

AP 7120g EMPLOYMENT OF PROFESSIONAL EXPERTS

References:

Education Code 88001, 88003, 88076 et seq.;
Title 5 Sections
Accreditation Standard I

1. Use of Professional Experts

- a. The Professional Expert category is used for the employment of a person in conjunction with a specific, limited-term projects(s) requiring professional knowledge, skills, or technical expertise. Such employment requires the preparation and board approval of the Professional Expert Employment Agreement.

2. Criteria for Employment as a Professional Expert

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

- a. Employment must be in conjunction with a specific, limited-term project(s). The project(s) must have defined starting and ending dates.
- b. The service to be performed must require 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.
- c. The work requires specialized knowledge or skills that fall outside the existing classified service. (If the work falls within the duties and expertise of an existing classified position, the work should be assigned to that position).
- d. The service to be performed is not 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:
 - 1) Instruction in any course offered for credit of for which apportionment will be claimed.
 - 2) Related academic student support services (e.g., counseling, EOPS).

- e. The work can be described in terms of a specific project(s) and the project(s) is on a “temporary basis”. Specific projects may include one-time projects and work for which the ongoing need is uncertain because the funding source is unpredictable, or is demand driven.

3. Conditions of Employment

- a. Professional Experts are employed on an “as needed” basis, subject to termination at will by the District or voluntary termination by the employee.

4. Period of Employment

- a. 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.
- b. Employment during any period of service as a Professional Expert is limited to work under the direction of one immediate management supervisor.
- c. A person serving as a Short-Term, