

## **PROCEDURES FOR EMPLOYMENT OF PROFESSIONAL EXPERTS**

### 1.0 Use of Professional Experts

- 1.1 The Professional Expert Category is used for the *temporary* employment of a person in conjunction with a specific, limited-term project (typically a grant or other specially-funded project) requiring professional knowledge, skills or technical expertise.
- 1.2 Employment of Professional Experts is appropriate under the following circumstances:
  - 1.2.1 The conditions of service are not appropriate to any other category of temporary employment (i.e., nonclassified, short-term employee, nonclassified substitute employee, student employee);
  - 1.2.2 The person cannot be engaged as an Independent Contractor because the conditions of service do not meet the Internal Revenue Service Independent Contractor criteria;
  - 1.2.3 The conditions of service meet all of the criteria specified in Section 2.0, below.

### 2.0 Criteria for Employment

Employment of a person as a Professional Expert requires compliance with all of the following criteria:

- 2.1 Employment must be in conjunction with a specific, limited-term project. The project must have defined starting and ending dates.
- 2.2 The service to be performed must require a unique or specialized background not commonly found in the labor market as evidenced by professional knowledge, education, licensure or certification AND/OR specialized professional/occupational training, experience, skills or technical expertise. The Professional Expert must possess *bona fide* qualifications appropriate to the job assignment.
- 2.3 The service to be performed is NOT of a type designated as “academic” in Title 5 of the California Code of Administrative Regulations (i.e., service which requires state-mandated minimum qualifications). The following services are considered “academic” and are specifically excluded from the Professional Expert category:
  - 2.3.1 Instruction in any course offered for credit or for which apportionment will be claimed;

2.3.2 Related academic student support services (e.g., counseling, EOPS and DSPS services).

2.4 The service to be performed is NOT materially the type of work that would be performed by a classified position within the District. Examples of classified duties excluded from the Professional Expert category include, but are not limited to, the following:

2.4.1 Secretarial/Clerical (e.g., Office Assistant; Office Manager);

2.4.2 Instructional Aide/Assistant; Lab Clerk/Aide/Technician;

2.4.3 Accounting/Fiscal (e.g., Account Clerk, Records Clerk);

2.4.4 Maintenance & Operations.

### 3.0 Conditions of Employment

#### 3.1 Terms of Employment

Professional Experts are temporary employees. They are employed on an “as needed” basis, subject to termination at will by either the District or the employee.

#### 3.2 Period of Employment

3.2.1 The requested period of employment must be for the actual period of time during which services are required, not to exceed the project termination date or the end of the current fiscal year, whichever occurs first. **The maximum period of employment as a Professional Expert during any fiscal year is 38-1/2 weeks, including all time employed during the fiscal year as a Short-term Employee, Substitute Employee, or Student Employee.** Employment will be automatically terminated if this limit is exceeded. Regular and contract faculty who perform services as professional experts are exempt from the 38-1/2 week limitation.

3.2.2 All calendar days during specified employment period as a Professional Expert will count toward the specified employment limit, irrespective of the number of days worked during the employment period or the number of hours worked per day.

3.2.3 Extensions of employment may be granted upon sufficient justification, provided the cumulative employment during any fiscal year does not exceed 38-1/2 weeks.

#### 3.3 Employment Limitations

- 3.3.1 Employment during any period of service as a Professional Expert is limited to work under the direction of one immediate management supervisor.
- 3.3.2 A person serving as a Short-term Employee, Substitute Employee, or Student Employee may not be concurrently employed as a Professional Expert.
- 3.3.3 If approved by the Vice Chancellor/designee, a person serving as an adjunct faculty employee may be concurrently employed as a Professional Expert provided the combined academic and Professional Expert assignments during the semester/term do not exceed the equivalent of a sixty-seven (67%) load. Professional Expert employment of adjunct faculty is strictly limited to the maximum number of hours per week authorized by the District Office of Human Resources.

