



## Temporary Workers in Local Government:

Although Some Workers Have Limited Opportunities, Most Have Reasonable Access to Permanent Employment and Earn the Same Wage Rates as Permanent Workers

April 2009 Report 2008-107



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Elaine M. Howle  
State Auditor  
Doug Cordiner  
Chief Deputy

# CALIFORNIA STATE AUDITOR

## Bureau of State Audits

555 Capitol Mall, Suite 300

Sacramento, CA 95814

916.445.0255

916.327.0019 fax

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April 23, 2009

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The Governor of California  
President pro Tempore of the Senate  
Speaker of the Assembly  
State Capitol  
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the use of temporary workers by general law local governments. This report concludes that concerns regarding the possible improper classification of temporary workers by local governments generally were unfounded. We found that temporary employees in only 11 of 78 job classifications appeared to have limited opportunities to move to permanent jobs. Furthermore, the local governments using these 11 classifications had reasonable explanations for employing primarily temporary workers in these classifications. The remaining job classifications either constituted true temporary jobs that generally lasted for a relatively short time, were per diem (paid by the day) classifications in which most employees worked on a temporary basis by choice, or were classifications for which the temporary employees in them appeared to have good opportunities to get permanent jobs.

Temporary employees of the six local governments we reviewed, with one type of temporary employee in Kern County being the exception, generally do not receive employer-sponsored benefits or receive very few of these benefits until they have worked at least 1,000 hours. In contrast, most permanent workers and at-will management employees receive employer-sponsored benefits, the most common being retirement, health, dental, vision, vacation, sick leave, and paid holidays. However, the hourly wages of temporary workers in these six local governments were frequently the same as the wages of comparable permanent workers. Five of the six local governments we reviewed had temporary workers who exceeded their government's established maximum time limits for employees working in a temporary capacity over various periods during 2006 and 2007, although the number of instances was significant in only two local governments, Contra Costa County and Riverside County. Both counties had explanations for nearly all of the instances, including that the extra time may have been or had been authorized, or that the employees involved were not subject to the county's limits.

We surveyed 594 temporary workers from the six local governments and received 230 responses. The results of our survey indicate that respondents to our survey from the cities were more likely than respondents from the counties to be temporary employees by their own choice and less likely to have applied for permanent jobs with their local government employers.

Respectfully submitted,



ELAINE M. HOWLE, CPA  
State Auditor

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## Summary

### Results in Brief

Concerns regarding the number of temporary employees hired by general law<sup>1</sup> local governments, whether temporary employees were doing work that was actually long-term work and were, therefore, misclassified, and whether temporary employees had reasonable opportunities to become permanent employees prompted this audit. All six of the local governments we reviewed use permanent and temporary workers, but they classify these workers using a variety of terms, such as provisional, casual, and regular. As we use the terms in this report, temporary workers are defined as at-will employees, that is, employees who may be terminated by their employer at any time with or without cause, and permanent workers are defined as those who are not employed on an at-will basis. We reviewed the use of temporary employees in the counties of Contra Costa, Kern, Riverside, and San Joaquin and the cities of Escondido and Fremont.

Using payroll data for 2003 through 2007 from four of the six entities included in our review, the city of Escondido (Escondido), Kern County (Kern), Riverside County (Riverside), and San Joaquin County<sup>2</sup> (San Joaquin), we analyzed 78 job classifications to determine whether temporary employees without benefits (temporary employees) had reasonable opportunities to secure employment with permanent status or benefits (permanent jobs) and the extent to which they did so. These 78 job classifications contained the greatest numbers of temporary employees between 2003 and 2007 in the four local governments. We found that temporary employees in only 11 of the 78 job classifications (14 percent) appeared to have limited opportunities to move to permanent jobs and, further, that the local governments using these 11 classifications had reasonable explanations for employing primarily temporary workers in these instances. The remaining job classifications either constituted true temporary jobs that generally lasted for a relatively short time, were per diem (paid by the day) classifications in which most employees worked on a temporary basis by choice, or were classifications for which the temporary employees in them appeared to have good opportunities to get permanent jobs.

<sup>1</sup> The California Constitution authorizes two types of local governments: those governed by the State's general law and those with charters. Cities and counties with charters generally have more autonomy in managing their employees than do general law cities and counties.

<sup>2</sup> Data for San Joaquin County were available only for pay periods ending between October 2003 and December 2007.

### Audit Highlights . . .

*Our review of the use of temporary employees in four counties and two cities revealed the following:*

» *Of the 78 job classifications from four of the six entities included in our review, temporary employees in only 11 job classifications appeared to have limited opportunities to move to permanent jobs.*

» *Five of these local governments had temporary workers who exceeded their government's established limits on the amount of time temporary workers may work over various periods during 2006 and 2007:*

- *In Contra Costa, 113 employees appeared to exceed the applicable limits, while 492 appeared to in Riverside.*
- *Fremont, Escondido, and San Joaquin had relatively few workers who exceeded the limits.*

» *The proportion of temporary workers in the cities we reviewed was higher than in the counties.*

» *In contrast to permanent employees, temporary workers in five local governments generally do not receive, or receive very few, employer-sponsored benefits until they have worked at least 1,000 hours.*

» *The results of our survey of 594 temporary workers from the six local governments indicate that survey respondents from the cities were more likely than respondents from the counties to be temporary employees by their own choice and less likely to have applied for permanent jobs with their local government employers.*

During our review of the 78 job classifications, we found that Escondido was not appropriately monitoring the use of a temporary job classification, department specialist, that does not have a set upper limit on its wage rate. Before February 2008 city departments were not required to have city manager approval to use the department specialist classification. In the two instances in which the city manager approved the use of this classification since February 2008, it was not clear from available documentation why regular city job classifications were not used instead of the department specialist or why the requested \$60 per hour salary levels for the two employees were approved. Although the city has general written guidance applicable to all part-time job classifications, including the department specialist, it has not developed written guidance concerning when to use the department specialist classification or how to determine the hourly wage rates paid to department specialists.

All six local governments we reviewed have limits on how long temporary workers may work. Five of the six had temporary workers who exceeded their government's established time limits for temporary employees over various periods during 2006 and 2007. The city of Fremont (Fremont), Escondido, and San Joaquin had relatively few workers who exceeded applicable time limits, and Kern had none, while 113 employees in Contra Costa County (Contra Costa) and 492 employees in Riverside appeared to exceed applicable limits.

For Riverside, we selected a sample of 39 temporary employees who appeared to have exceeded the county's 1,000-hour time limit for temporary workers and found that 19 were approved to work 1,000 hours over the 1,000-hour limit, or up to 2,000 hours. However, two of the 19 employees worked more than 2,000 hours, thereby exceeding the number of hours they were authorized to work. Of the remaining 20 Riverside temporary employees, 18 were actually employees in the county's on-call per diem medical registry who were classified in fiscal year 2006-07 as temporary assistants, according to Riverside. As per diem employees, they were not subject to the 1,000-hour limit. The remaining two temporary employees worked over the 1,000-hour limit without authorization. Similarly, for a sample of 15 temporary employees in Contra Costa who worked more than the county's one-year time limit for temporary employees, the county asserted that 14 of the employees may have been approved to exceed the limit. However, the county was unable to provide evidence to support its statement that the employees had been approved to do so because it does not require that such authorizations be in writing.

Although we did not conduct a detailed analysis of temporary job classifications in Fremont or Contra Costa, we did note that Contra Costa formed a committee in 2006 consisting of certain county management employees and representatives of employee organizations to review issues pertaining to temporary workers. The committee submitted a report with recommendations to the county board of supervisors (board) in August 2008 suggesting that the county did not always limit its use of temporary employees to positions required to fill its short-term workload needs and that the county sometimes replaced a temporary worker who had reached the limit on the allowable number of hours in a given job classification with another temporary employee. According to the director of human resources, as of late March 2009, negotiations with a coalition of labor unions were ongoing to reach a final resolution regarding the committee's recommendations.

We also found that the proportion of temporary workers in the cities we reviewed was higher than in the counties. The two cities we reviewed, Escondido and Fremont, had the highest percentages of temporary employees in 2007—52.4 percent and 34.9 percent, respectively—while Riverside had the lowest percentage, at 16.1 percent. Temporary employees in the counties also secured permanent jobs with their government entities at a higher rate than temporary employees in the cities. Among the six local governments included in our review, Riverside had the highest percentage, 37.9 percent, of temporary employees secure permanent jobs between 2003 and 2007.

Further, the temporary employees of the six local governments we reviewed, with one of the two types of temporary employees in Kern being the exception, generally do not receive employer-sponsored benefits or receive very few of these benefits until they have worked at least 1,000 hours. In contrast, most permanent workers and at-will management employees receive employer-sponsored benefits, the most common being retirement, health, dental, vision, vacation, sick leave, and paid holidays.

The hourly wages of temporary workers in the six cities and counties we reviewed were frequently the same as the wages of comparable permanent workers. In Escondido, Fremont, Kern, and San Joaquin, temporary and permanent workers in the same job classification were paid the same wage rate. In Riverside and Contra Costa, temporary workers generally are paid hourly wages at the first step in the pay scale of their job classification and, except for temporary workers of Contra Costa represented by two employee organizations, they do not have the opportunity for pay increases. In addition, temporary workers in Riverside's Temporary Assignment Program (TAP) generally earn hourly wages that are 5.5 percent less than the first step of the pay scale

of employees in comparable county classifications. However, according to county officials, TAP employees actually take home more money than their permanent counterparts because they are not covered by the federal Social Security program and therefore do not pay Social Security taxes, and they have different and less costly retirement benefits than permanent workers. We also noted that per diem workers in the counties typically earn higher wages than their permanent counterparts, although they do not receive the benefits that permanent employees receive.

We surveyed 594 temporary workers from the six local governments and received 230 responses. The results of our survey indicate that respondents to our survey from the cities were more likely than respondents from the counties to be temporary employees by their own choice and less likely to have applied for permanent jobs with their local government employers. In Kern, Riverside, Contra Costa, and San Joaquin counties, 36 percent of those who responded to the survey indicated that they chose to be temporary workers rather than permanent workers, and of the 138 respondents, 37 percent stated that they had remained temporary workers from our audit period until the time they responded to our survey. In contrast, 74 percent of the temporary workers from the cities of Escondido and Fremont who responded indicated that they chose that status, and of the 92 respondents, 57 percent remain as temporary workers. Moreover, among the survey respondents, 62 percent of the county temporary workers indicated that they had taken examinations required to get a permanent position, compared to 21 percent of the temporary workers employed by the cities. In addition, 60 percent of the county workers responding indicated that they had applied for specific permanent jobs with their local governments, compared to 21 percent of the temporary workers employed by the cities.

### **Recommendations**

To help ensure that its department specialist job classification is used consistently and appropriately, Escondido's human resources department should ensure decisions to use the classification, including the salary level for each position, are approved and fully documented.

To address issues identified by the joint management-labor committee created to review Contra Costa's use of temporary employees, the county should continue negotiations with employee organizations to reach resolution regarding the committee's recommendations.

To ensure that their temporary employees do not work beyond prescribed time limits without authorization, Contra Costa and Riverside should improve their processes for identifying workers approaching the limits and, along with San Joaquin, document requests and approvals for workers to exceed the limits.

**Agency Comments**

All six of the local governments agreed with the information in the report. The four local governments to which we addressed recommendations concurred with our recommendations and plan to implement them.

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# Introduction

## Background

Concerns regarding the number of temporary employees hired by general law local governments, whether temporary employees were doing work that was actually long-term work and were, therefore, misclassified, and whether temporary employees had reasonable opportunities to become permanent employees prompted this audit. This review focuses on the use of temporary employees by the following general law local governments:<sup>3</sup> the city of Escondido (Escondido), the city of Fremont (Fremont), Contra Costa County (Contra Costa), Kern County (Kern), Riverside County (Riverside), and San Joaquin County (San Joaquin).

All six of the local governments we reviewed use permanent and temporary workers, but they classify these workers using a variety of terms, such as provisional, casual, and regular. To provide readers with a common frame of reference for understanding how the six entities we reviewed classify their employees, we use a naming convention in which we describe the different types of employees in the cities and counties as either permanent or temporary, and either full-time or part-time. These terms are defined in the text box.

### Definitions for Employee Categories

**Permanent:** Not at-will.

**Temporary:** At-will, defined as employees, including management employees, who may be terminated by their employer at any time, with or without cause.

**Full-time:** An employee scheduled to work 2,080 hours per year.

**Part-time:** An employee scheduled to work fewer than 2,080 hours per year.

The six local governments we reviewed have different limits on how long temporary workers may work, as shown in Table 1 on the following page. These limits range from 1,000 hours per assignment in a fiscal year in Riverside to a limit of 4,160 hours per assignment for temporary employees in Fremont who are represented by the Fremont Association of City Employees. Some hourly limits are the result of negotiations with employee bargaining units, and others are set forth in the local government's personnel ordinances or rules.

Counties and cities may contract with the California Public Employees' Retirement System (CalPERS) to provide retirement benefits to their employees. Of the six local governments we reviewed, three—Escondido, Fremont, and Riverside<sup>4</sup>—contract with CalPERS for most of their employees. Contra Costa, Kern, and San Joaquin have their own retirement programs for their employees.

<sup>3</sup> The California Constitution authorizes two types of local governments: those governed by the State's general law and those with charters. Cities and counties with charters generally have more autonomy in managing their employees than do general law cities and counties.

<sup>4</sup> Riverside's contract with CalPERS excludes its per diem employees from enrolling in CalPERS.

**Table 1**  
**Local Governments' Limits on the Length of Time Temporary Workers May Work**

LOCAL GOVERNMENT	TYPE OF TEMPORARY WORKER	APPLICABLE LIMIT	TIME FRAME
<b>County</b>			
Contra Costa	Temporary	1 year	Any consecutive 12 months
Kern	Extra help	9 months	Any consecutive 9 months
Riverside	Temporary*	1,000 hours per assignment	Fiscal year
San Joaquin	Temporary <sup>†</sup>	1,560 hours	Calendar year
<b>City</b>			
Escondido	Temporary part-time	1,500 hours	Fiscal year
Fremont	Temporary part-time	1,040 hours	Any consecutive 12 months
	Temporary (Fremont Association of City Employees)	4,160 hours	Per assignment
	Temporary (Operating Engineers Local Union Number 3)	2 years	Per assignment

Sources: Local ordinances, rules, regulations, and policies from the counties of Contra Costa, Kern, Riverside, and San Joaquin, and the cities of Escondido and Fremont.

\* Includes both temporary employees in the Temporary Assignment Program who may work up to 1,000 hours per assignment and temporary workers assigned to county departments who may work up to 1,000 hours of substantially continuous service in the same capacity each fiscal year.

<sup>†</sup> Includes seasonal temporary employees who have a time limit of 7 months each calendar year.

### All Counties Use Per Diem Workers

According to human resources officials in all four counties we reviewed, the counties use a class of temporary employee referred to as *per diem* (paid by the day) to attract difficult-to-recruit health care workers.<sup>5</sup> The two cities we reviewed do not use per diem classifications. Generally, per diem employees have more flexibility than permanent employees in choosing the days and times they work. These employees typically do not receive benefits, but instead earn higher wages than their permanent counterparts who do receive benefits. According to human resources officials in the four counties, per diem employees have chosen that status rather than permanent status.

<sup>5</sup> Although counties use the term per diem for this class of employee, per diem employees are paid an hourly rate for the hours they work.

## The Proportion of Temporary Workers Varied Among the Cities and Counties We Reviewed

As shown in Table 2, the two cities we reviewed, Escondido and Fremont, had higher percentages of temporary employees among their workforces in 2007 than any of the counties. Escondido’s workforce had the highest percentage of temporary employees among the six local governments included in our review, 52.4 percent, while Riverside had the lowest percentage, 16.1 percent. The vast majority of temporary employees across the four entities in which we could discern full-time and part-time status were part-time workers, while among permanent employees full-time workers were predominant.

**Table 2**  
 Use of Temporary Employees by Six Local Governments in 2007

LOCAL GOVERNMENT	NUMBER OF TEMPORARY EMPLOYEES*			NUMBER OF PERMANENT EMPLOYEES†			TOTAL EMPLOYEES	TEMPORARY EMPLOYEES AS A PERCENTAGE OF TOTAL EMPLOYEES
	FULL-TIME‡	PART-TIME§	TOTALS	FULL-TIME	PART-TIME	TOTALS		
<b>County</b>								
Contra Costa	Not available <sup>  </sup>	Not available <sup>  </sup>	2,169	7,544	748	8,292	10,461	20.7%
Kern	Not available <sup>#</sup>	Not available <sup>#</sup>	3,456	Not available <sup>#</sup>	Not available <sup>#</sup>	8,846	12,302	28.1
Riverside	248	3,539	3,787	19,489	293	19,782	23,569	16.1
San Joaquin**	203	1,589	1,792	5,960	9	5,969	7,761	23.1
<b>City</b>								
Escondido	192	565	757	678	9	687	1,444	52.4
Fremont	44	461	505	887	53	940	1,445	34.9

Sources: Payroll data from the counties of Contra Costa, Kern, Riverside, and San Joaquin, and the cities of Escondido and Fremont for all pay periods ending in 2007.

\* Temporary employees are at-will employees, including management employees, which we defined as employees who may be terminated at any time, with or without cause.

† Permanent employees are not at-will employees.

‡ A full-time employee is one scheduled to work 2,080 hours per year.

§ A part-time employee is one scheduled to work fewer than 2,080 hours per year.

<sup>||</sup> We could not clearly distinguish between part-time and full-time temporary employees in the data set Contra Costa County provided.

<sup>#</sup> Data concerning part-time and full-time status were not in the data set Kern County provided.

\*\* The data we obtained from San Joaquin were of undetermined reliability for our purposes because the county uses a paperless system and, therefore, we were unable to determine the accuracy of key data fields used in our analysis by tracing the data in them to source documents. However, we performed an analysis that assured us that the San Joaquin data contained reasonable values in key data fields. We were also able to determine that the payroll data file the county provided us was complete.

During our review we found that several factors influence whether local government employees are permanent or temporary. One factor is the employee’s personal preference. We were told by human resources officials in the cities and counties we reviewed

that some employees prefer temporary status, while others prefer to be permanent. This was borne out by the responses we received to our survey of a sample of temporary employees in the six cities and counties we reviewed, in which 52 percent of those responding indicated that they were temporary employees by choice. Another factor is the number of temporary and permanent job openings at any one time. When more permanent jobs are available, the opportunity is greater for a job seeker looking for permanent employment to get one. Finally, all six of the entities we reviewed use a competitive process to fill permanent jobs, without favoring temporary workers who are already working for them. Thus, a temporary employee's ability to get a permanent job also depends on the pool of other applicants seeking the same job.

