

ARTICLE XV

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TEMPORARY AND INDEFINITE NTE EMPLOYEES

Section 1.

A temporary appointment is any hiring action for a period of one year or less. Temporary appointments must specify a not to exceed (NTE) date. Temporary appointments of six months or less may be made without competition. The Library may extend temporary appointments in the same position without competition by up to a maximum of four months. In such instances, the Library shall notify and explain to CREA, in writing, the reason for the extension.

Part-time temporary employees may work the equivalent of a full-time temporary employee (e.g., the term appointment for an employee working 20 hours per week would be doubled.) However, the appointment term may not exceed one year.

Indefinite NTE appointments have a duration of longer than one year but are not unlimited. The Library may extend an indefinite appointment for a maximum of six months. Indefinite NTE appointments are competitive and filled consistent with Article VII of this Agreement. The Library will make a reasonable effort to fill positions through an indefinite NTE posting when it knows that the appointment, while not permanent, will need to be longer than one year. However, when the Library posts to fill a position under an indefinite NTE appointment, it is not precluded from filling the position through temporary appointments without extensions while the posting process runs its course.

On a quarterly basis, the Library shall furnish the Association a list of all temporary and indefinite NTE employees whom the Library employs in CRS.

Section 2.

The Library and the Association acknowledge that a 90-day temporary employee who is extended without a break in service is a member of the bargaining unit, as defined under Article I, Section 3 of this Agreement. The Library and the Association also acknowledge that an employee whose initial temporary appointment is for longer than 90 days is a member of the bargaining unit from the first day of employment.

Section 3.

Temporary employees who have completed one year of continuous service, excluding any break in service of five days or less, shall be eligible to participate in a health benefits plan in accordance with 5 USC 8906a, which requires the employee to pay both his/her own share and the Library's share of the premium. The Library is prohibited by law from making any health benefit payment for temporary employees appointed for less than one year.

Section 4.

Employees serving in competitive non-permanent appointments may be considered for conversion to permanent status without further competition under the following conditions:

- a. They have completed at least three years of service without a break in service of more than 30 calendar days.
- b. There is a need for their continuing service on a permanent basis;
- c. Budgetary resources are available; and
- d. Their performance has been fully satisfactory [or other appropriate performance level].

Section 5.

If a position has previously been filled competitively by temporary appointment(s) for an aggregate of 2 years, or 24 months, within the preceding 3-year period, the Library shall consider filling the position on a permanent basis.

Section 6.

To augment the recruitment of candidates for temporary appointments, the Library on a quarterly basis shall send an e-mail to all bargaining-unit employees and to the Association indicating positions likely to be filled during that quarter on a temporary basis and where to direct applications so that they can be placed in a temporary job application file. Applications must be updated/resubmitted at least every six months. The Library will notify CRS bargaining unit employees and the Association via e-mail about each subsequent temporary position that was not on the original quarterly notification.

Section 7.

Where practicable, all temporary NTE and indefinite NTE employees shall receive at least 60 days advance written notice of the termination of their appointment.