



SAN DIEGO COMMUNITY COLLEGE DISTRICT

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San Diego, California 92108-3883
619-388-6500

CITY COLLEGE | MESA COLLEGE | MIRAMAR COLLEGE | CONTINUING EDUCATION

Human Resources
Employment 619-388-6579

Rehire Documentation Requirements

1. Contract employees returning *less than 18 months since separation:*

- A.** If separated *within 18 months*, the employee's personnel file would still be on site and available. The returning employee would need to consider if any updates to payroll forms are needed, such as W-4 tax withholdings; direct deposit changes; beneficiaries; investment accounts; etc.
- B.** If an employee has voluntarily resigned – per the California Education Code §88128, the former employee can re-apply and competitively compete for a position within the District, the same as any other person who has not worked for the District in the past. If the employee returns to a vacant position in the same or lower classification within 39 months of their resignation, they would receive the same: rate of seniority; vacation accrual rate (not balance); accrued sick leave; and salary step and range placement as the rate when they departed from the same classification.

2. Contract employees returning *more than 18 months since resignation:*

- A.** If separated for *more than 18 months*, each person would need to be treated like a new employee:
 - 1.** Complete a new online application package;
 - 2.** Complete a new hire packet via Equifax (remember that new forms and mandated regulations are added to the new hire packets every year from Feds or State or VEBA or SDCCD, etc.). This includes a new 19 form.
 - 3.** Regarding Live Scan – A hiring manager needs to confirm that the individual has a Live Scan clearance on file.
 - a.** If hired before Live Scan existed, then Live Scan would be required now.
 - b.** If Live Scan clearance is on file, the hiring manager needs to confirm there have been no Subsequent Arrest Reports received since separation from District, and that the conviction is not one that would otherwise prevent the individual's rehire.
 - 4.** Regarding Academic MQs – Deans need to confirm that the individual qualifies under the current MQ Handbook, or has a new approved Equivalency Determination.
- B.** If an employee has voluntarily resigned – per the California Education Code §88128, the former employee can re-apply and competitively compete for a position within the

District, the same as any other person who has not worked for the District in the past. If the employee returns to a vacant position in the same or lower classification within 39 months of their resignation, they would receive the same: rate of seniority; vacation accrual rate (not balance); accrued sick leave; and salary step and range placement as the rate when they departed from the same classification.

3. Temporary adjuncts returning *less than 18 months since separation*:

- A. If separated *within* 18 months, the employee's personnel file would still be on site and available. The returning employee would need to consider if any updates to payroll forms are needed, such as W-4 tax withholdings; direct deposit updates; beneficiaries; investment accounts; etc.

4. Temporary adjuncts returning *more than 18 months since separation*:

- A. If separated for *more than* 18 months each person would need to be treated like a new employee:

(HR note only -- regardless if their personnel file is still on site and not been purged due to staffing and workload challenges, we need to be consistent with the statements we make to individuals outside of HR).

1. Complete a new online application package;
2. Complete a new hire packet via Equifax (remember that new forms and mandated regulations are added to the new hire packets every year from Feds or State or VEBA or SDCCD, etc.). This includes a new I9 form.
3. Regarding Live Scan – A hiring manager needs to confirm that the individual has a Live Scan clearance on file.
 - a. If hired before Live Scan existed, then Live Scan would be required now.
 - b. If Live Scan clearance is on file, the hiring manager needs to confirm there have been no Subsequent Arrest Reports received since separation from District, and that the conviction is not one that would otherwise prevent the individual's rehire.
4. Regarding Academic MQs – Deans needs to confirm that the individual qualifies under the current MQ Handbook, or has a new approved Equivalency Determination.

5. Retirees returning *less than 18 months of retirement*:

- A. Per AP 4260.1 & California Education Code § 87408.5 – Health Evaluation and Medical Examination – all retirees (regardless if Classified or Academic) must undergo a pre-employment medical examination (including TB clearance), at their own expense, prior to returning to work the first time – regardless of the time span since retirement. Retirees who have previously returned as a retiree and have supplied medical clearance, do not need to provide it again. The fact that CalPERS/STRS requires the retiree to wait 180 days before returning to a CalPERS/STRS employer makes enforcement of this AP even easier and more logical for them.

- B. If separated *within* 18 months, the employee's personnel file would still be on site and available. The returning employee would need to consider if any updates to payroll

forms are needed, such as W-4 tax withholdings; direct deposit updates; beneficiaries; investment accounts; etc.

6. Retirees returning *more than 18 months* since retirement:

- A. Per AP 4260.1 & California Education Code § 87408.5 – Health Evaluation and Medical Examination – all retirees (regardless if Classified or Academic) must undergo a pre-employment medical examination (including TB clearance) at their own expense, prior to returning to work the first time – regardless of the time span since retirement. Retirees who have previously returned as a retiree and have supplied medical clearance, do not need to provide it again. The fact that CalPERS/STRS requires the retiree to wait 180 days before returning to a CalPERS/STRS employer makes enforcement of this AP even easier and more logical for them.
- B. If separated for *more than 18 months* (regardless if their personnel file is still on site and not been purged due to staffing and workload challenges), we need to be consistent with the statements we make to individuals outside of HR. Therefore if separated for more than 18 months, each person would need to be treated like a new employee:
 1. Complete a new online application package;
 2. Complete a new hire packet (remember that new forms and mandated regulations are added to the new hire packets every year from Feds or State or VEBA or SDCCD, etc.). This includes a new 19 form.
 3. Regarding Live Scan -- Hiring manager needs to confirm that the individual has a Live Scan clearance on file.
 - a. If hired before Live Scan existed, then Live Scan would be required now.
 - b. If Live Scan clearance is on file, the hiring manager needs to confirm there have been no Subsequent Arrest Reports received since separation from District, and that the conviction is not one that would otherwise prevent the individual's rehire.
 4. Regarding Academic MQs – Deans needs to confirm that the individual qualifies under the current MQ Handbook, or has a new approved Equivalency Determination.

7. Employees who were terminated regardless of time lapse:

- A. If terminated – first consult with Director of Employee Relations if the termination was justified and if consideration of re-employment would be permitted with, or without, caution/restrictions, or prohibition altogether.
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RESOURCES:

- California Education Code §88128
- Administrative Procedure 4260.1
- California Education Code §87408.5