4.0 Compensation

- 4.1 Professional Experts will be compensated at the appropriate hourly rate according to the *Professional Expert Rate Schedule*, for the actual hours of service rendered in performance of the specified duties.
- 4.2 Professional Experts will NOT be compensated for preparation or training required to meet the professional qualifications necessary to perform their duties.
- 4.3 Persons employed as Professional Experts are not eligible to participate in the District's Health and Welfare plan or optional fringe benefit plan in conjunction with their employment as a Professional Expert.
- 4.4 Persons employed as Professional Experts do not receive paid sick leave, paid holidays, paid vacation days, or paid leaves of absence in conjunction with their employment as a Professional Expert.
- 4.5 No retroactive pay-rate or job classification changes will be permitted. Any change in the terms and conditions of employment will require termination of the original employment agreement and submission of a new request for employment.

5.0 Employment Procedure

5.1 The following are to be submitted to the District Office of Human Resources after approval by the campus president or designee:

- Completed REQUEST TO EMPLOY PROFESSIONAL EXPERT (FORM PE1)
- Completed PROFESSIONAL EXPERT AGREEMENT (FORM PE2)
- Completed EMPLOYMENT STATUS & RETIREMENT INFORMATION (FORM PE3)

- Documentation of Professional Expert qualifications (resume, transcripts, certificates, professional licenses, etc.)

5.2 For applicants with no prior District employment status, or who have not been employed by the District within the last eighteen months, the following documentation must accompany the above:

- Completed I-9 and W-4
- Signed Oath of Allegiance
- Photocopy of Social Security Card
- Photocopy of Valid Driver's License

If the employee will be working on more than one project or performing more than one Professional Expert job classification in conjunction with a project, a separate Form PE1 and Form PE2 must be submitted for each project and job classification to be performed.

The immediate management supervisor is to provide the employee with a copy of the PROFESSIONAL EXPERT AGREEMENT (FORM PE2).

**EMPLOYEES ARE NOT TO BEGIN WORK UNTIL THE SUPERVISING MANAGER HAS RECEIVED APPROVAL IN WRITING FROM THE OFFICE OF HUMAN RESOURCES.**

#### 6.0 Payroll Procedure

All work performed as a Professional Expert will be paid by time card. Paychecks will be issued monthly, on the tenth of each month (classified payroll).

Professional Experts will use the "Special Programs" time card. Time cards must be submitted by the cut-off date established by the payroll office and may reflect only actual hours worked as of the cut-off date. Projection of hours on time cards is not allowed.

Time cards must indicate the project title and the PE# (provided by the Office of Human Resources). If the employee is performing more than one Professional Expert job classification, a separate time card must be submitted for each job classification performed during the pay period.

No retroactive pay-rate or job classification changes will be permitted. Any change in the terms and conditions of employment will require termination of the original agreement and submission of a new request for employment.

**TABLE OF ALLOWABLE PROFESSIONAL EXPERT LOAD FOR ADJUNCT FACULTY**

**CREDIT INSTRUCTORS**

(Based on 67% Maximum Permissible Semester Load)

<b>PART-TIME CREDIT TEACHING LOAD</b>		<b>ALLOWABLE CONCURRENT PROFESSIONAL EXPERT LOAD DURING SAME SEMESTER</b>	
<b>LECTURE HOUR EQUIVALENT UNITS</b>	<b>EQUIVALENT LOAD PERCENT</b>	<b>PROF EXPERT HOURS PER WEEK</b>	<b>EQUIVALENT LOAD PERCENT</b>
1.00	6.67	24	60.33
1.25	8.33	23	58.67
1.50	10.00	22	57.00
1.75	11.67	22	55.33
2.00	13.33	21	53.67
2.25	15.00	20	52.00
2.50	16.67	20	50.33
2.75	18.33	19	48.67
3.00	20.00	18	47.00
3.25	21.67	18	45.33
3.50	23.33	17	43.67
3.75	25.00	16	42.00
4.00	26.67	16	40.33
4.25	28.33	15	38.67
4.50	30.00	14	37.00
4.75	31.67	14	35.33
5.00	33.33	13	33.67
5.25	35.00	12	32.00
5.50	36.67	12	30.33
5.75	38.33	11	28.67
6.00	40.00	10	27.00
6.25	41.67	10	25.33
6.50	43.33	9	23.67
6.75	45.00	8	22.00
7.00	46.67	8	20.33
7.25	48.33	7	18.67
7.50	50.00	6	17.00
7.75	51.67	6	15.33
8.00	53.33	5	13.67
8.25	55.00	4	12.00
8.50	56.67	4	10.33
8.75	58.33	3	8.67
9.00	60.00	2	7.00
10.00	66.67		

