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appointment.

2. The Director of Education/Superintendent may extend an original probationary period, or a new probationary period not to exceed a total of 12 months. Written notice of the extension shall be given to the employee by the Director of Education/Superintendent prior to the expiration of the probationary period.

E. Discontinuance of a Probationary Appointment

1. If an employee fails to render satisfactory service during the original probationary period, he may be dismissed by the Director of Education/Superintendent provided he has served a probationary period of at least three months. The dismissal notice to the employee shall indicate the effective date of the action and is issued no later than the established end of the probationary period. Failure to issue a probationary letter by the expiration date does not grant permanent status.
2. If an employee fails to satisfy a new probationary period, the employee shall be served a notice of non-performance with intent to remove from the position appointed to. Such employee shall be permitted to return to the position he last occupied on a permanent basis, or he may request to be placed in a comparable position for which he meets the minimum qualification requirements and if such position is not available, the employee shall be placed on a priority placement list and given first offer of employment upon availability of such position. The employee has the right to request for a review of the removal with the CSC.

*NOTE: New probationary employees may be disciplined for misconduct with right to appeal under adverse action procedures.*

**904.603**      **Temporary Appointment**

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A. Limited-Term Appointments

1. Limited-term appointments may be made to fill temporary vacancies in permanent positions, where there are no eligibles or an insufficient number of eligibles for that particular position.
2. Where limited-term appointments are proper, the appointments shall not be made until the Director of Education/Superintendent certifies the candidate has qualified for the position.
3. Limited-term appointments are for a specified period not to exceed one year.
4. Limited-term appointments shall be made without competition, except that any person appointed on a limited-term basis must meet all qualification requirements including any assembled examinations.
5. Limited-term appointments are unclassified appointments and may be terminated at any time prior to the expiration of one year.
6. Employees appointed on a limited-term basis filling a permanent position may be given the usual employee benefits.
7. Limited-term employees do not serve a probationary period.

B. 120 Day Appointments

Temporary appointments shall be consistent with the provisions of 4 GCA, Section 4102 (a)(6) and Section 4103 (e) as follows:

1. A person may not be temporarily employed in a non-professional capacity for more than 120 days in any calendar year.

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2. A person may not be temporarily employed in a professional capacity for more than 120 days, except upon a contract in writing and a determination in writing by the Director of Education/Superintendent that such employment is critical to either the public health, safety or welfare of the community. *[A person is employed as a professional if the person's job description in the Dictionary of Occupational Titles, published by the U.S. Department of Labor, has as its first digit zero or one. Any person whose job description does not have as its first digit zero (0) or one (1), shall be deemed to be a non-professional employee.]*
  3. The following provisions shall apply to appointments made consistent with items (1) and (2) above:
    - a. A classified employee who fills a temporary classified or unclassified position has classified employment status absent other controlling legislation.
    - b. A newly hired employee who fills a temporary classified or unclassified position has unclassified employment status.
    - c. Such temporary appointments shall be made without competition, except that any person appointed on a temporary basis must meet the minimum qualification requirements and satisfy all examination requirements for the position.
    - d. A person appointed on a temporary basis shall not perform the duties and responsibilities of a position other than that to which he was appointed.

**904.604      Contracts for Personnel Services**

- A. Contracts shall not be used as a substitute for merit system employment. DOE shall not contract for personnel services