

The Civil Service Commission has established the Civil Service Adviser to enhance delivery of information on important employment issues and policies affecting the merit system of the City and County of San Francisco.

REINSTATEMENT

Civil Service Adviser



WHAT IS REINSTATEMENT?

One of the benefits of attaining permanent civil service appointment to a position in a classification is that an employee gains status. "Reinstatement" provided for in Civil Service Commission Rule Series 14 is an example of this benefit. Reinstatement is the ability to return to a position in any former class where the employee had permanent civil service status without having to take another examination.

An employee may request to reinstate at any time during an active career with the City & County service to a vacant position where there is an approved requisition in any class where the employee was appointed permanent civil service and successfully completed the probationary period. There is no limit on the number of times an employee may reinstate to any position where the employee was previously appointed on a permanent basis. However, in each case the approval of the appointing officer is required.

HOW DOES REINSTATEMENT DIFFER FROM REAPPOINTMENT?

Employees who resign the City & County or School/College District service with services designated as satisfactory may return within four (4) years (two (2) years for the Uniformed Ranks of Police and Fire) following their resignation without taking an examination and ranking on an eligible list. The return of an employee to City and County or School/College District employment after a complete separation, in this case, is called "Reappointment" (see Civil Service Adviser #7, March 2000).

In contrast, eligibility for reinstatement requires that an employee be an active current employee, *with civil service status in a class*.

WHAT DOES AN EMPLOYEE NEED TO DO TO REINSTATE?

An employee may respond to a job bulletin or may request reinstatement to a position in a department where the employee is interested in working. Should there be a vacant approved requisition, the appointing officer may approve or disapprove a request for reinstatement. The decision of the Appointing Officer is final. The requesting employee is required to complete a form called "Request for Reinstatement" available through the departmental human resources division or through the Department of Human Resources, 44 Gough Street.

WHAT HAPPENS TO AN EMPLOYEE'S BENEFITS WHEN REINSTATED?

When an employee reinstates, there is no break in service.

The employee remains an active employee and receives benefits - health, retirement, sick leave credits, vacation accrual rates and credits consistent with the applicable collective bargaining agreement covering the classification to which the employee is reinstating. When reinstated, the employee regains the original citywide seniority date in the reinstated class. However, departmental seniority used to bid for shifts, days off, vacation, etc. is governed, in most cases, by the collective bargaining agreement and may or may not be carried forward.

IS A NEW PROBATIONARY PERIOD REQUIRED?

Employees who reinstate to a new department are required to serve a new probationary period. Employees who reinstate to a former department where the probationary period was successfully completed will not be required to serve a new probationary period.

CAN AN EMPLOYEE BE INVOLUNTARILY REINSTATED?

Generally, employees can not be involuntarily reinstated - but there are exceptions - most notably, in the event of layoff. Employees who are laid off and not eligible for appointment in their current class (no vacancies/least senior) may be reinstated to a position in a class previously held on a permanent basis even if the probationary period was not completed.

Under other circumstances, an employee may be reverted to a position in a classification where the employee previously held permanent status. For example, an employee may be reverted to permanent civil service appointment in a previously held class following release from a promotive probationary appointment. Although reversion is often thought of as involuntary reinstatement, it is actually covered under the Rules on Probationary Period-Rule Series 17 (see Civil Service Adviser # 6, January 2000).

Another example is an employee returning from leave after serving in a provisional or exempt appointment in another classification. An employee may, with the approval of the appointing officer take leave from a permanent civil service appointment to accept a provisional or exempt appointment in another class for the duration of the appointment. Once the exempt or provisional appointment has ended, the employee returns to the former class and department possibly bumping a less senior employee. Although this action is sometimes called "Reinstatement," it is actually covered under the Rules on Position Classification-Rule Series 09, Leaves-Rule Series 20 and Layoff-Rule Series 21.

QUESTIONS:

Department Of Human Resources:
 Merit System Services 557-4923
 Employee Relations Division 557-4990
 Internal Services 557-4849
 Equal Employment Opportunity 557-4832

Civil Service Commission 252-3247

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