**TABLE OF ALLOWABLE PROFESSIONAL EXPERT LOAD FOR ADJUNCT FACULTY**

**SCHOOL OF CONTINUING EDUCATION (NON CREDIT INSTRUCTORS)**

(Based on 67% Maximum Permissible Trimester Load)

<b>PART-TIME CREDIT TEACHING LOAD</b>		<b>ALLOWABLE CONCURRENT PROFESSIONAL EXPERT LOAD DURING SAME SEMESTER</b>	
<b>NONCREDIT TEACHING HOURS PER WEEK</b>	<b>EQUIVALENT LOAD PERCENT</b>	<b>PROF EXPERT HOURS PER WEEK</b>	<b>EQUIVALENT LOAD PERCENT</b>
1.00	4.00	25	63.00
1.50	6.00	24	61.00
2.00	8.00	23	59.00
2.50	10.00	22	57.00
3.00	12.00	22	55.00
3.50	14.00	21	53.00
4.00	16.00	20	51.00
4.50	18.00	19	49.00
5.00	20.00	18	47.00
5.50	22.00	18	45.00
6.00	24.00	17	43.00
6.50	26.00	16	41.00
7.00	28.00	15	39.00
7.50	30.00	14	37.00
8.00	32.00	14	35.00
8.50	34.00	13	33.00
9.00	36.00	12	31.00
9.50	38.00	11	29.00
10.00	40.00	10	27.00
10.50	42.00	10	25.00
11.00	44.00	9	23.00
11.50	46.00	8	21.00
12.00	48.00	7	19.00
12.50	50.00	6	17.00
13.00	52.00	6	15.00
13.50	54.00	5	13.00
14.00	56.00	4	11.00
14.50	58.00	3	9.00
15.00	60.00	2	7.00
15.50	62.00	2	5.00
16.00	64.00	1	3.00
16.50	66.00		

**TABLE OF ALLOWABLE PROFESSIONAL EXPERT LOAD FOR ADJUNCT FACULTY**

**COUNSELORS (CREDIT AND NONCREDIT)**

(Based on 67% Maximum Permissible Semester Load)

<b>PART-TIME COUNSELING LOAD</b>		<b>ALLOWABLE CONCURRENT PROFESSIONAL EXPERT LOAD DURING SAME SEMESTER</b>	
<b>COUNSELING HOURS PER WEEK</b>	<b>EQUIVALENT LOAD PERCENT</b>	<b>PROF EXPERT HOURS PER WEEK</b>	<b>EQUIVALENT LOAD PERCENT</b>
1.00	3.13	25	63.87
1.50	4.69	24	62.31
2.00	6.25	24	60.75
2.50	7.81	23	59.19
3.00	9.38	23	57.62
3.50	10.94	22	56.06
4.00	12.50	21	54.50
4.50	14.06	21	52.94
5.00	15.63	20	51.37
5.50	17.19	19	49.81
6.00	18.75	19	48.25
6.50	20.31	18	46.69
7.00	21.88	18	45.12
7.50	23.44	17	43.56
8.00	25.00	16	42.00
8.50	26.56	16	40.44
9.00	28.13	15	38.87
9.50	29.69	14	37.31
10.00	31.25	14	35.75
10.50	32.81	13	34.19
11.00	34.38	13	32.62
11.50	35.94	12	31.06
12.00	37.50	11	29.50
12.50	39.06	11	27.94
13.00	40.63	10	26.37
13.50	42.19	9	24.81
14.00	43.75	9	23.25
14.50	45.31	8	21.69
15.00	46.88	8	20.12
15.50	48.44	7	18.56
16.00	50.00	6	17.00
16.50	51.56	6	15.44
17.00	53.13	5	13.87
17.50	54.69	4	12.31
18.00	56.25	4	10.75
18.50	57.81	3	9.19
19.00	59.38	3	7.62
19.50	60.94	2	6.06
20.00	62.50	1	4.50
20.50	64.06	1	2.94
21.00	65.63		