### **Local Government Personnel Systems Are Subject to a Variety of Laws and Regulations**

The two primary types of local government in California are counties and cities. Both have the power to provide for the health and welfare of their citizens, with cities having broader powers of self-government than counties do. The California Constitution and other state laws provide for the organizational structure of counties and cities. The California Constitution also permits two types of local governments: those governed by the State's general law and those governed by charters. Cities and counties with charters generally have more autonomy in managing their employees than do general law cities and counties. The six local governments we chose for our review are governed by general law.

Section 19800 of the California Government Code requires the State Personnel Board (personnel board) to establish personnel standards for merit employment systems of local governments when such systems are required by statute as a condition of a state-funded program or a federal grant-in-aid program established under certain federal laws. State law also permits local governments to establish their own merit systems and personnel standards, subject to personnel board review and approval, to the extent that local government employees are administering federal- and state-supported programs under Section 19800. These programs are in areas such as health care and child support services.

The personnel standards required by Section 19800 of the Government Code are in Title 2, Division 5 of the California Code of Regulations (regulations) and specify merit principles such as recruitment and career advancement, selection, classification and compensation, training, separation and layoff, and employee evaluation. These standards must be met by a local government that wants to establish its own approved local merit system to qualify

for certain federal- and state-funded programs. Local governments that do not have an approved local merit system are subject to the interagency merit system that the personnel board administers directly. To assure conformity with applicable federal requirements, the interagency merit system must meet the same personnel standards in the regulations as required of local governments with approved local merit systems.

The personnel board contracts with Cooperative Personnel Services (CPS), a public agency created pursuant to a joint powers agreement, to, among other tasks, review the personnel systems of local governments for compliance with the local government personnel standards in the regulations. The goal of CPS is to review seven of the 28 counties with approved local merit systems each year. All four counties included in our review have approved local merit systems and were reviewed by CPS in 2003 or later. The contractor found that the counties met or were in general overall compliance with the relevant local government personnel standards.

### **Temporary Workers Tend to Be in Certain Occupational Groups**

Local governments are required to submit biennially to the federal Equal Employment Opportunity Commission a report that specifies, among other things, the number of local government employees by occupational group. As shown in Table 3 on the following page, the professional, paraprofessional, and administrative support occupations generally had the highest proportion of temporary workers<sup>6</sup> among the entities we reviewed. Professionals include occupations such as doctor, lawyer, police and fire captain, librarian, and management analyst. Paraprofessionals include occupations such as medical aide, library clerk, ambulance driver, and child support worker. The administrative support group includes occupations such as bookkeeper, clerk typist, payroll clerk, computer operator, and cashier.

### **Riverside Has a Unique Program for Meeting Its Temporary Employment Needs**

Riverside has a program called the Temporary Assignment Program (TAP) that serves as an in-house registry for temporary workers. According to officials of Riverside, the Riverside board of supervisors

<sup>6</sup> From this point forward in the report, our definition of temporary employees excludes management employees to focus our analysis on the type of temporary workers that raised the concerns that led to this audit.

**Table 3**  
**Percentage of Temporary Workers Without Benefits by Occupational Group**  
**for Pay Periods Ending in 2007**

OCCUPATIONAL GROUP*	CONTRA COSTA COUNTY	KERN COUNTY	RIVERSIDE COUNTY	CITY OF ESCONDIDO	CITY OF FREMONT
Officials and administrators	1.6%	3.1%	0.0%	0.0%	0.0%
Professionals	29.5	21.7	14.0	1.4	4.0
Technicians	8.1	10.0	1.1	3.2	0.2
Protective service workers	3.6	16.2	0.0	7.2	2.4
Paraprofessionals	24.5	14.7	6.1	36.8	73.5
Administrative support (including clerical and sales)	17.9	24.5	78.3	26.8	16.2
Skilled craft workers	0.1	0.3	0.0	0.2	0.0
Service—maintenance	7.7	7.9	0.5	24.4	0.4
Not specified	7.0	1.6	0.0	0.0	3.3
<b>Totals</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Sources: Payroll data from the counties of Contra Costa, Kern, and Riverside, and the cities of Escondido and Fremont.

Note: Data for San Joaquin County is not displayed because it did not code any employees in the paraprofessional occupational group, but instead spread these workers across the other occupational groups. As a result, data for San Joaquin is not comparable with that of the other five local governments included in our review.

\* The occupational groups are the categories local governments must use on the biennial EEO-4 report they submit to the federal Equal Employment Opportunity Commission.

in 1998 approved the creation of a temporary assistance pool in response to a growing need within the county for temporary staffing services. In 2004 the program was expanded to be more responsive to county needs for medical staffing and began recruiting per diem and on-call medical staff. According to county officials, the two branches of the program are now known as the TAP and the Medical Assignment Program, and they have become a comprehensive, flexible staffing solution that provides the county with a labor source for temporary, per diem, and on-call workers at a significant cost savings over the use of outside staffing agencies and registries. In our review of the personnel systems of the five other local governments, we did not find a program similar to Riverside's TAP.

### Scope and Methodology

The Joint Legislative Audit Committee (audit committee) requested that the Bureau of State Audits review the use of short-term and/or temporary employees by six California general law counties and cities. Specifically, the audit committee asked that we select six general law counties and cities to review, and that we determine how these local governments classify positions and how many

temporary employees are misclassified. The audit committee specified that we include the counties of Kern, Riverside, and San Joaquin in our review. In addition to these three counties, we selected Contra Costa County, as well as the cities of Escondido and Fremont to review. We selected these three local governments because they had the largest number of county or city employees relative to the other general law counties or cities that were not already included in the scope of our review.

The audit committee requested that for each of the six general law counties and cities we compare the number of temporary workers to the number of permanent workers and compare the wages and benefits of temporary workers to those of their permanent counterparts to the extent that such counterparts exist. The audit committee also asked that for the same six general law counties and cities we determine the average length of employment for temporary workers and whether this length complies with applicable requirements, whether temporary workers are performing duties that are legitimately temporary in nature, whether temporary workers are provided reasonable opportunities to become permanent employees, and the number of temporary workers who became permanent employees.

To determine how local governments classify positions, we reviewed state laws and local ordinances, personnel rules, and memoranda of understanding between the cities and counties and their respective employee organizations. We also interviewed staff with the human resources departments in the cities and counties we reviewed.

To determine how many temporary employees of the counties and cities in our review were misclassified or performing duties that might not have been legitimately temporary in nature, we reviewed city and county ordinances, personnel rules and regulations, and memoranda of understanding with employee organizations. As we explain more fully later in this section, we also analyzed data for the five years from 2003 to 2007 from the counties of Kern, Riverside, and San Joaquin<sup>7</sup> and the city of Escondido concerning the number of temporary workers in different job classifications, the length of time they spent in these classifications, and whether they secured permanent jobs with their local governments during this time period. In addition, we contacted representatives of local employee organizations to get their perspective on the use of temporary workers by the six cities and counties. We also obtained and analyzed data from the cities and counties regarding the length

<sup>7</sup> Data for San Joaquin were available only for pay periods ending between October 2003 and December 2007.

of time temporary employees worked in temporary positions compared to applicable allowable time frames for temporary employment. We followed up with city and county managers in those cases in which it was not clear whether the cities and counties had met applicable requirements.

To compare the numbers of permanent and temporary workers in the counties and cities reviewed, we identified these types of employees in payroll data for the five years from 2003 through 2007 that we obtained from the counties and cities, and we produced relevant statistics about them.

To compare the wages and benefits of temporary workers to those of their permanent counterparts, we reviewed pay schedules, local ordinances, personnel rules, and memoranda of understanding between the local governments and employee organizations, and interviewed local government staff.

To determine whether temporary workers in the counties and cities we reviewed were provided reasonable opportunities to become permanent employees, we reviewed local ordinances, personnel rules, and memoranda of understanding with employee organizations; interviewed staff with the human resources departments in the cities and counties; conducted a survey of those who were temporary employees of the counties and cities reviewed at some point between 2003 and 2007; and considered the data we developed from city and county payroll records concerning the number of temporary workers who became permanent employees between 2003 and 2007. We also analyzed data for 2003 to 2007 from the counties of Kern, Riverside, and San Joaquin and the city of Escondido concerning the number of temporary workers in different job classifications, the equivalent permanent job classifications, the length of time employees spent in these classifications, and the extent to which temporary workers got jobs in the equivalent permanent job classifications or other permanent job classifications.

The counties and cities included in our review provided payroll data we used to perform analyses regarding temporary workers. The U.S. Government Accountability Office, whose standards we follow, requires us to assess the sufficiency and appropriateness of computer-processed data. Based on our tests we found that the payroll data provided by the counties of Contra Costa, Riverside, and Kern, and the cities of Escondido and Fremont were sufficiently reliable for our purposes. However, data we obtained from San Joaquin were of undetermined reliability for our purposes because the county uses a paperless system and, therefore, we were unable to determine the accuracy of key data fields used in our analysis by tracing the data in them to source documents. However,

we performed an analysis that assured us that the San Joaquin data contained reasonable values in key data fields. We were also able to determine that the payroll data file the county provided us was complete.

To fulfill the audit objectives, we relied extensively on payroll data from the six local governments we reviewed. One of the primary tools we used to determine whether temporary employees had reasonable opportunities to get permanent jobs and the extent to which they took advantage of those opportunities was an aggregation of relevant data into a tabular format for four of the six entities. We created tables and related appendixes for the three counties specifically identified in the audit request—Kern, Riverside, and San Joaquin—and for one city, Escondido. We believe that focusing on these four entities provided us with sufficient information upon which to base our conclusions regarding the use of temporary employees by general law counties and cities. Appendix A provides a description of how to use the appendix tables.

In creating each appendix table, we first identified in the local government payroll data those temporary employees who did not receive employer-sponsored benefits (temporary employees) between 2003 and 2007, as these employees were the focus of the audit request. (In our analysis, we considered employees to be receiving employer-sponsored benefits if they were receiving retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.) We then identified the job classifications in which these temporary employees worked. Next we identified, for each local government, up to the top 20 classifications that employed the most temporary employees for 12 or more two-week pay periods during our review period. We used this time frame as a benchmark because temporary employees in several of the entities we reviewed become eligible for certain benefits after working 1,000 hours, which is 40 hours more than the 960 hours in 12 two-week pay periods of 80 hours each. These job classifications are the classifications we focused on for our data analysis in appendixes B through E.

The next step in our analysis was to determine whether, for the job classifications we identified, there existed equivalent job classifications with similar duties and responsibilities, or similar training, education, and experience requirements, that provided potential opportunities for temporary employees to secure employment with permanent status and/or benefits (permanent jobs). Many of the job classifications in which the most temporary employees were employed are classifications in which either a

temporary employee or permanent employee could work. In these cases, we considered the job classification a potential opportunity and an equivalent job classification in our analysis.

The final step in preparing appendixes B through E for our analysis was to add data showing how long the temporary employees remained in that status, whether the equivalent job classifications represented real potential opportunities based on the number of employees in the classifications between 2003 and 2007 and the number of permanent employees the entities hired in the classifications in the same time frame, and the number of temporary employees who secured employment with the local government between 2003 and 2007 in the equivalent job classification or any classification that offered permanent jobs.

# Chapter 1

## CONCERNS REGARDING POSSIBLE MISUSE OF TEMPORARY WORKERS BY LOCAL GOVERNMENTS GENERALLY WERE UNFOUNDED

### Chapter Summary

Concerns regarding the number of temporary employees hired by local governments, whether temporary employees were doing work that was actually long-term work and were, therefore, misclassified, and whether temporary employees had reasonable opportunities to become permanent employees prompted this audit. Generally, we could not validate these concerns during our review of the counties of Contra Costa, Kern, Riverside, and San Joaquin and the cities of Escondido and Fremont. This conclusion is based primarily on our detailed analysis of payroll data for 78 job classifications used in four of the entities we reviewed that employed thousands of temporary employees from 2003 through 2007.

We found that temporary employees in only 11 of the 78 job classifications (14 percent) appeared to have limited opportunities to move to permanent jobs, and that the local governments using these 11 classifications had reasonable explanations as to why they used primarily temporary workers in these classifications. The remaining job classifications either constituted true temporary jobs that generally lasted for a relatively short time, were per diem classifications in which most employees worked on a temporary basis by choice, or were classifications for which the temporary employees in them appeared to have good opportunities to get permanent jobs.

We also found that one local government, the city of Escondido (Escondido), was not appropriately monitoring the use of a temporary job classification called department specialist. Before February 2008 city departments were not required to obtain city manager approval to use the department specialist classification. Further, in the two instances in which the city manager approved the use of this classification since February 2008, it was not clear from available documentation why regular city job classifications were not used instead of the department specialist classification or why the requested salary levels for the two employees were approved.

Although we did not conduct a detailed analysis of temporary job classifications in the city of Fremont (Fremont) or Contra Costa County (Contra Costa), we noted that Contra Costa formed a committee in 2006 consisting of certain county management

employees and representatives of employee organizations to review issues pertaining to temporary workers. The committee submitted a report with recommendations to the county board of supervisors (board) in August 2008, suggesting that the county did not always limit its use of temporary employees to positions needed to fill its short-term workload needs and that the county sometimes replaced a temporary worker who had reached the limit on the allowable number of hours in a job classification with another temporary employee. According to the director of human resources, as of late March 2009, negotiations with a coalition of labor unions were ongoing to reach a final resolution regarding the committee's report recommendations.

### **Job Classifications We Reviewed Fell Into Four Categories**

In analyzing job classifications to determine whether temporary employees in them had opportunities to get permanent jobs and whether they did so, we placed each classification into one of four categories: true temporary classifications, per diem classifications, classifications with good opportunities, and classifications with limited opportunities. True temporary job classifications are those categorized as temporary by the local government. Other characteristics of classifications in this category include a short duration of employment and, in most cases, limited movement to permanent jobs. Per diem job classifications are classifications categorized as per diem by the local governments. As discussed in the Introduction, counties typically use per diem classifications for hard-to-fill health care occupations.

We define job classifications with good opportunities as those that have one or both of the following characteristics: (1) The number of employees hired between 2003 and 2007 in permanent jobs in the equivalent job classification was 70 percent or greater than the number of temporary employees in the job classification we were analyzing, indicating that permanent job openings existed in sufficient numbers; and (2) the percentage of temporary employees in the job classification we were analyzing who got permanent jobs in any job classification was 26 percent or greater, indicating that temporary employees had sufficient access to these permanent jobs.

We categorized job classifications with limited opportunities as those for which the number of employees hired between 2003 and 2007 in permanent jobs in the equivalent job classification was 30 percent or less than the number of temporary employees in the job classification we were analyzing, or those in which fewer than 18 percent of temporary employees in the job classification we were analyzing got permanent jobs in any job classification.

As shown in Table 4, most of the 78 job classifications we reviewed fell into the first three categories.

**Table 4**  
**Summary of Analysis of Job Classifications Containing the Greatest Numbers of Temporary Employees for Pay Periods Ending in 2003 Through 2007**

CATEGORY	NUMBER OF CLASSIFICATIONS	PERCENTAGE OF TOTAL CLASSIFICATIONS
True temporary	29	37%
Per diem	14	18
Good opportunities for permanent employment	19	24
Limited opportunities for permanent employment	16	21
<b>Totals</b>	<b>78</b>	<b>100%</b>

Source: Bureau of State Audits' analysis of payroll data provided by the city of Escondido, and the counties of Kern, Riverside, and San Joaquin.

Note: Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

### **About a Third of the Job Classifications We Reviewed in One City and Three Counties Were True Temporary Classifications**

Of the 78 job classifications we reviewed in detail in one city and three counties, 29 (37 percent) were true temporary classifications. These are identified in Table 5 on the following page. All of these job classifications were categorized by the city and counties as temporary or seasonal classifications. The temporary employees in more than half of the true temporary job classifications remained in them for only a relatively short period of time (less than 26 two-week pay periods), while other temporary employees in a small group of true temporary classifications tended to stay longer (34 two-week pay periods or longer). As indicated in Table 5, about half of these classifications did not have permanent equivalent job classifications.

#### ***Temporary Employees Tended to Remain in True Temporary Job Classifications for Only a Short Time***

Most temporary employees in true temporary job classifications remained in them for relatively short periods of time. In more than half of the true temporary job classifications, employees averaged less than one year in the job. Of the 29 job classifications we

**Table 5**  
Job Classifications in One City and Three Counties That Were True Temporary Classifications for Pay Periods Ending in 2003 Through 2007

JOB CLASSIFICATION	LOCAL GOVERNMENT	WAS THERE A PERMANENT EQUIVALENT CLASSIFICATION?	TEMPORARY EMPLOYEES*		AVERAGE NUMBER OF PAY PERIODS† THAT EMPLOYEES WERE PAID IN THIS CLASSIFICATION
			NUMBER IN THIS CLASSIFICATION	NUMBER WHO WORKED IN EVERY YEAR BETWEEN 2003 AND 2007	
School crossing guard	Escondido	Yes	35	12	62.7
Parking enforcement officer	Escondido	Yes	10	2	49.0
Principal recreation leader	Escondido	Yes	13	2	38.2
Department specialist/department aide	Escondido	Yes	10	1	34.0
Recreation specialist I	Escondido	Yes	89	5	32.2
Title V program assistant	Riverside	No	22	0	32.2
Probation assistant	San Joaquin‡	No	41	0	32.0
Service aide I	Riverside	No	336	20	29.0
Maintenance aide I	Escondido	Yes	10	0	27.7
Recreation leader II	Escondido	Yes	88	2	26.6
Community services program worker	San Joaquin‡	No	50	7	26.4
Park attendant I	Escondido	Yes	108	3	26.3
Recreation leader I	Escondido	Yes	202	1	25.2
Agricultural/weights and measures technician—extra help	Kern	Yes	88	12	24.5
Resident physician—postgraduate year 1	Kern	No	184	0	22.0
Intern	San Joaquin‡	No	102	0	21.9
Resident physician—postgraduate year 2	Kern	No	174	0	21.6
Resident physician—postgraduate year 3	Kern	No	167	0	21.5
Resident physician—first year	San Joaquin‡	No	79	0	21.5
Resident physician—second year	San Joaquin‡	No	71	0	20.3
Seasonal firefighter III	Kern	Yes	86	0	20.1
Park maintenance aide	San Joaquin‡	No	45	0	17.0
Professional student intern	Riverside	No	163	1	16.8
Water safety instructor	Escondido	Yes	36	0	15.9
Seasonal firefighter II	Kern	Yes	104	0	15.1
Student nursing assistant II	San Joaquin‡	No	79	1	14.7
Temporary assistant	Riverside	No	8,114	27	13.1
Seasonal firefighter I	Kern	Yes	132	0	12.7
Student nursing assistant III	San Joaquin‡	No	93	0	12.2

Sources: Payroll data from the counties of Kern, Riverside, and San Joaquin, and the city of Escondido. Payroll data for San Joaquin County is for pay periods ending between October 2003 and December 2007.

\* Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

† The pay periods for the entities included in our review were two weeks in length; therefore, 26 pay periods equal one year.

‡ The data we obtained from San Joaquin were of undetermined reliability for our purposes because the county uses a paperless system and, therefore, we were unable to determine the accuracy of key data fields used in our analysis by tracing the data in them to source documents. However, we performed an analysis that assured us that the San Joaquin data contained reasonable values in key data fields. We were also able to determine that the payroll data file the county provided us was complete.

identified as true temporary, the temporary employees in 17 of them (58 percent) worked on average fewer than 26 two-week pay periods, or one year, between 2003 and 2007. Of these, temporary employees in eight of the job classifications worked on average fewer than 20 two-week pay periods during our review period. These classifications include the seasonal firefighter I in Kern County (Kern), in which temporary employees averaged 12.7 two-week pay periods; the temporary assistant in Riverside County (Riverside), in which temporary employees averaged 13.1 two-week pay periods; the student nursing assistant III in San Joaquin County (San Joaquin), in which temporary employees averaged 12.2 two-week pay periods; and the water safety instructor in Escondido, in which temporary employees averaged 15.9 two-week pay periods.

#### ***A Small Number of Temporary Workers Appear to Choose to Remain in True Temporary Classifications***

Some temporary employees in true temporary job classifications appeared to choose to remain in them for relatively long periods of time. Among the job classifications that we identified as true temporary classifications, temporary employees remained in four classifications (14 percent) for an average of 34 two-week pay periods or longer between 2003 and 2007. The job classification in which temporary employees remained the longest was school crossing guard in Escondido, where employees stayed on average nearly 63 two-week pay periods, or about 2.4 years. In addition, 12 of the 35 temporary employees (34 percent) who worked in the school crossing guard classification did so every year from 2003 through 2007. Because of the part-time nature of the job and the length of time that temporary employees remained in the school crossing guard classification, we believe it is a good example of the fact that some temporary employees appear to prefer working in that capacity.

The other three job classifications in which temporary employees stayed for 34 pay periods or longer during our five-year review period also were classifications used by Escondido and include parking enforcement officer, principal recreation leader, and department specialist/department aide.

#### **Temporary Employees in Per Diem Job Classifications Frequently Have Opportunities for Permanent Jobs But Usually Do Not Take Them**

Per diem employees appear to prefer per diem status to permanent status and sometimes remain in that status for relatively long periods of time. Among the 78 job classifications we reviewed were 14 classifications (18 percent) identified as per diem classifications by their respective local governments. These classifications are

listed in Table 6. (There are no job classifications for San Joaquin in Table 6 because the county places both per diem and non-per diem employees in non-per diem classifications.)

**Table 6**  
Job Classifications in Two Counties That Use Per Diem Classifications for Pay Periods Ending in 2003 Through 2007

JOB CLASSIFICATION	LOCAL GOVERNMENT*	TEMPORARY EMPLOYEES <sup>†</sup>		NUMBER OF EMPLOYEES HIRED IN THE EQUIVALENT JOB CLASSIFICATION WITH PERMANENT STATUS AND/OR BENEFITS <sup>‡</sup>	PERCENT OF TEMPORARY EMPLOYEES <sup>†</sup> WHO MOVED TO A PERMANENT JOB CLASSIFICATION <sup>‡</sup>
		NUMBER WHO WORKED IN EVERY YEAR BETWEEN 2003 AND 2007	NUMBER IN THIS CLASSIFICATION		
Licensed vocational nurse II—per diem	Riverside	0	52	94	25%
Nursing assistant—per diem	Riverside	0	157	63	15
Psychiatrist II—per diem	Riverside	24	63	17	13
Psychiatrist III—per diem	Riverside	25	78	6	6
Radiologic technologist—per diem	Riverside	0	14	30	29
Registered nurse III—per diem	Riverside	0	214	217	12
Registered nurse II—per diem, as needed, regularly scheduled	Riverside	0	20	217	0
Registered nurse III—per diem, as needed, regularly scheduled	Riverside	0	60	374	0
Respiratory care practitioner II, registered—per diem	Riverside	0	29	26	28
Temporary assignment program registry nurse—per diem	Riverside	14	405	NA	21
Temporary assistant—per diem	Riverside	8	175	NA	28
Temporary assistant exempt—per diem	Riverside	0	37	NA	27
Per diem nurse I	Kern	5	117	191	17
Per diem nurse II	Kern	19	140	221	15

Sources: Payroll data from the counties of Kern and Riverside.

NA = Not applicable.

\* As indicated in the Introduction, cities generally do not use per diem employees and are, therefore, not included in this table.

<sup>†</sup> Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

<sup>‡</sup> Permanent job classifications are classifications in which employees have permanent status or the employer provides retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

Employees in per diem job classifications had good opportunities to compete for and secure permanent jobs in the counties we reviewed. As indicated in the Introduction, counties generally use the per diem classification to attract difficult-to-recruit health care workers. The per diem job classifications we reviewed, shown in Table 6, include nurses, psychiatrists, respiratory care practitioners, and radiological technologists. Of the 14 per diem job classifications, the temporary employees in eight of them had good opportunities for securing permanent jobs during our five-year review period as indicated by the number of individuals

hired into permanent jobs by the counties in the equivalent job classification we identified. For example, Kern hired 221 permanent employees in the equivalent job classification for the per diem nurse II classification between 2003 and 2007. During the same time period there were 140 temporary employees in the per diem nurse II classification. In another example, between 2003 and 2007, Riverside hired 217 permanent employees in the equivalent job classification for the registered nurse III per diem classification, while during the same time period there were 214 temporary employees in the registered nurse III per diem classification. In both of these instances, the large number of permanent employees hired in the equivalent job classifications relative to the number of temporary employees in the classifications we reviewed show that opportunities existed for temporary employees to seek permanent jobs.

Temporary employees in per diem job classifications generally did not take advantage of good opportunities to compete for and secure permanent jobs. For example, the percentage of temporary employees who moved to permanent jobs during our review period was 25 percent or greater for employees in five of the 14 per diem classifications. These five classifications, all in Riverside, include the radiological technologist per diem (29 percent), temporary assistant per diem (28 percent), and respiratory care practitioner II per diem (28 percent). Of the remaining nine per diem job classifications, the rates of movement to permanent jobs among the temporary employees in the classifications were less than 20 percent for eight of them. For three of these eight classifications, the rate was less than 10 percent.

Some temporary employees in per diem classifications remain in them a relatively long period of time. As indicated in Table 6, some temporary employees remained in the per diem nurse II classification in Kern, and in the psychiatrist II per diem and psychiatrist III per diem job classifications in Riverside for long periods of time, with 19 of the 140 employees (14 percent) in the per diem nurse II classification, 24 of the 63 employees (38 percent) in the psychiatrist II per diem classification, and 25 of the 78 employees (32 percent) in the psychiatrist III per diem classification working in the same classification in each of the five years in our review period.

#### **Temporary Employees in About a Fourth of the Job Classifications Had Good Opportunities to Get Permanent Jobs**

In addition to the temporary employees in the 14 per diem job classifications we reviewed having good job opportunities, the temporary employees in another 19 of the 78 job

classifications (24 percent) we reviewed also had good opportunities to get permanent jobs from 2003 through 2007. Table 7 lists these classifications. We based our evaluation of these opportunities on two criteria: (1) the number of individuals hired into permanent jobs by the city and counties in the equivalent job classifications we identified and (2) the percentage of temporary employees that the city and counties hired into permanent jobs in any job classification. As pointed out in the Introduction, several factors are involved in whether temporary workers get permanent jobs, including workers' personal preferences and competition among workers for available jobs.

**Table 7**  
**Job Classifications in One City and Three Counties That Offered Good Potential Opportunities for Permanent Jobs for Pay Periods Ending in 2003 Through 2007**

JOB CLASSIFICATION	LOCAL GOVERNMENT	TOTAL NUMBER OF TEMPORARY EMPLOYEES IN THIS JOB CLASSIFICATION*	NUMBER OF EMPLOYEES HIRED IN THE EQUIVALENT JOB CLASSIFICATION WITH PERMANENT STATUS AND/OR BENEFITS†	NUMBER OF TEMPORARY EMPLOYEES* HIRED IN THE EQUIVALENT PERMANENT JOB CLASSIFICATION† AS A PERCENTAGE OF THE TOTAL NUMBER OF TEMPORARY EMPLOYEES IN THE JOB CLASSIFICATION	PERCENT OF TEMPORARY EMPLOYEES* WHO MOVED TO A PERMANENT JOB CLASSIFICATION†
Correctional senior food service worker	Riverside	18	33	183%	17%
Group counselor I	Riverside	218	258	118	53
Group counselor II	Riverside	27	208	770	15
Public safety communication officer II	Riverside	12	57	475	83
Departmental aide	Kern	322	111	34	27
Eligibility worker	Kern	345	23	7	38
Group counselor I—probation—extra help	Kern	259	185	71	43
Juvenile corrections officer I	Kern	238	185	78	26
Medical support technician	Kern	234	163	70	20
Mental health recovery specialist I	Kern	216	79	37	46
Office services technician	Kern	278	896	322	39
Social service worker I	Kern	137	314	229	43
Maintenance specialist/maintenance trainee	Escondido	94	17	18	37
Maintenance worker	San Joaquin‡	41	38	93	46
Office assistant	San Joaquin‡	136	315	232	38
Office worker	San Joaquin‡	331	315	95	28
Shelter counselor I	San Joaquin‡	74	30	41	26
Staff nurse II—inpatient	San Joaquin‡	51	59	116	33
Staff nurse IV—inpatient	San Joaquin‡	99	93	94	24

Sources: Payroll data from the counties of Kern, Riverside, and San Joaquin, and the city of Escondido. Payroll data for San Joaquin County is for pay periods ending between October 2003 and December 2007.

\* Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

† Permanent job classifications are classifications in which employees have permanent status or the employer provides retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays. To see how many temporary employees got permanent jobs in the equivalent classification, see appendixes B through E.

‡ The data we obtained from San Joaquin were of undetermined reliability for our purposes because the county uses a paperless system and, therefore, we were unable to determine the accuracy of key data fields used in our analysis by tracing the data in them to source documents. However, we performed an analysis that assured us that the San Joaquin data contained reasonable values in key data fields. We were also able to determine that the payroll data file the county provided us was complete.

The number of permanent employees the city and counties hired in equivalent job classifications reflected good opportunities for temporary employees to compete for and secure permanent jobs. Of these 19 classifications, 14 met the first criterion; specifically, the number of individuals hired as permanent employees was at least 70 percent of the number of temporary employees in the classifications during the same time period. For example, Riverside hired 258 permanent employees during our review period in the equivalent job classification for group counselor I, which was 118 percent of the 218 temporary employees in the group counselor I classification between 2003 and 2007. In another example, Kern hired 185 permanent employees from 2003 to 2007 in the equivalent job classification for juvenile corrections officer I. This was 78 percent of the 238 temporary employees in the juvenile corrections officer I classification during the same time period.

The number of temporary employees the city and county hired as permanent in any job classification was also an indicator of good opportunities for temporary employees to compete for and secure permanent jobs. Of the 19 classifications that we determined offered good opportunities for securing permanent employment, 15 met the second criterion, in which 26 percent or more of temporary employees were hired into permanent jobs in any classification during the review period. As shown in Table 7, these percentages ranged from 26 percent for temporary employees in Kern's juvenile corrections officer I and San Joaquin's shelter counselor I job classifications to 83 percent for temporary employees in Riverside's public safety communication officer II classification.

### **Temporary Employees in About a Fifth of Job Classifications Had Limited Opportunities to Get Permanent Jobs**

The temporary employees in 16 of the 78 job classifications (21 percent) we reviewed did not appear to have good opportunities to get permanent jobs. These classifications are listed in Table 8 on the following page.

To determine which job classifications did not appear to offer good opportunities for permanent jobs, we relied primarily on the two criteria used in the previous section (the number of individuals hired into permanent jobs in equivalent job classifications and the percentage of temporary employees in the classifications who secured any permanent job with the local government) as well as the total number of permanent employees in equivalent job classifications and the average number of pay periods temporary employees stayed in the job classifications.

The temporary employees in five of these 16 job classifications either did not remain in them very long or were in a health care-related classification and thus most likely chose temporary status. For example, even though the building services worker I, the office services assistant, and the nursing attendant classifications in Kern did not appear to offer good opportunities, temporary employees remained in these classifications for a relatively short period of time, only about 18 two-week pay periods. In addition, the licensed vocational nurse and the staff nurse III-inpatient job classifications in San Joaquin that did not appear to be good opportunities can be filled by temporary per diem employees who tend to select that status based on personal preferences.

**Table 8**  
Job Classifications in One City and Two Counties That Offered Limited Opportunities for Permanent Jobs for Pay Periods Ending in 2003 Through 2007

JOB CLASSIFICATION	LOCAL GOVERNMENT	TEMPORARY EMPLOYEES*		AVERAGE NUMBER OF PAY PERIODS <sup>†</sup> THAT EMPLOYEES WERE PAID IN THIS CLASSIFICATION	NUMBER OF EMPLOYEES HIRED IN THE EQUIVALENT JOB CLASSIFICATION WITH PERMANENT STATUS AND/OR BENEFITS <sup>‡</sup>	NUMBER OF EMPLOYEES WHO WORKED IN THE EQUIVALENT JOB CLASSIFICATION WITH PERMANENT STATUS AND/OR BENEFITS <sup>‡</sup>	PERCENT OF TEMPORARY EMPLOYEES* WHO MOVED TO A PERMANENT JOB CLASSIFICATION <sup>‡</sup>
		NUMBER IN THIS CLASSIFICATION	NUMBER WHO WORKED IN EVERY YEAR BETWEEN 2003 AND 2007				
Building services worker I	Kern	171	0	17.8	27	39	14%
Nursing attendant	Kern	394	3	16.2	93	187	24
Office services assistant	Kern	791	5	18.1	368	368	17
Department specialist/ library associate	Escondido	43	7	57.5	2	12	5
Maintenance specialist/ custodian I	Escondido	42	5	53.8	10	15	17
Circulation assistant	Escondido	33	6	46.8	8	11	0
Library page	Escondido	30	7	49.2	9	12	0
Ranger specialist	Escondido	21	3	48.6	2	4	14
Park attendant II	Escondido	21	2	36.0	2	3	5
Department specialist	Escondido	198	10	28.3	8	8	12
Food service worker I	San Joaquin <sup>§</sup>	121	13	32.5	5	20	7
Housekeeping service worker	San Joaquin <sup>§</sup>	116	13	30.9	30	93	16
Licensed vocational nurse	San Joaquin <sup>§</sup>	75	7	25.8	21	49	15
Nursing assistant	San Joaquin <sup>§</sup>	211	45	40.6	25	57	16
Outpatient clinic assistant	San Joaquin <sup>§</sup>	131	34	51.8	17	58	15
Staff nurse III—inpatient	San Joaquin <sup>§</sup>	283	28	29.8	162	287	17

Sources: Payroll data from the counties of Kern and San Joaquin, and the city of Escondido. Payroll data for San Joaquin County is for pay periods ending between October 2003 and December 2007.

\* Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

† The pay periods for the entities included in our review were two weeks in length.

‡ Permanent job classifications are classifications in which employees have permanent status or the employer provides retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

§ The data we obtained from San Joaquin were of undetermined reliability for our purposes because the county uses a paperless system and, therefore, we were unable to determine the accuracy of key data fields used in our analysis by tracing the data in them to source documents. However, we performed an analysis that assured us that the San Joaquin data contained reasonable values in key data fields. We were also able to determine that the payroll data file the county provided us was complete.

For the 11 remaining job classifications (14 percent of the 78 job classifications) that did not appear to offer good opportunities, the city and counties generally hired few employees in the equivalent job classifications. The number of permanent employees hired by Escondido and San Joaquin in the equivalent job classifications was low or very low. In eight of these classifications, the city and the county hired only between two and 10 permanent employees in the equivalent classifications between 2003 and 2007. The exceptions were the housekeeping service worker, the outpatient clinic assistant, and the nursing assistant classifications in San Joaquin, for which the county hired between 17 and 30 employees in the equivalent permanent classifications.

Another characteristic shared by the 11 job classifications that did not offer good opportunities for permanent employment was the fact that the temporary employees in these classifications tended to remain in them for a relatively long period of time during our review period. On average, the temporary employees in these 11 classifications were in them for periods ranging from 28.3 two-week pay periods for the department specialist classification in Escondido to 57.5 two-week pay periods for the department specialist/library associate classification in Escondido.

Finally, the percentage of temporary employees in the 11 job classifications who secured a job with permanent status in any classification was low. The percentages ranged from zero for the library page and circulation assistant job classifications to 17 percent for the maintenance specialist/custodian I classification, all of which are Escondido job classifications.

We requested information from Escondido and San Joaquin regarding the classifications we identified as not offering good opportunities for permanent jobs. With the exception of the department specialist classification in Escondido, which we discuss in the next section, both of these local governments provided reasonable explanations for why they are following their current practices with these job classifications. The human resources manager in Escondido informed us that the city uses part-time employees<sup>8</sup> in the six classifications we asked about to augment full-time staff and to work in assignments that require less time. As an example of an assignment that requires less time, the human resources manager referred to the cleaning of the city's off-site buildings, which require four hours of cleaning. In addition, according to the human resources manager, for budgetary reasons

*For the 11 job classifications that did not appear to offer good opportunities, the city and county generally hired few employees in the equivalent permanent job classification.*

<sup>8</sup> In Escondido, part-time levels 2, 3, and 4 employees are temporary employees.

many current vacancies in full-time positions have been frozen, and part-time staff are supplementing full-time staff to meet the city's workload.

