

# State Personnel Board Rule 212

State of California

## Use Out-Of-Class Experience in Meeting Minimum Qualifications for an Examination

(a) Definition - out-of-class experience is that work experience gained by the performance of duties outside the class concept of the employee's class of appointment.

Nothing in this part shall be deemed to condone or encourage the assignment by management or the performance of out-of-class work by an employee not authorized by law.

(b) Verification of out-of-class experience. An employee shall be eligible to receive credit for out-of-class experience in meeting the minimum qualifications for a civil service examination:

(1) When all of the following criteria are met:

- (A) The employee shall submit a written request that the appointing authority, or his/her designee, certify that the employee accepted and performed duties assigned by the appointing authority that were not consistent with the employee's class of appointment. Requests shall not be made prior to performing out-of-class duties a minimum of 30 consecutive calendar days, nor later than one year after the ending date of the out-of-class duties.
- (B) The appointing authority or his/her designee under whom the claimed out-of-class experience was gained shall document by a written statement the employee's request for certification of out-of-class experience. The department's statement shall include a description of the type and level of duties performed, a conclusion regarding whether the duties are or are not consistent with the employee's class of appointment and, if not consistent, an identification of the class to which such duties are appropriate; the beginning and ending dates of the out-of-class experience, the title of the examination for which the employee is applying, if applicable, and any further information required by the executive officer.
- (C) The applicant shall attach a copy of the verification statement to the application form for any examination for which he/she is applying.

- (D) The out-of-class experience shall not be used to progress from the trainee to the journey level in a class series or deep class at a rate faster than that permitted for persons appointed to such classes. If the employee's class of appointment has a transfer relationship, as defined by Section 433, to the class series or deep class in which out-of-class was gained and verified, and the out-of-class experience gained was at the trainee through journey level, the experience shall be credited for examination purposes on a cumulative basis starting at the level to which the employee could have transferred.

Where a promotional relationship, as defined in section (b) of Section 431 exists, between the employee's class of appointment and the class series or deep class in which out-of-class experience is claimed and verified, the experience will be credited on a cumulative basis starting at the entry level of the class series or deep class.

For the purposes of this regulation:

A "class series" is any vertically related group of two or more classes in the same occupational specialty or program area but different in level of responsibility, which constitutes a primary promotional pattern for a specifically identifiable group of employees; and

A "deep class" is a class which has more than one salary range and where, by Board resolution, a salary range other than the lowest range of the class may be used for determining employee status.

- (E) The out-of-class duties were performed for a minimum time period generally required to assume the full range of responsibilities of the class being claimed by the employee. Under this requirement, the minimum verifiable length of out-of-class experience is 30 consecutive calendar days.
- (2) When an out-of-class verification for reimbursement obtained by the employee under Government Code Section 19818.16 indicates that the out-of-class experience is being verified also for the purpose of meeting the minimum qualifications for civil service examinations.
- (c) Once out-of-class experience is credited under this section, such experience may be used for any other examination with a final filing date on or after the effective date of this section, without the need for re-verification.

- (d) All verification statements will remain on file with the department for audit purposes for a period not less than five years or until ordered destroyed by the executive officer.
- (e) The employee may appeal to the board from the appointing authority's denial of a request for use of out-of-class experience for meeting minimum qualifications in a n examination pursuant to Section 51.2.

NOTE: Authority cited: Sections 18701 and 19050.8, Government Code.  
Reference: Section 19050.8, Government Code.

## History

1. New section filed 5-14-86: effective thirtieth day thereafter (Register 86, No. 20.)
2. Change without regulatory effect of subsection (b)(4) filed 12-21-88 (Register 89, No. 1).
3. Change without regulatory effect amending subsections (b)(2), (b)(4), (c) and (e) filed 9-16-92 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 39).
4. Amendment of subsection (b), including newly designated subsection (b)(1), renumbering of former subsections (b)(1)-(5) to (b)(1)(A)-(E) and (d) filed 2-5-96; operative 3-6-96 (Register 96, No. 6).