR Records Administration section no less than two weeks' notice that an employee is returning. This will be done by submitting the employee's HRFE transaction noting the exact date of return as well as the new ending date for the appointment. Note that the duration of this newly defined work period should be consistent with the originally established flex-year appointment.
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Once positions are established as either twelve-month appointments or flex-year appointments, the basic nature of these appointments would be expected to remain constant over time. If, however, the needs of the department change such that an appointment must be modified, the following procedures apply:

FILLED POSITIONS

12-month Appointment to Flex-Year (change mutually agreed upon by employee and employing unit)

- The department must submit the HRFE transaction for the affected employee, changing the beginning and ending dates of the work period.
- The memo field of the HRFE may be used to request the change, defining the length of the work period (i.e., 8, 9, 10 or 11 month appointment), the beginning and ending dates of the work period and the reason for change.
- The signed Flex-Year Acceptance form must be attached, as an attachment, to the HRFE transaction.
- The HRFE will not be processed until SHR Records Administration section has received the Flex-Year Acceptance form, signed by the employee.

12-Month Appointment to Flex-Year (change not acceptable to employee)

- The department should notify the employee of the intent to discontinue the 12-month appointment. Subsequently, the department should notify the appropriate employment officer at SHR that the change is not acceptable to the employee and a layoff may be necessary.
- Normal layoff procedures will apply.

Flex-Year to 12-Month (change mutually agreed upon by the employee and employing unit)

- The department must submit the HRFE transaction for the affected employee, noting the effective date of the change and stating in the comment field "Requesting Change from Flex-Year to 12-month appointment".
- The HRFE will not be processed until Staff Human Resources Records Administration section has received a signed statement from the employee concurring with the change, which must be attached as an attachment to the HRFE transaction.

Flex-Year to 12-Month (change not acceptable to employee)

- The department should notify the employee of the intent to discontinue the flex-year appointment. Subsequently, the department should notify the appropriate employment officer at SHR that the change is not acceptable to the employee and a layoff may be necessary.
 - Normal layoff procedures will apply.
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VACANT OR NEW POSITIONS

- The department must submit an Employee Requisition (ER card) to SHR Classification section indicating the work period of the position.
- The department must submit a position description for the position including:
 - beginning and ending dates of the appointment
 - noting type of flex-year (i.e., 8, 9, 10, or 11 months) flex-year appointment

Once the position is filled, the department should have the employee sign the Flex-Year Acceptance form and return it with the HRFE transaction Checklist to the Staff Human Resources Office. The department should also provide the employee with a copy of the Flex-Year Acceptance form.

ELIMINATION OF FLEX-YEAR POSITION

If departmental needs require that a flex-year position be eliminated, normal layoff procedures will apply if the position is occupied. The department should notify the appropriate employment officer at SHR at least 90 days before the effective date.

Flex-Year Acceptance Form

PDF Form in Portable Document Format (PDF) which requires [Adobe Acrobat Reader](#)

RTF Form in Rich Text Format (RTF) for download