The director of human resources for San Joaquin informed us that the primary reasons that San Joaquin has used temporary employees in the four classifications we inquired about center around a need for staffing flexibility in 24-hour facilities with fluctuating workloads, such as the county hospital. She indicated that this flexibility in staffing is especially critical to the 24-hour operations where workload fluctuations require the ability to increase or decrease staffing to meet the operation's needs and to do so in a fiscally responsible manner.

### **Escondido Is Not Properly Monitoring the Use of the Department Specialist Classification**

*Escondido paid 198 employees in a part-time, temporary job classification—department specialist—during a five-year period. As of July 29, 2008, the city reported that it had 76 department specialist positions in various city departments with hourly pay that ranged from \$8.50 to \$100 per hour.*

As shown in Table 8 on page 26, Escondido paid 198 employees in the department specialist job classification during the five-year period 2003 through 2007. This is a part-time, temporary job classification for which the duties and pay for each position are defined by the individual city departments. As of July 29, 2008, the city reported that it had 76 department specialist positions in various city departments, with hourly pay that ranged from a low of \$8.50 per hour to a high of \$100 per hour. The \$100-per-hour rate was for an individual providing services as the city's chief negotiator for labor contracts. Escondido has other department specialist job classifications, such as the department specialist/library associate classification shown in Table 8, but these classifications are for positions whose duties are related to existing job classifications and whose salary ranges and increases are the same as those of the related permanent classifications.

According to the Escondido human resources manager, the department specialist classification has a wide range of duties that depend on the individual department's needs. Additionally, the human resources manager indicated that Escondido has many department specialists because each city department has unique needs that cannot be met by employees in other city job classifications. The human resources manager also initially indicated that the city manager gives final approval for department specialist positions after the requesting city department makes an hourly rate recommendation based on the employee's duties and current market data. The human resources manager stated that the city has no set upper limit on the hourly rate that a department may request for department specialists. According to the human resources manager, the human resources department provides verbal and written guidance on how to use

the department specialist classification and reviews department requests to use the classification. Although the city has general written guidance applicable to all part-time job classifications, including the department specialist, it has not developed written guidance concerning when to use the department specialist classification or how to determine the hourly wage rates paid to department specialists.

We asked Escondido for the documentation submitted requesting approval for nine department specialist positions the city had in July 2008. The Escondido human resources manager informed us that city departments were not required to have city manager approval to use the department specialist classification until February 2008. Only two of the nine individuals we asked about obtained city manager approval to work as a department specialist after February 2008. For these two individuals, Escondido provided copies of e-mails showing that the city manager approved the requests to use the department specialist classification. The e-mails did not explain why the requesting department needed to use a department specialist classification instead of an existing city job classification, nor did they support the salary being requested. A separate spreadsheet provided to us by Escondido shows an hourly rate of \$60 for each employee and a general description of duties—interim real property manager in the engineering department in one case, and an investigator in internal affairs in the police department in the other case.

Escondido also provided us with an e-mail from July 2007 showing that the city manager approved a department specialist position for a city employee who was retiring and being rehired at \$100 an hour as a labor negotiator. No explanation was offered in the e-mail or on the spreadsheet the city provided explaining why this individual needed to be rehired or why the city agreed that the hourly rate was fair. The city also provided us with memoranda from 1999 and 2001 requesting approval to hire a former city employee as a department specialist. Initials on both memoranda indicate that the requests were approved. Both of these documents offered reasons why the person was needed and why the requested hourly salary, \$35 in 1999 and \$50 in 2001, was appropriate. The 2001 document contains a statement indicating that approval of the city manager is required for an increase in hourly salary.

Although, according to the city's human resources manager, the human resources department provides other city departments with guidance regarding the department specialist classification, we saw no documentary evidence of this guidance. In addition, given the lack of documentation, it is not clear how the city determines appropriate salary levels for department specialist positions.

### **Contra Costa Formed a Labor-Management Committee to Evaluate the County's Use of Temporary Employees**

We did not do an in-depth analysis of the job classifications in which temporary employees in Contra Costa were employed. However, we noted that in 2006 Contra Costa agreed to form a committee consisting of certain county management employees and representatives of four employee organizations to meet on issues pertaining to temporary workers, contract employees, student interns, and agency temporary employees.<sup>9</sup> According to Contra Costa's director of human resources, the employee organizations included on the committee represent a significant portion of the county's temporary employees. The committee was charged with reviewing how the county was using temporary employees and making draft recommendations for the county board.

The committee submitted its report and recommendations to the board in August 2008. The committee made the following recommendations:

- Contra Costa may employ temporary employees only for certain specified reasons.
- The county may use agency temporaries only for specific reasons when no permanent or temporary employees are available to perform the work.
- The county shall not use contract employees to perform bargaining unit work.
- Independent contractors shall not perform bargaining unit work.
- The county shall ensure that student workers or interns are enrolled in a school as active students and are performing work related to their course of study.
- The county shall not replace a temporary employee who has worked in excess of established hourly limits with another temporary employee, under most circumstances.

The committee's recommendations suggest some areas that the county management employees and employee organizations agreed were areas of concern regarding Contra Costa's use of temporary employees. One area of concern appeared to be that the county did

<sup>9</sup> Agency temporaries are workers employed by private employment agencies who work for limited periods of time for the county.

not always limit its use of temporary employees to its short-term workload needs. Another appeared to be that the county sometimes replaced a temporary worker who had reached the limit on the number of hours the employee could work in a job classification with another temporary employee.

According to the director of human resources, as of late March 2009, negotiations with a coalition of labor unions were ongoing to reach a final resolution to the committee's report recommendations. The human resources director also indicated that the number of county temporary positions has decreased from 645 in April 2005 to 65 in March 2009 and that the county has pledged to eliminate the remaining 65 positions by December 2009.

### The Rates of Temporary Employees Moving to Permanent Jobs Were Lower in the Cities Than in the Counties

We noted that in the two cities we reviewed, Escondido and Fremont, lower percentages of temporary employees secured permanent jobs or jobs with benefits than in any of the counties. As shown in Table 9 on the following page, between 2003 and 2007, temporary employees in the Riverside workforce secured permanent jobs at the highest rate, 37.9 percent, among the six local governments included in our review, while temporary employees of Fremont secured permanent jobs at the lowest rate, 8.5 percent. This disparity between the cities and counties is not surprising, as the data in Table 2 on page 9 show that the workforces in the two cities we reviewed contained higher percentages of temporary employees than those in any of the counties, and, therefore, fewer permanent job opportunities for which temporary workers could compete.

### A Survey of Temporary Workers From the Six Local Governments Revealed a Range of Perspectives on Temporary Employment

We surveyed 594 temporary workers from the six local governments and received 230 responses, for an overall response rate of 39 percent. Response rates by local government, as well as the percentages of undeliverable surveys, are shown in the text box.

Respondents to our survey from the cities were more likely than respondents from the counties to be temporary employees by their own choice and less likely to have applied for permanent jobs with

#### Survey Response and Undeliverable Survey Rates

CITY/COUNTY	RESPONSE RATE	UNDELIVERABLE RATE
Escondido	45%	11%
Fremont	50	2
Contra Costa	40	5
Kern	32	1
Riverside	31	7
San Joaquin	35	6

Source: Bureau of State Audits' survey of temporary employees in six local governments.

**Table 9**  
**Temporary Employees Without Benefits of Six Local Governments Who Secured Permanent Jobs or Jobs With Benefits Between 2003 and 2007**

LOCAL GOVERNMENT	NUMBER OF TEMPORARY EMPLOYEES* BETWEEN 2003 AND 2007	NUMBER OF TEMPORARY EMPLOYEES* WHO SECURED PERMANENT JOBS OR JOBS WITH BENEFITS	PERCENTAGE OF TEMPORARY EMPLOYEES* WHO SECURED PERMANENT JOBS OR JOBS WITH BENEFITS
<b>County</b>			
Contra Costa	4,608	929	20.2%
Kern	7,823	2,297	29.4
Riverside	10,009	3,795	37.9
San Joaquin <sup>†</sup>	3,540	690	19.5
<b>City</b>			
Escondido	1,084	109	10.1
Fremont	1,077	92	8.5

Sources: Payroll data from the counties of Contra Costa, Kern, Riverside, and San Joaquin, and the cities of Escondido and Fremont. Payroll data for San Joaquin County is for pay periods ending between October 2003 and December 2007.

\* Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

<sup>†</sup> The data we obtained from San Joaquin were of undetermined reliability for our purposes because the county uses a paperless system and, therefore, we were unable to determine the accuracy of key data fields used in our analysis by tracing the data in them to source documents. However, we performed an analysis that assured us that the San Joaquin material contained reasonable data in key fields. We were also able to determine that the payroll data file the county provided us was complete.

their local government employers. In Kern, Riverside, Contra Costa, and San Joaquin counties, 36 percent of those who responded to the survey indicated that they chose to be temporary workers rather than permanent workers, and of the 138 respondents, 37 percent stated that they had remained temporary workers from our audit period until the time they responded to our survey. In contrast, 74 percent of the temporary workers from the cities of Escondido and Fremont who responded indicated that they chose that status, and of the 92 respondents, 57 percent remained as temporary workers. Moreover, among the survey respondents, 62 percent of the county temporary workers indicated that they had taken examinations required to get a permanent position, compared to 21 percent of the temporary workers employed by the cities. In addition, 60 percent of the county workers responding indicated that they had applied for specific permanent jobs with their local governments, compared to 21 percent of the temporary workers employed by the cities.

A relationship appears to exist between a temporary worker's belief that there is sufficient opportunity to become a permanent employee and the level of contact or interviews provided by county

governments when permanent jobs become available. On average, 49 percent of the temporary employees responding from Kern and Riverside stated they have sufficient opportunities to become permanent employees and, on average, 67 percent of these workers believe that being a temporary worker improves their chances of obtaining permanent employment. Among respondents from both of these counties, 62 percent, on average, also indicated that they have been contacted or interviewed for permanent jobs with their respective local governments. In contrast, 28 percent of the respondents from San Joaquin and Contra Costa believe they have sufficient opportunities to become permanent employees, and 53 percent believe that being a temporary worker improves their chances of obtaining permanent employment. The respondents from these two local governments also indicated that, on average, 43 percent have been contacted by or interviewed for permanent jobs with their respective local governments. Because a lower percentage of the survey respondents from Escondido and Fremont indicated that they took examinations for permanent job classifications, fewer could expect to be contacted regarding permanent jobs than was the case for temporary employees in the counties. Complete results of the employee survey are in Appendix F.

### **Recommendations**

To help ensure that its department specialist job classification is used consistently and appropriately, Escondido's human resources department should ensure decisions to use the classification, including the salary level for each position, are approved and fully documented.

To address issues identified by the joint management-labor committee created to review Contra Costa's use of temporary employees, the county should continue negotiations with employee organizations to reach resolution regarding the committee's recommendations.

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## Chapter 2

### LOCAL GOVERNMENTS HAVE DIFFERENT APPROACHES FOR COMPENSATING TEMPORARY WORKERS AND LIMITING HOW MUCH THEY MAY WORK

#### Chapter Summary

Our review of the wages paid to temporary employees in four counties and two cities found that the wage rates for temporary employees of four of the six local governments were the same as the wage rates for permanent employees doing the same work. In the two other local governments, temporary workers generally are paid hourly wages at the first step in the pay scale of their job classification and generally do not have the opportunity for pay increases. In addition, temporary workers in Riverside County's (Riverside) Temporary Assignment Program (TAP) generally earn hourly wages that are 5.5 percent less than the first step of the pay scale of employees who are in a comparable county classification. We also found that per diem employees typically earn higher hourly wages than their permanent counterparts.

In contrast to wages paid being similar, the local governments we reviewed provide significantly fewer benefits to their temporary employees than they provide to their permanent employees and at-will management employees. Most permanent workers and at-will management employees are eligible to receive a wide range of employer-sponsored benefits, most commonly including retirement plan contributions, health insurance, dental insurance, vision care, vacation, sick leave, and paid holidays. However, none of the local governments provide temporary employees all of the common benefits previously listed and most often provide some benefits to temporary employees only after they have worked for specified periods of time.

Finally, our review of whether temporary workers worked beyond the limits set by their local governments found that this occurred in five of the six local governments during our review period, although the number of instances was significant in only two local governments, Contra Costa County (Contra Costa) and Riverside. When we asked these two counties for information regarding a sample of the employees that appeared to have exceeded their limits, both offered explanations for nearly all of them, including that the extra time may have been or had been authorized, or that the employees involved were per diem employees who are not subject to the county's limits. For the other three entities that had smaller numbers of staff who exceeded limits, most of the instances were authorized, involved the local government employing a

certain number of staff to achieve mandatory staffing requirements in a health care facility, or were temporary situations involving short-term understaffing or peak workload demand. Kern County (Kern) was the only local government we reviewed in which none of the temporary employees exceeded their established limits during our review period.

### **The Hourly Wages of Temporary Workers in Six Cities and Counties Are Frequently at the Same Level as the Wages of Comparable Permanent Workers**

In the city of Fremont (Fremont), Kern, and San Joaquin County (San Joaquin), temporary workers, other than “extra-help” workers in Kern, are paid at the same wage rates as permanent workers in those job classifications in which both temporary and permanent employees may work. (Benefits for temporary workers are discussed later in this chapter.) The wages of the temporary employees are prorated based on the percentage of time they work. In addition, these temporary employees, excluding those classified as extra help in Kern, are eligible for the same merit and step pay increases as permanent employees.

*In Escondido, temporary part-time workers doing work similar to that done by permanent workers, but not the same job, are not guaranteed to be placed at the same wage rates as the permanent workers.*

In the city of Escondido (Escondido), temporary part-time workers who do the same jobs as permanent workers are placed at the same wage rates and receive the same salary and merit increases as permanent workers. In contrast, temporary part-time workers doing work similar to that done by permanent workers, but not the same job, are not guaranteed to be placed at the same wage rates as the permanent workers and are not eligible for negotiated salary increases, but they are eligible for merit pay increases. Escondido classifies temporary part-time employees into three levels: levels 2, 3, and 4. Temporary part-time employees in levels 2 and 4 may perform work similar to permanent employees and may work up to either 1,000 hours or 1,500 hours, depending on their level, in a given fiscal year. Level 3 temporary part-time employees do the same jobs as permanent employees and work less than 1,000 hours in a fiscal year. According to the city’s human resources manager, the city uses the three-level classification system to classify its temporary part-time employees based on their job duties and on how many hours the employee is expected to work during a fiscal year. The main reason the city tracks employee hours is to ensure that it enrolls in the California Public Employees’ Retirement System (CalPERS)<sup>10</sup> all temporary employees who work more than 1,000 hours in a fiscal year, as required by Section 20305 of the California Government Code.

<sup>10</sup> As discussed in the Introduction, local governments may elect to contract with CalPERS for retirement benefits for their employees. We discuss retirement benefits later in this chapter.

In Riverside and Contra Costa, temporary workers generally are paid hourly wages at the first step in the pay scale of their job classifications and, except for temporary employees of Contra Costa represented by two employee organizations, do not have the opportunity for pay increases. In addition, temporary workers in the Riverside TAP generally earn hourly wages that are 5.5 percent less than the first step of the pay scale of employees who are in a comparable county classification. However, according to officials at Riverside, TAP employees actually take home more money than their permanent counterparts because they are not covered by the federal Social Security program and therefore do not pay Social Security taxes, and they have different and less costly retirement benefits than those of permanent workers. In some instances, temporary workers in Contra Costa may earn hourly wages that are higher than the first step in the pay scale of their job classifications when the county certifies that it cannot fill a position at the minimum hourly rate.

#### **Temporary Employees Compensated on a Per Diem Basis Are Paid at Higher Rates Than Their Permanent Counterparts**

As described in the Introduction, all of the counties we reviewed use a class of temporary employee referred to as *per diem* to attract difficult-to-recruit health care workers. Generally, per diem employees have more flexibility than permanent employees in choosing the days and times they work. These employees typically do not receive benefits but instead earn higher wages than their permanent counterparts who do receive benefits. For example, in Riverside a registered nurse per diem I earns an hourly rate of \$35.64, which equates to \$6,177 monthly, while the monthly salary range for a permanent registered nurse I is \$4,026 to \$4,602. In another example, a per diem pharmacist who works for Kern is paid a flat hourly rate of \$73.14, which equates to about \$12,678 per month for full-time work, compared to the monthly salary range for a pharmacist in Kern of \$9,112 to \$11,130.

#### **Temporary Workers Are Less Likely Than Other Workers to Have Employer-Sponsored Benefits**

The local governments we reviewed provide significantly fewer benefits to their temporary employees than they provide to their permanent employees and at-will management employees. Most permanent workers and at-will management employees are eligible to receive a wide range of employer-sponsored benefits, most commonly including retirement plan contributions, health insurance, dental insurance, vision care, vacation, sick leave, and paid holidays. However, none of the local governments provide

temporary employees all of the benefits and most often only provide benefits to temporary employees after they have worked for specified periods of time.

Even though local governments provide relatively few benefits to temporary employees, they are eligible for certain common benefits from some local governments. For example, excluding those classified as “extra help,” Kern’s temporary workers receive all of the common benefits except for retirement.

In Fremont, according to the deputy city manager, temporary employees who are represented by the Fremont Association of City Employees (Fremont employees’ association) or the Operating Engineers Local Union Number 3 (OE3) and who are expected to do work more than 1,000 hours during their term of employment are eligible for city-sponsored health and dental benefits, general leave, and paid holidays. According to the deputy city manager, the Fremont employees’ association and OE3 represent a majority of the temporary employees. Temporary employees represented by the Fremont employees’ association and OE3 who are expected to work fewer than 1,000 hours during their term of employment receive additional pay equaling 15 percent of their base salary in lieu of receiving city-sponsored benefits.

In San Joaquin, some temporary employees receive employer-sponsored health benefits in a county-specified plan after working an average of 50 hours per biweekly pay period in the previous year, with 3,120 total hours of unbroken service. Health benefits are for the employees only, not their families, and participation in the plan is mandatory for eligible employees.

***Some temporary workers become eligible for retirement benefits through contracts the local government entities have with CalPERS.***

Some temporary workers become eligible for retirement benefits through contracts the local government entities have with CalPERS. As indicated in the Introduction, Escondido, Fremont, and Riverside<sup>11</sup> contract with CalPERS to provide retirement benefits to their employees, including temporary employees, after they work 1,000 hours in a fiscal year. Escondido’s temporary part-time levels 3 and 4 employees expected to work fewer than 1,000 hours in a fiscal year are enrolled in a different retirement system designed as an alternative to Social Security.

