



MERCED COMMUNITY COLLEGE
Office of Human Resources

Ensuring Compliance in Hiring Classified Subs and Short-Term Employees

1. **Substitutes** must be subbing for a vacancy that is either 1) in active recruitment or 2) for an employee temporarily absent. Subs are limited to 60 days unless the District has an agreement from CSEA to extend that timeline. (Such an agreement would come from my office.)
2. **Short-term** employees must be working on a short-term project and are limited to 75% of a school year/999 hours. The services provide by the short-term employee may not be extended or needed on an ongoing basis. As a practice, we limit to 175 days (versus 195 days) and 980 hours (versus 999) in order to create a buffer. Ed Code sets the 75% of the school year limit before we own the employee. The 980 hour limit is prevent the employee from becoming PERS eligible and is an in-house limit. Please note, the number of days includes holidays, sick days, vacation, and other leaves and is not dependent on hours per day (even 15 minutes in a day counts as a day worked).

Reference: Ed Code 88003

One common mistake made in order to avoid hiring a sub or short-term employee is to increase the hours of an existing 19 hour employee. Once an employee has worked increased hours for 20 consecutive days or more, that employee owns the new schedule.

Another action that can lead to issues is to assign the work to other employees. This is allowable if the employee being assigned shares the same job title and functions as the absent employee (workload does not generate out-of-class pay); if they do not share a title/functions, the employee should receive out-of-class pay if they perform the functions for more than 5 days.