<sup>11</sup> Riverside’s contract with CalPERS excludes its per diem employees from enrolling in CalPERS.

### Most Local Governments Had Temporary Workers Who Worked Beyond the Established Limits, but Only Two Had Significant Numbers of Such Instances

We reviewed the counties' and cities' use of temporary workers to determine whether temporary workers exceeded the particular limits for their local government and whether local government officials obtained appropriate approvals authorizing such work on such occasions. As shown in Table 10, all of the local entities except Kern had temporary workers whose number of hours or length of time worked exceeded applicable limits during the specified time frame. However, the number of instances was significant only for two local governments, Contra Costa and Riverside.

**Table 10**  
Number of Temporary Workers Exceeding Local Limits in Six Local Governments

LOCAL GOVERNMENT	TYPE OF TEMPORARY WORKER	APPLICABLE LIMIT	TIME FRAME	PERIOD REVIEWED*	NUMBER OF TEMPORARY EMPLOYEES WHO APPEARED TO EXCEED THE LIMIT	NUMBER OF TEMPORARY EMPLOYEES WHO WERE AUTHORIZED TO EXCEED THE LIMIT
<b>County</b>						
Contra Costa	Temporary	1 year	Any consecutive 12 months	2006	113	†
Kern	Extra help	9 months	Any consecutive 9 months	2006	0	NA
Riverside	Temporary‡	1,000 hours per assignment	Fiscal year	Fiscal year 2006–07	492	†
San Joaquin	Temporary§	1,560 hours	Calendar year	2007	18	0
<b>City</b>						
Escondido	Temporary part-time	1,500 hours	Fiscal year	Fiscal year 2006–07	17	17
Fremont	Temporary part-time	1,040 hours	Any consecutive 12 months	2007	18	0
	Temporary (Fremont Association of City Employees)	4,160 hours	Per assignment	2003 through 2007	2	1
	Temporary (Operating Engineers Local Union Number 3)	2 years	Per assignment	2003 through 2007	2	0

Sources: Payroll data from the counties of Contra Costa, Kern, Riverside, and San Joaquin, and the cities of Escondido and Fremont.

NA = Not applicable.

\* The period reviewed varies among entities to ensure we included sufficient employees to review.

† Because of the large number of employees who appeared to exceed the limits in Contra Costa and Riverside counties, we selected samples of employees to follow up on. Our results are described in the next two subsections.

‡ Includes both temporary employees in the Temporary Assignment Program who may work up to 1,000 hours per assignment and temporary workers assigned to county departments who may work up to 1,000 hours of substantially continuous service in the same capacity each fiscal year.

§ Includes seasonal temporary employees who have a time limit of 7 months each calendar year.

***Riverside Needs to Ensure That Temporary Employees Exceed Applicable Hour Limits Only When Approved***

Riverside had the largest number of temporary employees, 492 in fiscal year 2006–07, who exceeded the applicable limit of 1,000 hours per fiscal year for its temporary employees. According to a county ordinance, temporary workers budgeted to departments must have approval from the county board of supervisors (board) to work more than 1,000 hours of substantially continuous service in the same capacity in a fiscal year. Similarly, temporary workers in the TAP must have approval from the director of human resources to work more than 1,000 hours per assignment in a fiscal year.

We took a sample of 39 of these employees and requested information from Riverside concerning whether the departments obtained necessary authorizations for the employees to exceed the 1,000-hour limit. Our sample included 20 temporary assistants in the TAP and 19 department temporary employees in the group counselor I classification. We selected employees from these two classifications because they represented 97 percent of the 492 employees who exceeded the 1,000-hour limit.

For the temporary assistants in the TAP, Riverside informed us that 18 of the 20 individuals in our sample were actually employees in the county's on-call per diem medical registry who were classified in fiscal year 2006–07 as temporary assistants. Per diem employees are not subject to the 1,000-hour limit. According to Riverside, in about June 2008 it updated the computer software program it uses to manage its human resources so that it correctly identifies the on-call per diem employees. Riverside also informed us that the remaining two TAP employees had worked beyond the 1,000-hour limit without receiving appropriate authorization from the director of human resources. According to Riverside, these two employees worked in a hospital setting where many hours of overtime were required because of critical hospital needs, including patient safety.

***Two of the 19 employees worked more than 2,000 hours—one working 2,615 hours and the other working 2,326 hours—with neither employee having received authorization to work more than 2,000 hours.***

For the 19 temporary employees in the group counselor I job classification, we determined that the board approved all of the employees to work 1,000 hours over the 1,000-hour limit, up to a maximum of 2,000 hours. However, two of the 19 employees worked more than 2,000 hours—one working 2,615 hours and the other working 2,326 hours—with neither employee having received authorization to work more than 2,000 hours.

***Contra Costa Needs to Strengthen Its Policies Regarding Temporary Employees Who Work Beyond Its One-Year Limit***

Contra Costa had 113 temporary employees in 2006 who exceeded the county's one-year limit on working in a temporary capacity. Contra Costa's personnel regulations allow the county director of human resources to authorize the reappointment of a temporary employee if certain conditions are met or for other reasons satisfactory to the director.

We reviewed a sample of 15 of the 113 temporary employees in Contra Costa who exceeded the limit; the county informed us that 14 of these employees may have been approved to work beyond the one-year limit and that the remaining employee did not exceed the limit due to a one-day break in service. For 14 of the 15 employees, the county was unable to tell us definitively whether the employees had been approved to work beyond the one-year limit, in part because its personnel regulations do not require that such authorizations be in writing.

As mentioned in Chapter 1, in 2006 Contra Costa agreed to form a management-labor committee to review the county's use of temporary employees. The committee submitted a report to the board in August 2008 that stated, among other things, that many temporary employees represented by four employee organizations worked more hours than the applicable memoranda of understanding (MOUs) allow. Among other recommendations in the report, the committee recommended that Contra Costa comply with the hour limits in the applicable MOUs and not replace a temporary employee who works in excess of the MOU limits with another temporary employee except as expressly provided in the applicable MOU. According to the director of human resources, as of late March 2009, negotiations with a coalition of labor unions were ongoing to reach a final resolution to the recommendations in the committee's report.

***San Joaquin Needs to Ensure That County Departments Properly Monitor Hours and Obtain Authorization for Temporary Employees Who Work Over the Limit***

In San Joaquin 18 temporary employees exceeded the county's 1,560-hour limit during 2007, and none of them had the required authorization to do so. San Joaquin's civil service rules and regulations specify a limit on the length of employment of one day less than nine months in any 12-month period for temporary employees. According to San Joaquin's human resources director, this limit is interpreted as 1,560 hours per employee in a calendar year.

***San Joaquin distributes reports to each department that list the hours worked by their current temporary employees and provides trending estimates. However, we found 18 temporary employees exceeded the county's limit during 2007 without authorization.***

The human resources director indicated that each department is responsible for monitoring the hours worked by temporary employees to ensure that they do not exceed 1,560 hours in a calendar year. Each quarter the labor relations division distributes a report to each department that lists their current temporary employees along with the hours each one has worked up to that point in the calendar year. The report also provides a trending estimate so the departments are aware of when the employee will reach the limit if he or she continues to work at the same rate for the remainder of the year. The division sends a report to the departments and to applicable employee organizations every December showing those employees who are near or at the limit. If a department wants to obtain approval for an employee or a group of employees to exceed the 1,560-hour limit, the labor relations division would seek an agreement with the appropriate employee organization. However, the county prefers to enforce the 1,560-hour limit rather than having employees work over the limit.

According to the human resources director, 10 of the 18 employees who exceeded the 1,560-hour limit worked at the county psychiatric care facility (facility) under the behavioral health science department (department). One of these employees is a housekeeping service worker who worked extra hours to maintain the facility, and the other nine employees were used to provide minimum staffing coverage as mandated by the California Code of Regulations. The human resources director also indicated that the facility was low on part-time<sup>12</sup> staff and there were numerous absences due to staff turnover and other absences, which resulted in some part-time staff exceeding their hour limit for the year. She noted that the department intends to coordinate with the county administrative office to fill as many positions as possible to avoid unnecessary overtime or hours exceeding the limit.

The human resources director indicated that of the eight remaining employees who exceeded the 1,560-hour limit, one worked in one county department before transferring to another department. The succeeding department was not aware of how many hours the employee had worked as a temporary worker in the previous department and thus allowed the employee to work over the limit. Two of the eight temporary employees worked for the sheriff's department, where one of them exceeded the limit because of workload peaks due to the absence of a regular employee. San Joaquin did not provide information concerning the other sheriff's department employee who exceeded the limit. The human

<sup>12</sup> These part-time employees are temporary employees.

resources director said that supervisors in the sheriff's department have been notified to closely monitor the hours of all temporary and part-time employees.

According to the human resources director, four of the eight employees worked for the district attorney's office where three of them were part of a 24-hour crisis mobile response unit. Employees of the crisis mobile response unit may be called to assist victims of crimes, and when called are often working hours in addition to their scheduled hours. The other district attorney's office employee worked over the limit assisting attorneys with a special assignment related to a case. The human resources director indicated that the district attorney's office is aware of the situation and will closely monitor hours worked. The one remaining employee worked for the human services agency and was unintentionally allowed to work over the limit after an incorrect exclusion of a payroll adjustment that should have been counted towards the limit.

#### ***Escondido's Approvals of Temporary Employees Working More Than 1,500 Hours Were Primarily Verbal***

In fiscal year 2006–07, 17 temporary employees exceeded Escondido's limit of 1,500 hours per employee in a fiscal year. According to Escondido's part-time hourly compensation plan, part-time employees are not allowed to work more than 1,500 hours per fiscal year without approval in advance by the city manager. The city human resources manager stated that this approval may be written or verbal. We requested information from Escondido concerning whether the 17 employees exceeding the 1,500-hour limit had received approval to do so by the city manager. Escondido provided us with a letter signed by the city manager and dated February 19, 2009, stating that all 17 temporary employees had been approved to work over the 1,500-hour limit. In addition, the city provided us with documentation showing that one of the 17 employees had been authorized in advance by the city manager to work more than the city's 1,500-hour limit.

#### ***Fremont Has Three Hourly Limits but Uses Only Two***

Fremont has three employment limits for temporary workers: a two-year limit per assignment for temporary workers represented by OE3, a 4,160-hour limit per assignment for temporary workers represented by the Fremont employees' association, and a 1,040-hour limit in any 12-month period for all temporary part-time workers. Overall, we found that 22 temporary workers exceeded the applicable limits.

***Fremont has not enforced its 1,040-hour limit for part-time temporary employees since at least 2000, even though it is required per the city personnel rules. In 2007, 18 temporary workers exceeded the limit.***

In 2007, 18 temporary workers exceed the 1,040-hour limit. According to its deputy city manager, Fremont has not enforced the 1,040-hour limit for part-time temporary employees since at least 2000, even though it is still a requirement in the city personnel rules. The deputy city manager also indicated that Fremont has not enforced the 1,040-hour limit because it has instead focused on identifying temporary employees who work more than 1,000 hours in a fiscal year, as these employees must be enrolled in CalPERS.

Two temporary employees represented by the Fremont employees' association exceeded the 4,160-hour limit per assignment between 2003 and 2007. According to the city's MOU with the Fremont employees' association, an authorization to exceed the limit for workers represented by the Fremont employees' association requires an agreement between the city and the Fremont employees' association. According to the deputy city manager, only one of the two temporary employees represented by the Fremont employees' association who exceeded the 4,160-hour limit had such an agreement. The deputy city manager also indicated that both employees who went over the limit eventually secured permanent positions with Fremont.

Finally, two temporary employees represented by OE3 exceeded the two-year limit per assignment during the period 2003 through 2007, and according to the deputy city manager, neither was authorized to do so. The OE3 MOU does not specify a procedure for extending the length of employment beyond two years.

### ***Kern County Has a Good System for Preventing Temporary Employees From Exceeding Its Limit on How Long They May Work***

Kern followed its policy regarding the limit on the length of employment of its temporary extra-help<sup>13</sup> workers. The data showed that Kern did not have any employees who exceeded its nine-month limit for extra-help workers during our test period of 2006. According to the assistant personnel director, Kern's personnel system automatically tracks each extra-help worker's length of employment and notifies the appropriate department whenever an employee nears the limit. Specifically, Kern's computer program regularly creates a report showing the names of extra-help workers who have been in the county payroll system for 7.5 months. This report serves as an initial notice to departments that an employee

<sup>13</sup> Kern also employs temporary employees who are not extra help, and these employees are not subject to hourly limits.

is nearing the nine-month limit. Once an employee has been in the system for exactly nine months, the system automatically removes the employee's name from the payroll.

### Recommendation

To ensure that their temporary employees do not work more than the prescribed time limits without authorization, Contra Costa and Riverside should improve their processes for identifying workers who are approaching the limits and, along with San Joaquin, document requests and approvals for workers to exceed the limits.

We conducted this review under the authority vested in the California State Auditor by Section 8543 et seq. of the California Government Code and according to generally accepted government auditing standards. We limited our review to those areas specified in the audit scope section of the report.

Respectfully submitted,



ELAINE M. HOWLE, CPA  
State Auditor

Date: April 23, 2009

Staff: Nancy C. Woodward, CPA, Audit Principal  
John J. Billington  
Michelle Baur, CISA  
Dan Claypool  
Miguel Guardian  
Vern Hines, MBA  
Benjamin Ward, CISA

For questions regarding the contents of this report, please contact Margarita Fernández, Chief of Public Affairs, at 916.445.0255.

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## Appendix A

### AN EXPLANATION OF HOW WE USED THE DATA IN APPENDIXES B THROUGH E

As indicated in the Scope and Methodology, we used the tables included in appendixes B through E for four local governments as an analytical tool to help us address the audit objectives. To help readers understand our approach, we present two examples of how we used the data in the appendixes to reach our conclusions.

#### Example One

We used the data in appendixes B through E to help us determine whether temporary employees were working in that capacity for long periods of time, whether it appeared that they had opportunities to secure permanent jobs, and whether they were taking advantage of these opportunities. The data in columns 4, 5, and 6 in the appendix tables provide information about how long temporary employees were in that capacity in the indicated job classifications. For example, the data for Kern County (Kern) in the table in Appendix C, column 4, row 14 shows that zero temporary employees in the juvenile corrections officer I classification worked in that classification each year during our audit review period, from 2003 through 2007. Similarly, column 5 for this job classification shows that temporary employees worked, on average, 13.8 two-week pay periods, or slightly more than six months during our audit review period. Finally, column 6 for this classification shows that temporary employees in this classification worked, on average, in 1.4 calendar years during the same five-year period. From these data we can conclude that temporary employees in this classification were not in the classification very long during our audit review period.

In determining whether temporary employees had potential opportunities for permanent jobs, we used the data in columns 7, 11, and 12. With respect to the information in the table in Appendix C, row 14, for the juvenile corrections officer I classification, column 7 indicates that we identified an equivalent job classification for this classification, which reflects potential opportunity for a temporary employee to secure a permanent job. As indicated in column 8, this classification is its own equivalent job classification, since both temporary employees and permanent employees may work in the same classification. Column 11 shows that between 2003 and 2007, Kern hired 185 people as permanent employees in this classification, while column 12 shows that during the same time frame, 209 permanent employees worked in this classification. In comparing the data from columns 11 and 12 with

the data in column 3, which shows that 238 temporary employees worked as a juvenile corrections officer I between 2003 and 2007, we can conclude potential opportunities existed for temporary employees in this classification to compete for permanent jobs in the classification.

To determine whether temporary employees were taking advantage of potential opportunities for permanent jobs, either in the equivalent job classifications we identified in column 8 or in other job classifications, we used the data in columns 9, 10, and 13. For the juvenile corrections officer I classification in Kern in the table in Appendix C, row 14, column 9 shows that 52 of the 238 temporary employees shown in column 3 became permanent employees in the job classification between 2003 and 2007. Column 10 shows that during the audit review period, 61 temporary employees became permanent employees in any job classification, including the juvenile corrections officer I classification. Column 13 shows that these 61 temporary employees amounted to 25.6 percent of the 238 temporary employees in the juvenile corrections officer I classification from column 3. From these data, we can conclude that temporary employees in the juvenile corrections officer I classification did, to a certain extent, take advantage of opportunities to secure permanent jobs with Kern.

### **Example Two**

As indicated in row 8 and column 3 of the table in Appendix C, Kern had 140 temporary employees between 2003 and 2007 in the per diem nurse II job classification. Column 4 indicates that 19 employees in this classification worked in the classification each year during our audit review period. Column 5 shows that workers in this classification worked, on average, 36.4 two-week pay periods, or approximately 1.4 years, during our audit review period, while column 6 shows that the employees in this classification worked, on average, in 2.3 years during the same period. From these data, we can conclude that, apart from the 19 employees reflected in column 4 who were in the classification each year between 2003 and 2007, the average length of time workers stayed in the per diem nurse II classification was moderately long.

In looking at the potential opportunities for permanent jobs for employees in the per diem nurse II classification, we first determined that an equivalent permanent job classification existed, hospital staff nurse II, which is shown in column 8 of the table in Appendix C. We next looked at columns 11 and 12, which show that during the audit review period Kern hired 221 employees in the hospital staff nurse II classification and had a total of 372 employees in this classification. In comparing the data from columns 11

and 12 with the data in column 3, we can conclude that potential opportunities existed between 2003 and 2007 for temporary employees in the per diem nurse II classification to compete for permanent jobs in the hospital staff nurse II classification.

To determine whether temporary employees in the per diem nurse II classification were taking advantage of potential opportunities for permanent jobs, either in the hospital staff nurse II job classification or in other permanent job classifications, we again used the data in columns 9, 10, and 13 of the table in Appendix C. Column 9 shows that only 17 of the 140 temporary employees shown in column 3 became permanent employees in the hospital staff nurse II classification between 2003 and 2007. Column 10 shows that during the audit review period, 21 of the temporary employees in the per diem nurse II classification became permanent employees in any classification, including the hospital staff nurse II classification. Column 13 shows that these 21 employees constituted 15 percent of the 140 temporary employees from column 3. From these data, we can conclude that temporary employees in the per diem nurse II classification took advantage of opportunities to secure permanent jobs with Kern only to a limited extent, with more of the individuals employed in this classification apparently preferring to remain temporary workers.

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## Appendix B

### SUMMARY OF SELECT PERSONNEL DATA FOR THE CITY OF ESCONDIDO JOB CLASSIFICATIONS WITH THE MOST TEMPORARY EMPLOYEES WITHOUT BENEFITS FROM 2003 THROUGH 2007

Using the data in Table B on page 53, we reviewed 18 job classifications that the city of Escondido (Escondido) uses in which about 1,000 temporary employees without benefits (temporary employees) worked in pay periods ending between 2003 and 2007.<sup>14</sup> Of the 18 job classifications, 10 appeared to be for jobs that were true temporary<sup>15</sup> classifications (rows 1 through 10, column 2). We identified one occupation, maintenance specialist/maintenance trainee (row 11), that appeared to offer good opportunities to the temporary employees in the classification to move to jobs with permanent status or benefits (permanent jobs). Of the 94 employees in this classification between 2003 and 2007, 35 (37.2 percent) found permanent jobs with the city during this time period. The percentage of employees in the classification who found permanent jobs meets our criteria for jobs with good opportunities of being at least 26 percent, as explained on page 18 in Chapter 1. The temporary employees in the remaining seven job classifications appeared to have limited opportunities (rows 12 through 18, column 2) to secure permanent jobs, as indicated by the relatively small numbers of employees hired as permanent in the equivalent job classifications (column 9) and the number of temporary employees from the seven job classifications hired as permanent in any job classification (column 10). Further, we identified a temporary job classification that is widely used by city departments, department specialist (row 18), the use of which the city is not appropriately monitoring. Additional information related to Escondido's use of the department specialist classification is presented on page 28 in Chapter 1.

We requested information regarding the classifications we identified as not offering good opportunities for permanent jobs, and Escondido provided reasonable explanations for why it is following its current practices with these job classifications. The human resources manager in Escondido informed us that the city uses part-time employees<sup>16</sup> in the six classifications other than department specialist to augment full-time staff and to work in

<sup>14</sup> This number may not represent a count of unique employees because some individuals may have worked in more than one job classification during the pay periods ending in 2003 through 2007.

<sup>15</sup> The definition of *true temporary* job classifications and the other categories of job classifications we use in this report are delineated on page 18 in Chapter 1.

<sup>16</sup> Employees that Escondido classifies as part-time levels 2, 3, and 4 are temporary employees.

assignments that require less time. As an example of an assignment that requires less time, the human resources manager referred to the cleaning of the city's off-site buildings, which require four hours of cleaning. In addition, according to the human resources manager, for budgetary reasons many current vacancies in full-time positions have been frozen, and part-time staff are supplementing full-time staff to meet the city's workload.

**Table B**  
**An Analysis of the Job Classifications in the City of Escondido With the Most Temporary Employees for Pay Periods Ending in 2003 Through 2007**

JOB CLASSIFICATION	CATEGORY*	TEMPORARY EMPLOYEES <sup>†</sup>			AVERAGE PAY PERIODS <sup>‡</sup>	AVERAGE CALENDAR YEARS	WAS THERE AN EQUIVALENT PERMANENT JOB CLASSIFICATION <sup>§</sup> ?	EQUIVALENT PERMANENT JOB CLASSIFICATION <sup>§</sup>	TEMPORARY EMPLOYEES <sup>†</sup>			PERCENT OF TEMPORARY EMPLOYEES <sup>†</sup> WHO MOVED TO ANY PERMANENT JOB CLASSIFICATION <sup>§</sup>
		IN THIS JOB CLASSIFICATION	WHO WORKED EVERY YEAR IN THE REVIEW PERIOD	TEMPORARY EMPLOYEES <sup>†</sup> WHO WERE PAID IN THIS JOB CLASSIFICATION					TEMPORARY EMPLOYEES <sup>†</sup> WHO WERE PAID IN THIS JOB CLASSIFICATION	TEMPORARY EMPLOYEES <sup>†</sup> WHO MOVED TO EQUIVALENT PERMANENT JOB CLASSIFICATION <sup>§</sup>	EMPLOYEES HIRED IN THE EQUIVALENT PERMANENT JOB CLASSIFICATION <sup>§</sup>	
1 Recreation leader I	1	202	1	25.2	1.8	Yes	Supervisor I (recreation)	0	2	3	8	1.0%
2 Park attendant I	1	108	3	26.3	1.8	Yes	Recreation technician I	1	3	3	3	2.8
3 Recreation specialist I	1	89	5	32.2	2.1	Yes	Recreation coordinator	3	4	6	11	4.5
4 Recreation leader II	1	88	2	26.6	1.9	Yes	Supervisor I (recreation)	1	1	4	9	1.1
5 Water safety instructor	1	36	0	15.9	1.8	Yes	Recreation technician I	0	0	2	2	0.0
6 School crossing guard	1	35	12	62.7	3.2	Yes	Community service officer I	0	0	0	1	0.0
7 Principal recreation leader	1	13	2	38.2	2.3	Yes	Recreation coordinator	0	1	4	9	7.7
8 Department specialist/department aide	1	10	1	34.0	2.3	Yes	Department aide	0	2	2	5	20.0
9 Maintenance aide I	1	10	0	27.7	1.8	Yes	Maintenance technician I	0	1	16	19	10.0
10 Parking enforcement officer	1	10	2	49.0	2.5	Yes	Code enforcement assistant I	0	0	2	4	0.0
11 Maintenance specialist/maintenance trainee	3	94	4	22.9	1.7	Yes	Maintenance technician I	11	35	17	20	37.2
12 Department specialist/library associate	4	43	7	57.5	2.8	Yes	Library associate	2	2	2	12	4.7
13 Maintenance specialist/custodian I	4	42	5	53.8	2.6	Yes	Custodian I	7	7	10	15	16.7
14 Circulation assistant	4	33	6	46.8	2.5	Yes	Administrative aide	0	0	8	11	0.0
15 Library page	4	30	7	49.2	2.5	Yes	Administrative aide	0	0	9	12	0.0
16 Ranger specialist	4	21	3	48.6	2.4	Yes	Park ranger I	2	3	2	4	14.3
17 Park attendant II	4	21	2	36.0	2.1	Yes	Recreation technician I	1	1	2	3	4.8
18 Department specialist/Other <sup>  </sup>	4	198	10	28.3	1.9	Yes	Department specialist	5	24	8	8	12.1
<b>Total<sup>  </sup></b>		<b>1,234</b>										

Source: Payroll data from the city of Escondido for pay periods ending in 2003 through 2007.

\* The categories of job classifications are as follows: 1—true temporary, 2—per diem, 3—good opportunities, and 4—limited opportunities.

† Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

‡ The pay periods for the entities included in our review were two weeks in length.

§ Permanent job classifications are classifications in which employees have permanent status or the employer provides retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

|| These numbers may not represent a count of unique employees because some individuals may have worked in more than one job classification during the pay periods ending in 2003 through 2007.

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## Appendix C

### SUMMARY OF SELECT PERSONNEL DATA FOR THE KERN COUNTY JOB CLASSIFICATIONS WITH THE MOST TEMPORARY EMPLOYEES WITHOUT BENEFITS FROM 2003 THROUGH 2007

Using the data in Table C on the following page, we reviewed 20 job classifications that Kern County uses in which more than 4,500 temporary employees without benefits (temporary employees) worked in pay periods ending between 2003 and 2007.<sup>17</sup> Seven of the 20 job classifications appeared to be for jobs that were true temporary<sup>18</sup> classifications (rows 1 through 7, column 2), two classifications were per diem classifications (rows 8 and 9, column 2), and eight classifications appeared to offer good opportunities (rows 10 through 17, column 2) to the temporary employees in them to move to jobs with permanent status or benefits (permanent jobs). Among the job classifications that appeared to offer good opportunities, the classification in which the highest percentage of temporary employees found permanent jobs between 2003 and 2007 was mental health recovery specialist I (row 16), with 46.3 percent of the temporary employees getting permanent jobs during this time period. Three job classifications fall into the last category, those that appeared to have limited opportunities for temporary employees to secure permanent jobs (rows 18 through 20, column 2). Relatively small numbers of employees in these classifications moved into permanent jobs in the equivalent job classifications (column 9) or small numbers of temporary employees got permanent jobs in any classification (column 10). However, we noted that the temporary employees in these three job classifications, office services assistant, nursing attendant, and building services worker I, did not remain in these classifications very long—about 16 to 18 two-week periods (column 5), or 32 to 36 weeks.

<sup>17</sup> This number may not represent a count of unique employees because some individuals may have worked in more than one job classification during pay periods ending in 2003 through 2007.

<sup>18</sup> The definition of *true temporary* job classifications and the other categories of job classifications we use in this report are delineated on page 18 in Chapter 1.

**Table C**  
**An Analysis of the Job Classifications in Kern County With the Most Temporary Employees for Pay Periods Ending in 2003 Through 2007**

JOB CLASSIFICATION	CATEGORY*	TEMPORARY EMPLOYEES†			AVERAGE PAY PERIODS‡	AVERAGE CALENDAR YEARS TEMPORARY EMPLOYEES WERE PAID IN THIS JOB CLASSIFICATION	WAS THERE AN EQUIVALENT PERMANENT JOB CLASSIFICATION?‡	8	TEMPORARY EMPLOYEES†			PERCENT OF TEMPORARY EMPLOYEES WHO MOVED TO ANY PERMANENT JOB CLASSIFICATION§
		1	2	3					4	5	6	
1 Resident physician—post graduate year 1	1			184	22.0	1.7	No	None	-	0	-	0.0%
2 Resident physician—post graduate year 2	1			174	21.6	1.6	No	None	-	0	-	0.0
3 Resident physician—post graduate year 3	1			167	21.5	1.6	No	None	-	0	-	0.0
4 Seasonal firefighter I	1			132	12.7	1.1	Yes	Firefighter apprentice	0	15	4	11.4
5 Seasonal firefighter II	1			104	15.1	1.1	Yes	Firefighter apprentice	0	21	4	20.2
6 Agricultural/weights and measures technician	1			88	24.5	2.0	No	None	-	10	-	11.4
7 Seasonal firefighter III	1			86	20.1	1.6	Yes	Firefighter apprentice	0	25	4	29.1
8 Per diem nurse II	2			140	36.4	2.3	Yes	Hospital staff nurse II	17	21	221	15.0
9 Per diem nurse I	2			117	24.2	1.9	Yes	Hospital staff nurse I	5	20	191	17.1
10 Eligibility worker	3			345	16.8	1.7	Yes	Human services technician I	0	131	23	38.0
11 Departmental aide	3			322	17.0	1.6	Yes	Departmental aide	69	86	111	26.7
12 Office services technician	3			278	16.6	1.7	Yes	Office services technician	88	107	896	38.5
13 Group counselor I—probation—extra help	3			259	22.9	1.8	Yes	Juvenile corrections officer I	73	110	185	42.5
14 Juvenile corrections officer I	3			238	13.8	1.4	Yes	Juvenile corrections officer I	52	61	185	25.6
15 Medical support technician	3			234	19.4	1.8	Yes	Medical support technician	37	47	163	20.1
16 Mental health recovery specialist I	3			216	18.0	1.6	Yes	Mental health recovery specialist I	53	100	79	46.3
17 Social service worker I	3			137	15.6	1.5	Yes	Social service worker I	39	59	314	43.1
18 Office services assistant	4			791	18.1	1.8	Yes	Office services assistant	28	137	368	17.3
19 Nursing attendant	4			394	16.2	1.6	Yes	Nursing attendant	68	93	93	23.6
20 Building services worker I	4			171	17.8	1.7	Yes	Building services worker I	6	24	27	14.0
Other¶				6,278								
<b>Total¶¶</b>				<b>10,855</b>								

Source: Payroll data from Kern County for pay periods ending in 2003 through 2007.

\* The categories of job classifications are as follows: 1—true temporary, 2—per diem, 3—good opportunities, and 4—limited opportunities.

† The pay periods for the entities included in our review were two weeks in length.

‡ Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

§ Permanent job classifications are classifications in which employees have permanent status or the employer provides retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

¶ These numbers may not represent a count of unique employees because some individuals may have worked in more than one job classification during pay periods ending in 2003 through 2007.

## Appendix D

### SUMMARY OF SELECT PERSONNEL DATA FOR THE RIVERSIDE COUNTY JOB CLASSIFICATIONS WITH THE MOST TEMPORARY EMPLOYEES WITHOUT BENEFITS FROM 2003 THROUGH 2007

Using the data in Table D on the following page, we reviewed 20 job classifications that Riverside County (Riverside) uses in which more than 10,000 temporary employees without benefits (temporary employees) worked in pay periods ending between 2003 and 2007.<sup>19</sup> Four of the 20 job classifications appeared to be for jobs that were true temporary<sup>20</sup> classifications (rows 1 through 4, column 2), 12 classifications were per diem classifications (rows 5 through 16, column 2), and four classifications appeared to offer good opportunities (rows 17 through 20, column 2) to the temporary employees in them to move to jobs with permanent status or benefits (permanent jobs). The job classification in the latter category in which the highest percentage of temporary employees found permanent jobs between 2003 and 2007 was public safety communication officer II (row 20), with 83.3 percent of the 12 temporary employees getting permanent jobs during this time period.

Of particular note among the job classifications we reviewed in Riverside was the temporary assistant job classification (row 1). The temporary assistant classification is used in the Temporary Assignment Program, which we describe in the Introduction. Between 2003 and 2007, 42.1 percent of the temporary employees in the temporary assistant classification found permanent jobs in Riverside. Moreover, the 8,114 temporary employees in the temporary assistant classification accounted for more than 75 percent of the 10,665 temporary employees in Riverside between 2003 and 2007.

<sup>19</sup> This number may not represent a count of unique employees because some individuals may have worked in more than one job classification during pay periods ending in 2003 through 2007.

<sup>20</sup> The definition of *true temporary* job classifications and the other categories of job classifications we use in this report are delineated on page 18 in Chapter 1.

**Table D**  
**An Analysis of the Job Classifications in Riverside County With the Most Temporary Employees for Pay Periods Ending in 2003 Through 2007**

JOB CLASSIFICATION	CATEGORY*	TEMPORARY EMPLOYEES†			AVERAGE CALENDAR YEARS TEMPORARY EMPLOYEES‡ WERE PAID IN THIS JOB CLASSIFICATION	WAS THERE AN EQUIVALENT PERMANENT JOB CLASSIFICATION?§	EQUIVALENT PERMANENT JOB CLASSIFICATION¶	TEMPORARY EMPLOYEES†			PERCENT OF TEMPORARY EMPLOYEES‡ WHO MOVED TO ANY PERMANENT JOB CLASSIFICATION§			
		IN THIS JOB CLASSIFICATION	WHO WORKED EVERY YEAR IN THE AUDIT REVIEW PERIOD	AVERAGE PAY PERIODS‡ WERE PAID IN THIS JOB CLASSIFICATION				WHO MOVED TO EQUIVALENT PERMANENT JOB CLASSIFICATION§	EMPLOYEES HIRED IN THE EQUIVALENT PERMANENT JOB CLASSIFICATION§	EMPLOYEES WHO WORKED IN THE EQUIVALENT PERMANENT JOB CLASSIFICATION§				
		1	2	3	4	5	6	7	8	9	10	11	12	13
1 Temporary assistant	1	8,114	27	13.1	1.5	No	None	-	-	-	3,414	-	-	42.1%
2 Service aide I	1	336	20	29.0	1.9	No	None	-	-	-	12	-	-	3.6
3 Professional student intern	1	163	1	16.8	1.6	No	None	-	-	-	36	-	-	22.1
4 Title V program assistant	1	22	0	32.2	1.9	No	None	-	-	-	1	-	-	4.5
5 Temporary assignment program registry nurse—per diem	2	405	14	33.2	1.9	No	None	-	-	-	86	-	-	21.2
6 Registered nurse III—per diem	2	214	0	24.4	1.9	Yes	Registered nurse II	0	26	217	26	266	266	12.1
7 Temporary assistant—per diem	2	175	8	27.2	1.8	No	None	-	-	-	49	-	-	28.0
8 Nursing assistant—per diem	2	157	0	33.3	2.1	Yes	Nursing assistant	16	24	63	24	63	140	15.3
9 Psychiatrist III—per diem	2	78	25	63.2	3.2	Yes	Staff psychiatrist III	1	5	6	5	6	6	6.4
10 Psychiatrist II—per diem	2	63	24	69.5	3.3	Yes	Staff psychiatrist II	7	8	17	8	17	17	12.7
11 Registered nurse III—per diem—as needed—regularly scheduled	2	60	0	20.0	1.6	Yes	Registered nurse III	0	0	374	0	374	587	0.0
12 Licensed vocational nurse II—per diem	2	52	0	40.9	2.7	Yes	Licensed vocational nurse II	12	13	94	13	94	193	25.0
13 Temporary assistant exempt—per diem	2	37	0	16.8	1.7	No	None	-	-	-	10	-	-	27.0
14 Respiratory care practitioner II, registered—per diem	2	29	0	43.0	2.5	Yes	Respiratory care practitioner II, registered	5	8	26	8	26	43	27.6
15 Registered nurse II—per diem—as needed—regularly scheduled	2	20	0	21.1	1.6	Yes	Registered nurse II	0	0	217	0	217	266	0.0
16 Radiologic technologist—per diem	2	14	0	24.1	1.9	Yes	Radiologic technologist II	4	4	30	4	30	43	28.6
17 Group counselor I	3	218	22	31.3	2.1	Yes	Group counselor I	99	115	258	115	258	344	52.8
18 Group counselor II	3	27	1	29.0	2.1	Yes	Group counselor II	1	4	208	4	208	357	14.8
19 Correctional senior food service worker	3	18	3	39.7	2.2	Yes	Correctional senior food service worker	2	3	33	3	33	63	16.7
20 Public safety communication officer II	3	12	0	29.6	1.9	Yes	Public safety communication officer II	10	10	57	10	57	154	83.3
Other		451												
<b>Total</b>		<b>10,665</b>												

Source: Payroll data from Riverside County for pay periods ending in 2003 through 2007.

\* The categories of job classifications are as follows: 1—true temporary, 2—per diem, 3—good opportunities, and 4—limited opportunities.

† Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

‡ The pay periods for the entities included in our review were two weeks in length.

§ Permanent job classifications are classifications in which employees have permanent status or the employer provides retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.

|| These numbers may not represent a count of unique employees because some individuals may have worked in more than one job classification during pay periods ending in 2003 through 2007.

## Appendix E

### SUMMARY OF SELECT PERSONNEL DATA FOR THE SAN JOAQUIN COUNTY JOB CLASSIFICATIONS WITH THE MOST TEMPORARY EMPLOYEES WITHOUT BENEFITS FROM 2003 THROUGH 2007

Using the data in Table E on page 61, we reviewed 20 job classifications that San Joaquin County (San Joaquin) uses in which more than 2,000 temporary employees without benefits (temporary employees) worked in pay periods ending between October 2003 and December 2007.<sup>21</sup> Eight of the 20 job classifications appeared to be for jobs that were true temporary<sup>22</sup> classifications (rows 1 through 8, column 2) and six classifications appeared to offer good opportunities (rows 9 through 14, column 2) to the temporary employees in them to move to jobs with permanent status or benefits (permanent jobs). The job classification in the latter category in which the highest percentage of temporary employees found permanent jobs between 2003 and 2007 was maintenance worker (row 14), with 46.3 percent of the 41 temporary employees getting permanent jobs during this time period. The last category, job classifications for which there appeared to be limited opportunities (rows 15 through 20, column 2) for temporary employees to secure permanent jobs, included six job classifications. Relatively small numbers of employees moved into permanent jobs in the equivalent job classifications (column 9) or small numbers of temporary employees got permanent jobs in any classification (column 10) from these temporary classifications. However, two of these six job classifications, staff nurse III—inpatient and licensed vocational nurse (rows 15 and 20) are health care-related classifications that can be filled by per diem employees<sup>23</sup> for whom per diem status is usually their choice.

We requested information from San Joaquin regarding the classifications we identified as not offering good opportunities for permanent jobs, and San Joaquin provided reasonable explanations for why it is following its current practices with these job classifications. The director of human resources for San Joaquin informed us that the primary reasons that San Joaquin has used temporary employees in the four classifications we inquired about center around a need for staffing flexibility in 24-hour facilities with

<sup>21</sup> This number may not represent a count of unique employees because some individuals may have worked in more than one job classification during pay periods ending in October 2003 through December 2007.

<sup>22</sup> The definition of *true temporary* job classifications and the other categories of job classifications we use in this report are delineated on page 18 in Chapter 1.

<sup>23</sup> San Joaquin County does not categorize job classifications as per diem; instead, the county places both per diem and non-per diem employees in non-per diem classifications.

fluctuating workloads, such as the county hospital. She indicated that this flexibility in staffing is especially critical to the 24-hour operations where workload fluctuations require the ability to increase or decrease staffing to meet the operation's needs and to do so in a fiscally responsible manner.

**Table E**  
**An Analysis of the Job Classifications in San Joaquin County With the Most Temporary Employees for Pay Periods Ending in October 2003 Through December 2007**

JOB CLASSIFICATION	CATEGORY*	TEMPORARY EMPLOYEES†			AVERAGE PAY PERIODS‡	AVERAGE CALENDAR YEARS TEMPORARY EMPLOYEES‡ WERE PAID	7		8	TEMPORARY EMPLOYEES†			PERCENT OF TEMPORARY EMPLOYEES‡ WHO MOVED TO ANY PERMANENT JOB CLASSIFICATION§
		IN THIS JOB CLASSIFICATION	PERIOD	WHO WORKED EVERY YEAR IN THE AUDIT REVIEW			WAS THERE AN EQUIVALENT PERMANENT JOB CLASSIFICATION?	PERMANENT EQUIVALENT JOB CLASSIFICATION§		WHO MOVED TO EQUIVALENT PERMANENT JOB CLASSIFICATION§	WHO MOVED TO ANY PERMANENT JOB CLASSIFICATION§	EMPLOYEES HIRED IN THE EQUIVALENT PERMANENT JOB CLASSIFICATION§	
1 Intern	1	102	0	0	21.9	1.8	No	None	-	0	-	-	0.0%
2 Student nursing assistant III	1	93	0	0	12.2	1.6	No	None	-	40	-	-	43.0
3 Resident physician 1 <sup>st</sup> year	1	79	0	0	21.5	1.8	No	None	-	0	-	-	0.0
4 Student nursing assistant II	1	79	1	1	14.7	1.5	No	None	-	21	-	-	26.6
5 Resident physician 2 <sup>nd</sup> year	1	71	0	0	20.3	1.6	No	None	-	0	-	-	0.0
6 Community services program worker	1	50	7	7	26.4	1.9	No	None	-	3	-	-	6.0
7 Park maintenance aide	1	45	0	0	17.0	1.5	No	None	-	6	-	-	13.3
8 Probation assistant	1	41	0	0	32.0	2.1	No	None	-	9	-	-	22.0
9 Office worker	3	331	20	20	26.4	2.0	Yes	Office assistant	79	94	315	395	28.4
10 Office assistant	3	136	33	33	42.6	2.7	Yes	Office assistant	42	51	315	395	37.5
11 Staff nurse IV—inpatient	3	99	13	13	38.7	2.7	Yes	Staff nurse IV—inpatient	18	24	93	226	24.2
12 Shelter counselor I	3	74	0	0	15.4	1.6	Yes	Shelter counselor I	12	19	30	42	25.7
13 Staff nurse II—inpatient	3	51	0	0	12.5	1.4	Yes	Staff nurse II—inpatient	14	17	59	75	33.3
14 Maintenance worker	3	41	0	0	13.0	1.5	Yes	Maintenance worker	17	19	38	55	46.3
15 Staff nurse III—inpatient	4	283	28	28	29.8	2.3	Yes	Staff nurse III—inpatient	35	48	162	287	17.0
16 Nursing assistant	4	211	45	45	40.6	2.8	Yes	Nursing assistant	17	33	25	57	15.6
17 Outpatient clinic assistant	4	131	34	34	51.8	3.0	Yes	Outpatient clinic assistant	15	20	17	58	15.3
18 Food service worker I	4	121	13	13	32.5	2.2	Yes	Food service worker I	4	8	5	20	6.6
19 Housekeeping service worker	4	116	13	13	30.9	2.2	Yes	Housekeeping service worker	17	19	30	93	16.4
20 Licensed vocational nurse	4	75	7	7	25.8	2.3	Yes	Licensed vocational nurse	8	11	21	49	14.7
Other¶		2,037											
<b>Total  </b>		<b>4,266</b>											

Source: Payroll data from San Joaquin County for pay periods ending in October 2003 through December 2007. The data we obtained from San Joaquin were of undetermined reliability for our purposes because the county uses a paperless system and, therefore, we were unable to determine the accuracy of key data fields used in our analysis by tracing the data in them to source documents. However, we performed an analysis that assured us that the San Joaquin data contained reasonable values in key data fields. We were also able to determine that the payroll data file the county provided us was complete.

\* The categories of job classifications are as follows: 1—true temporary, 2—per diem, 3—good opportunities, and 4—limited opportunities.  
 † Temporary employees are at-will employees whose employer was not providing them retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.  
 ‡ The pay periods for the entities included in our review were two weeks in length.  
 § Permanent job classifications are classifications in which employees have permanent status or the employer provides retirement, medical, and dental benefits, and two of the following three benefits: vision, paid vacation and/or sick leave, and paid holidays.  
 || These numbers may not represent a count of unique employees because some individuals may have worked in more than one job classification during pay periods ending in October 2003 through December 2007.

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## Appendix F

### **SURVEY RESPONSES FROM EMPLOYEES OF THE SIX LOCAL GOVERNMENTS WE REVIEWED**

Tables F.1 and F.2 beginning on the following page present the responses to a survey we distributed to 594 individuals who are or were temporary employees in one of six local governments we reviewed. The survey asked questions regarding each individual's current employment status, reasons for becoming a temporary employee, any efforts made to obtain permanent employment, perceptions of why the employer was using a temporary worker to do this job, perceptions of the existence of sufficient opportunities to become a permanent employee, and if not, why. In selecting our sample of employees, we used payroll data from the six local governments that listed employees who were temporary workers between 2003 and 2007, as well as their addresses. We randomly selected 100 temporary employees from each of the six local governments, bringing our total survey sample size to 600. We mailed each employee a copy of the survey with a postage-paid return envelope. Each person in the survey was also given the opportunity to respond to the survey via the Internet. After mailing the surveys, we discovered that six of the 100 employees from Fremont were retirees who should not have been included in our sample, which resulted in adjusted sample sizes of 94 for Fremont and 594 for all six entities.

Of the 594 temporary employees surveyed, we received 230 completed responses. We also received 15 surveys in which the respondent failed to answer one or more of the questions in the survey. For these surveys, we entered the data that were available. The total response rate for the survey was 39 percent of the temporary employees surveyed.

**Table F.1**  
**Survey Responses From Temporary Employees, Grouped by Local Government**

	KERN COUNTY		RIVERSIDE COUNTY		SAN JOAQUIN COUNTY		CONTRA COSTA COUNTY		CITY OF ESCONDIDO		CITY OF FREMONT		ALL RESPONSES	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	TOTAL	PERCENT
Number of survey respondents	32	32%	31	31%	35	35%	40	40%	45	45%	47	50%	230	39%
Total number of surveys returned as undeliverable*	1	1	8	8	6	6	4	4	11	11	2	2	32	5
Total number of surveys miscoded and uncoded†													12	2
<b>Questions and Responses</b>														
Are you still working in a temporary capacity?														
Yes.	8	25	6	19	22	65	15	37	30	67	22	47	103	45
No.	24	75	25	81	12	35	25	63	15	33	25	53	126	55
What is your understanding of your employer's reason for using a temporary worker to do the job you are or were doing?														
To fill a vacancy in a permanent position until that position is filled.	15	47	15	48	7	20	12	30	4	9	2	4	55	24
To fill a temporary vacancy created by a permanent employee who is sick, on vacation, or on family medical leave.	9	28	5	16	6	17	11	28	4	9	2	4	37	16
To meet seasonal or peak workload needs.	10	31	7	23	8	23	16	40	16	36	27	57	84	37
To meet an employment need related to a special project.	7	22	4	13	2	6	10	25	9	20	22	47	54	23
To save on wage and/or benefit costs.	16	50	12	39	14	40	17	43	29	64	11	23	99	43
Other.	3	9	5	16	13	37	7	18	8	18	6	13	42	18
Are you or were you a temporary employee by choice?														
Yes.	6	19	11	35	13	38	20	50	31	69	37	79	118	52
No.	26	81	20	65	21	62	20	50	14	31	10	21	111	48
For those who chose to be a temporary worker, what are or were your reasons for choosing to be a temporary employee?														
I can work multiple jobs and make more money.	1	17	3	27	3	23	3	15	5	16	6	16	21	18
I have more free time for non-work activities.	2	33	4	36	4	31	8	40	13	42	11	30	42	36
To protect my retirement benefits.	0	0	2	18	0	0	1	5	4	13	0	0	7	6
For the social interaction.	2	33	0	0	1	8	5	25	4	13	9	24	21	18
To keep busy.	1	17	1	9	4	31	5	25	5	16	9	24	25	21
To supplement my income.	3	50	3	27	4	31	11	55	12	39	11	30	44	37
Other.	4	67	6	55	7	54	8	40	14	45	18	49	57	48
Have you taken any employment examinations that are required to get a permanent job with your current local employer?														
Yes.	27	87	16	53	18	53	23	58	10	22	9	20	103	46
No.	4	13	14	47	16	47	17	42	35	78	37	80	123	54
Apart from taking any employment examinations, have you applied for any specific jobs with your current local government employer?														
Yes.	20	63	21	68	15	45	25	63	9	20	10	22	100	44
No.	12	37	10	32	18	55	15	37	35	80	36	78	126	56
Have you been contacted or interviewed for any permanent jobs with your current local government employer?														
Yes.	20	63	19	61	12	34	21	53	12	27	12	26	96	42
No.	12	37	12	39	23	66	19	47	33	73	34	74	133	58
Do you believe there are sufficient opportunities for temporary employees to get permanent jobs with your current local government employer?														
Yes.	14	44	17	55	8	23	13	32	9	20	17	38	78	34
No.	10	31	6	19	14	40	12	30	20	44	12	27	74	33
Don't know.	8	25	8	26	13	37	15	38	16	36	16	35	76	33
For those who indicated that there were insufficient opportunities, why do you think that there are not sufficient opportunities to get permanent jobs with your current local government employer?														
There are not enough permanent jobs for everyone who wants one.	5	50	2	33	8	57	8	67	9	45	8	67	40	54

	KERN COUNTY		RIVERSIDE COUNTY		SAN JOAQUIN COUNTY		CONTRA COSTA COUNTY		CITY OF ESCONDIDO		CITY OF FREMONT		ALL RESPONSES	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	TOTAL	PERCENT
Permanent jobs are not adequately advertised.	0	0%	0	0%	8	57%	3	25%	4	20%	3	25%	18	24%
My local government employer is trying to save money by using temporary employees.	2	20	3	50	11	79	7	58	15	75	5	42	43	58
People in permanent jobs tend to stay in them, resulting in few vacancies.	2	20	1	17	6	43	7	58	10	50	9	75	35	47
My local government employer has a need for only a certain number of permanent jobs.	3	30	1	17	2	14	4	33	4	20	4	33	18	24
Other.	5	50	2	33	0	0	2	17	5	25	1	8	15	20
Have you attempted to get a full-time job with an employer other than your current employer?														
Yes.	10	34	12	40	16	48	17	42	11	24	19	42	85	38
No.	19	66	18	60	17	52	23	58	34	76	26	58	137	62
Do you believe that being a temporary employee increases your chances of getting a permanent job with your employer?														
Yes.	23	72	19	61	17	50	22	57	25	56	25	55	131	58
No.	5	16	4	13	11	32	6	15	10	22	8	18	44	19
Don't know.	4	12	8	26	6	18	11	28	10	22	12	27	51	23

Source: Survey of temporary employees in six local governments.

\* Some of the surveys we mailed were returned to us as *undeliverable* because the local government employees to whom they were addressed had moved.

† To help ensure the integrity of our survey, we assigned each local government employee in our survey a unique code that the employee needed to use when submitting their survey. Some employees did not include their code (uncoded) and some employees used the wrong code (miscoded).

**Table F.2**  
Survey Responses from Temporary Employees, Grouped by County or City Governments

	COUNTY RESPONSES OF 400 SURVEYS SENT		CITY RESPONSES OF 194 SURVEYS SENT		RESPONSES OF ALL 594 SURVEYS SENT	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
Number of survey respondents	138	35%	92	47%	230	39%
<b>Questions and Responses</b>						
Are you still working in a temporary capacity?						
Yes.	51	37	52	57	103	45
No.	86	63	40	43	126	55
What is your understanding of your employer's reason for using a temporary worker to do the job you are or were doing?						
To fill a vacancy in a permanent position until that position is filled.	49	36	6	7	55	24
To fill a temporary vacancy created by a permanent employee who is sick, on vacation, or on family medical leave.	31	22	6	7	37	16
To meet seasonal or peak workload needs.	41	30	43	47	84	37
To meet an employment need related to a special project.	23	17	31	34	54	23
To save on wage and/or benefit costs.	59	43	40	43	99	43
Other.	28	20	14	15	42	18
Are you or were you a temporary employee by choice?						
Yes.	50	36	68	74	118	52
No.	87	64	24	26	111	48
For those who chose to be a temporary worker, what are or were your reasons for choosing to be a temporary employee?						
I can work multiple jobs and make more money.	10	20	11	16	21	18
I have more free time for non-work activities.	18	36	24	35	42	36
To protect my retirement benefits.	3	6	4	6	7	6
For the social interaction.	8	16	13	19	21	18
To keep busy.	11	22	14	21	25	21
To supplement my income.	21	42	23	34	44	37
Other.	25	50	32	47	57	48

continued on next page ...

	COUNTY RESPONSES OF 400 SURVEYS SENT		CITY RESPONSES OF 194 SURVEYS SENT		RESPONSES OF ALL 594 SURVEYS SENT	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
Have you taken any employment examinations that are required to get a permanent job with your current local employer?						
Yes.	84	62	19	21	103	46
No.	51	38	72	79	123	54
Apart from taking any employment examinations, have you applied for any specific jobs with your current local government employer?						
Yes.	81	60	19	21	100	44
No.	55	40	71	79	126	56
Have you been contacted or interviewed for any permanent jobs with your current local government employer?						
Yes.	72	52	24	26	96	42
No.	66	48	67	74	133	58
Do you believe there are sufficient opportunities for temporary employees to get permanent jobs with your current local government employer?						
Yes.	52	38	26	28	78	34
No.	42	30	32	36	74	33
Don't know.	44	32	32	36	76	33
For those who indicated that there were insufficient opportunities, why do you think that there are not sufficient opportunities to get permanent jobs with your current local government employer?						
There are not enough permanent jobs for everyone who wants one.	23	55	17	53	40	54
Permanent jobs are not adequately advertised.	11	26	7	22	18	24
My local government employer is trying to save money by using temporary employees.	23	55	20	63	43	58
People in permanent jobs tend to stay in them, resulting in few vacancies.	16	38	19	59	35	47
My local government employer has a need for only a certain number of permanent jobs.	10	24	8	25	18	24
Other.	9	21	6	19	15	20
Have you attempted to get a full-time job with an employer other than your current employer?						
Yes.	55	42	30	33	85	38
No.	77	58	60	67	137	62
Do you believe that being a temporary employee increases your chances of getting a permanent job with your employer?						
Yes.	81	60	50	56	131	58
No.	26	19	18	20	44	19
Don't know.	29	21	22	24	51	23

Source: Survey of temporary employees in six local governments.

*(Agency response provided as text only.)*

Escondido Human Resources Department  
201 North Broadway  
Escondido, CA 92025

April 9, 2009

Elaine M. Howle, State Auditor  
Bureau of State Audits  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814

Dear Ms. Howle:

We generally concur with the recommendation presented by the Bureau of State Audits and we will take steps to implement the proposed recommendation. The Human Resources Department will continue to assist City departments by providing guidance in the hiring of part time positions.

Effective May 1, 2009 departments will be required to provide documentation of the essential duties and hourly rates of pay when hiring a Department Specialist position. Our new procedure includes the following statement, which is based on the recommendation:

“Prior to the approval by the City Manager for the hiring of part time temporary Department Specialist positions, the hiring department must submit a written request to be reviewed by the Human Resources Department. The purpose of this approval procedure is to ensure that departments are appropriately and consistently classifying employees into the Department Specialist position. This request must include the duties the position will perform as well as the hourly rate of pay. The manner in which the hourly rate was determined should be included, e.g. negotiated, fair market rate, based on education and/or experience, etc. Upon review of the Department Specialist request, the Human Resources Department may suggest that the hiring department use a current part time temporary classification that more appropriately reflects the duties and hourly rate of that position. Once the appropriate classification and salary rate have been determined, the department should forward their request for approval to the City Manager.”

The Recruitment Approval Procedure (attached) has been updated to reflect this change in internal procedure.

Please contact me at (760) 839-4643 if you have any questions.

Sincerely,

(Signed by: Matilda Hlawek)

Matilda Hlawek  
Human Resources Manager

ESCONDIDO  
City of Choice

MEMORANDUM

## Recruitment Approval Procedure

### A. FULL-TIME REGULAR POSITIONS

All departments with vacancies, **regardless of funding source**, must follow the procedure below:

1. The Department Head or designee must send an e-mail message to the City Manager with a copy to **Jessica Perpetua and Joy Canfield**, requesting approval to fill the vacant position. The approval request must be for a budgeted position and include the following:
  - ✓ The specific title of the position.
  - ✓ The justification for filling the vacancy.
  - ✓ If the vacancy is a priority (urgent need to fill the position and why).
  - ✓ Open, closed-competitive or promotional recruitment.
2. If the department would like to fill another position (e.g. frozen position) in lieu of the vacant position, the department head must also provide information that either shows a cost savings or stipulates where the additional funding is derived.

*Steps 1 and 2 must be completed prior to the Department's Request for Certification is submitted to Human Resources.*

3. **All management recruitments must be reviewed by the Assistant City Manager or Deputy City Manager as to the type of recruitment (open or closed-competitive) prior to seeking approval from the City Manager. Also, once a final management candidate is selected by the department, and prior to a conditional job offer, the department representative must notify the Assistant City Manager or Deputy City Manager.**
4. The City Manager will render a decision and reply back to the department and all other recipients.
5. If the City Manager approves filling the position, the Department shall then submit a Request for Certification to Human Resources. A completed Position Survey/FLSA Exemption Test form must accompany the request for certification.
6. After Finance has verified that the position is budgeted and once all appropriate signatures have been procured for the Request for Certification, the recruitment will then proceed.
7. Any requests to start a new employee above Step 1 of their salary schedule, or above the bottom of their salary band must also be approved by the City Manager.

### B. PART-TIME TEMPORARY POSITIONS

All part-time temporary positions must be approved by the City Manager **except for Park Attendants, Ranger Specialists and part-time Recreation positions.**

## Recruitment Procedures

## Page 2

City Manager approval also includes any current part-time employees who will exceed 1,000 hours and will be placed in PERS Retirement, as well as any temporary employees who fill-in for employees on extended leave of absence.

Prior to contacting temporary services agencies, departments must first receive approval from the City Manager.

**APPROVAL PROCEDURE FOR DEPARTMENT SPECIALIST POSITIONS**

Prior to the approval by the City Manager for the hiring of part time temporary **Department Specialist** positions, the hiring department must submit a written request to be reviewed by the Human Resources Department. The purpose of this approval procedure is to ensure that departments are appropriately and consistently classifying employees into the Department Specialist position. This request must include the duties the position will perform as well as the hourly rate of pay. The manner in which the hourly rate was determined should be included, e.g. negotiated, fair market rate, based on education and/or experience, etc. Upon review of the Department Specialist request, the Human Resources Department may suggest that the hiring department use a current part time temporary classification that more appropriately reflects the duties and hourly rate of that position. Once the appropriate classification and salary rate have been determined, the department should forward their request for approval to the City Manager.

**APPROVAL PROCEDURE FOR ALL OTHER PART TIME TEMPORARY POSITIONS**

Departments should forward approval from the City Manager to Human Resources along with the applicant's employment application and start notice. The applicant will then be contacted for a pre-employment physical examination and fingerprinting, unless they have been employed by the City within the last six months.

This procedure shall remain in effect until further notice from the City Manager's Office. If you have any questions, please contact Jessica Perpetua at 839-4016.

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*(Agency response provided as text only.)*

City of Fremont  
Human Resources  
3300 Capitol Avenue, P.O. Box 5006  
Fremont, CA 94537-5006

April 7, 2009

Ms. Elaine M. Howle, CPA  
State Auditor  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814

Re: Draft Audit Report on Temporary Workers in Local Government

Dear Ms. Howle:

The City of Fremont has received and reviewed the draft audit report entitled "Temporary Workers in Local Government." On behalf of the City of Fremont, we have no suggestions for changes and no comments.

Let me know if you have any questions regarding this letter, which has also been loaded onto the enclosed CD as a Microsoft Word file per your request. Thank you.

Sincerely,

(Signed by: Michael K. Rich)

MICHAEL K. RICH  
Director of Human Resources

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*(Agency response provided as text only.)*

Contra Costa County  
Human Resources Department  
651 Pine Street, Third Floor  
Martinez, CA 94553-1292

April 9, 2009

Elaine M. Howle, CPA\*  
California State Auditor  
Bureau of State Audits  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814

Dear Ms. Howle:

This is in response to your letter of April 3, 2009 requesting a response to your draft report titled, "Temporary Workers in Local Government: Although Some Workers Have Limited Opportunities, Most Have Reasonable Access to Permanent Employment and Earn the Same Wage Rates as Permanent Workers."

Our comments are as follows:

- Page 6: Insert the word "**the**" in the last sentence of the second paragraph, "According to **the** director of human resources..." ① ②
- Page 7: The last sentence of the third paragraph, "...but they do not have the opportunity for pay increases," is not a true statement. Two MOUs mandate pay increases for temporary workers and the practice for other temporary employees is for the department to terminate and rehire the employee at a higher step. ③
- Page 36: The last sentence of the first paragraph, "...do not have the opportunity for pay increases," is not a true statement. Two MOUs mandate pay increases for temporary workers and the practice for other temporary employees is for the department to terminate and rehire the employee at a higher step. ③
- Page 38: The last sentence of the first paragraph, "...do not have the opportunity for pay increases," is not a true statement. Two MOUs mandate pay increases for temporary workers and the practice for other temporary employees is for the department to terminate and rehire the employee at a higher step. ③

Sincerely,

(Signed by: Ted J. Cwiek)

Ted J. Cwiek  
Director of Human Resources

\* California State Auditor's comments appear on page 75.

Contra Costa County  
Human Resources Department  
651 Pine Street, Third Floor  
Martinez, CA 94553-1292

April 10, 2009

Elaine M. Howle, CPA  
California State Auditor  
Bureau of State Audits  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814

Dear Ms. Howle:

This is a supplemental response to the initial response sent to the Bureau of State Audits on April 9, 2009. In regards to the recommendations issued by the Bureau in the draft copy of "Temporary Workers in Local Government: Although Some Workers Have Limited Opportunities, Most Have Reasonable access to Permanent Employment and Earn the Same Wage Rates as Permanent Workers," we have the following responses:

- ① Regarding the Blue Ribbon Committee recommendation on Page 7, Contra Costa County is still in the process of negotiations. The management and union parties exchanged their most recent proposals to each other on Wednesday, April 8, 2009. Contra Costa County expects to reach a conclusion to these negotiations shortly, at which point, after presentation and approval by the Board of Supervisors, we will begin implementing the recommendations reached.
- ① Regarding the recommendation on Page 8, the tracking and documentation of hours worked by temporary employees, Contra Costa County is beginning to work out a process where we can more accurately track the hours employed by Contra Costa County as a temporary employee. We are also working to establish procedures to begin documenting the necessary approval to extend a temporary worker's employment beyond the one year listed in our Personnel Management Regulations.

Sincerely,

(Signed by: Ted J. Cwiek)

Ted J. Cwiek  
Director of Human Resources

## Comments

### CALIFORNIA STATE AUDITOR'S COMMENTS ON THE RESPONSE FROM CONTRA COSTA COUNTY

To provide clarity and perspective, we are commenting on the response to our audit report from Contra Costa County (Contra Costa). The numbers below correspond with the numbers we have placed in the margins of Contra Costa's response.

While preparing our draft audit report for publication, page numbers shifted. Therefore, the page numbers that Contra Costa cites throughout its response do not correspond to the page numbers in our final report.

While preparing our draft audit report for publication, we identified and corrected minor errors in the text such as the one pointed out by Contra Costa.

We amended text in our report on pages 3, 35, and 37 to indicate that some temporary employees of Contra Costa have opportunities for pay increases.

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*(Agency response provided as text only.)*

Kern County Administrative Office  
 County Administrative Center  
 1115 Truxtun Avenue, Fifth Floor  
 Bakersfield, CA 93301-4639

April 8, 2009

Ms. Elaine M. Howle, CPA\*  
 California State Auditor  
 Bureau of State Audits  
 555 Capitol Mall, Suite 300  
 Sacramento, CA 95814

RE: Response to Draft Audit Report titled "Temporary Workers in Local Government: Although Some Workers Have Limited Opportunities, Most Have Reasonable Access to Permanent Employment and Earn the Same Wage Rates as Permanent Workers"

Dear Ms. Howle:

Following is Kern County's response to the above reference audit, which was requested by the Joint Legislative Audit Committee.

The audit addressed concerns regarding whether short-term or temporary employees of general law local governments have adequate opportunities to gain employment with permanent status and benefits, and whether local governments were using temporary employees without providing benefits.

The draft report contains no audit findings regarding the hiring practices in Kern County to substantiate either of the audit concerns. We did not detect any pertinent errors or misstatements in the draft report regarding Kern County. However, we request clarification of the statement made on page 7 which reads "Further, the temporary employees of five of the six local governments we reviewed, with Kern being the exception, generally do not receive employer-sponsored benefits or receive very few of these benefits until they have worked at least 1,000 hours." References on pages 35 and 38 clearly distinguish between Kern's temporary workers which do receive employer-sponsored benefits, and those classified as "extra help", which do not receive employer-sponsored benefits. We would request that the statements made on page 7, 35 and 38 be clarified to indicate that temporary workers in Kern, excluding those classified as "extra help" or "per diem", receive employer-sponsored benefits. We would also note that on page 11A, the reference to total temporary employees may be overstated. In Kern County, only elected officials, appointed at-will department heads, extra help, and per diem employees should be included in this count. Not all Kern County managers are at-will employees.

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Worthy of note is the mention that Kern County was the only local government reviewed in which none of the temporary employees exceeded their established limits, and that Kern County has a good system for preventing temporary employees from exceeding the limit on how long temporary employees may work.

\* California State Auditor's comments appear on page 79.

I appreciate the professionalism shown by your staff during the audit process, and concur with the report as it pertains to Kern County.

Sincerely,

(Signed by: Elissa D. Ladd)

Elissa D. Ladd  
Interim County Administrative Officer

## Comments

### CALIFORNIA STATE AUDITOR'S COMMENTS ON THE RESPONSE FROM KERN COUNTY

To provide clarity and perspective, we are commenting on the response to our audit report from Kern County (Kern). The numbers below correspond with the numbers we have placed in the margins of Kern's response.

While preparing our draft audit report for publication, page numbers shifted. Therefore, the page numbers that Kern cites throughout its response do not correspond to the page numbers in our final report.

Kern requested clarification on several pages in our report to indicate that "extra help" and "per diem" employees do not receive employer-sponsored benefits. We amended text on page 3 to reflect that Kern does not provide benefits to its extra-help workers. Our report already clearly indicates that per diem employees do not receive benefits.

Based on the definition of temporary employees specified in Table 2 on page 9, the total number of temporary employees for Kern shown in the table is correct.

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*(Agency response provided as text only.)*

County of Riverside  
Human Resources  
County Administrative Center  
4080 Lemon Street, P.O. Box 1569  
Riverside, CA 92502

April 13, 2009

Ms. Elaine M. Howle, CPA  
California State Auditor  
555 Capitol Mall, Suite 300  
Sacramento CA 95814

Dear Ms. Howle:

I am in receipt of the draft audit report titled "Temporary Workers in Local Government: Although Some Workers Have Limited Opportunities, Most Have Reasonable Access to Permanent Employment and Earn the Same Wage Rates as Permanent Workers." This audit reviewed how temporary employees are employed in six entities including Riverside County. In response to the report, this letter is to assert our response to the one recommendation related to the County of Riverside that was contained in the report.

We appreciate the comprehensive effort of the audit, and applaud the professionalism of the audit team. We enjoyed reviewing the report with its comparison of our programs to other entities, and noted that our programs have many aspects that are unique and superior to programs in place in other agencies. We feel your report captured the essence of our programs, and how we are unique and innovative in meeting Riverside County's staffing needs.

**Recommendation:**

***Riverside Needs to Take Steps to Ensure That Temporary Employees Exceed Applicable Hour Limits Only When Approved***

We agree with this recommendation. Based on the scope of the audit, this recommendation applies to two groups of employees in Riverside County:

- (1) Temporaries employed through the Human Resources Department's Temporary Assignment Program, who may work up to 1,000 hours of service in an assignment before requiring approval by the Human Resources Director. These employees **are not** covered in Salary Ordinance 440; and
- (2) County temporaries who are employed directly by departments through allocated positions. These employees **are** covered in Salary Ordinance 440.

April 13, 2009

Ms. Elaine M. Howle, CPA

California State Auditor

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In response to this recommendation, the following actions are underway:

- (1) Within the Temporary Assignment Program
  - a. A comprehensive review of all temporaries currently employed is underway. This review will examine whether any currently working temporary has exceeded the 1,000 hours per assignment limit and whether they have obtained the necessary approvals. Any employee who has exceeded 1,000 hours in an assignment without an extension will be reviewed by the HR Director.
  - b. A comprehensive procedure was compiled to re-train staff of the Temporary Assignment Program. This procedure includes a matrix outlining when HR Director review is necessary. A new electronic tracking tool for extensions is being tested for implementation within the Temporary Assignment Program. This tool uses Microsoft SharePoint technology and centrally stores extension approvals so that they may be easily accessed, obtained timely.
- (2) For Departments who employ temporaries through allocated positions
  - a. A memorandum to Department Heads outlining the existing requirements of Salary Ordinance 440 will be distributed upon finalization of the audit report. This memorandum will remind Department Heads of the obligation to request Board of Supervisors approval for temporary employees who work in the same capacity for more than 1,000 working hours in the fiscal year, and again if the temporary employee is anticipated to work in excess of the extension authorized by the Board. A copy of Salary Ordinance 440 will be provided for reference.

Thank you for the opportunity to have our programs reviewed.

Sincerely,

(Signed by: Ronald W. Komers)

Ronald W. Komers

Assistant County Executive Officer

Human Resources Director

*(Agency response provided as text only.)*

County of San Joaquin  
Human Resources Division  
24 South Hunter Street, Room 106  
Stockton, California 95202

April 8, 2009

Ms. Elaine Howle, State Auditor\*  
California State Audit  
Bureau of State Audits  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814

Dear Ms. Howle:

Thank you for providing us with a copy of your draft report titled "Temporary Workers in Local Government: Although Some Workers Have Limited Opportunities, Most Have Reasonable Access to Permanent Employment and Earn the Same Wage Rates as Permanent Workers."

Audit Recommendation:

As a result of the year long audit of temporary workers in local government, the audit resulted in one recommendation for San Joaquin County. We are in agreement with the recommendation that San Joaquin County needs to ensure that County departments properly monitor hours and obtain authorization for temporary workers who work over the limit.

As identified in the draft report, San Joaquin County currently has a process in place to help County departments track and manage the hours of part-time and temporary employees. The process is currently under the jurisdiction of the Labor Relations Division and includes the preparation of quarterly reports listing all part-time and temporary employees and the hours worked by the employee. This report provides trending information to the department which allows departments to manage the hours worked so that the 1,560 hour limit is not exceeded prior to the end of the calendar year. In addition to the quarterly reports sent to the departments, the Labor Relations Division sends a similar report to the various Employee Organizations representing part-time and temporary workers in San Joaquin County. This semi-annual reporting is done in accordance with MOU Section 7.2 – Compliance with Part-Time/Temporary Definition for all of the bargaining units represented by SEIU 1021, as well as units represented by the California Nurses Association.

Your audit finding of 18 temporary employees exceeding the County's 1,560 hour limit during calendar year 2007 is accurate. Although we were able to provide reasonable explanations for those occurrences, as stated in the report we did not have the required authorization to exceed those hours. The various employee organizations who receive the report identifying the total hours have not made an issue regarding employees exceeding the 1,560 hours. This could be attributed to the fact that the situation is not a common one.

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\* California State Auditor's comment appears on page 85.

Ms. Elaine Howle  
April 8, 2009  
Page 2

As a result of the audit recommendation, we have reviewed our processes concerning the tracking of part-time and temporary hours. To insure that we have an approval process in place, we have split the tracking function between two divisions: Human Resources and Labor Relations. Human Resources will assume responsibility for tracking the hours and notifying County departments with the quarterly reports. In addition, there will be closer monitoring in the second half of the calendar year as employees get closer to the hours limit. Labor Relations will retain the role of seeking agreement with the employee organizations for any extension beyond the 1,560 hours.

Data Reliability:

① In 2003, the County's HR process transitioned into a paperless online system resulting in increased efficiencies in processing payroll related transactions. As such, there were no source documents on which the State Audit Review Team could rely to determine the accuracy of the data provided by the County. Despite the lack of hard copy source documents, the Audit Team members were able to determine that County's data was accurate using an alternative method. As more governmental entities and business begin to utilize paperless HR systems, it is our hope that the U.S. Government Accountability Office will develop a standard by which paperless systems may be deemed sufficiently reliable for purposes such as this.

Conclusion:

In conclusion, we appreciate the work that was involved in completing this year long audit. We are also pleased that the audit confirmed that most temporary workers have reasonable access to permanent employment and earn the same wage rates as permanent workers.

Sincerely,

(Signed by: Cynthia M. Clays)

Cynthia M. Clays  
Director of Human Resources

## Comment

### **CALIFORNIA STATE AUDITOR'S COMMENT ON THE RESPONSE FROM THE COUNTY OF SAN JOAQUIN**

To provide clarity and perspective, we are commenting on the response to our audit report from San Joaquin County (San Joaquin). The number below corresponds with the number we have placed in the margin of San Joaquin's response.

San Joaquin misstates our conclusion. We did not conclude that the county's computer-processed data was accurate. However, we were able to determine that San Joaquin had reasonable data in certain key fields we used in our analysis. In addition, we also determined that the payroll data file San Joaquin provided us was complete.

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cc: Members of the Legislature  
Office of the Lieutenant Governor  
Milton Marks Commission on California State  
Government Organization and Economy  
Department of Finance  
Attorney General  
State Controller  
State Treasurer  
Legislative Analyst  
Senate Office of Research  
California Research Bureau  
Capitol Press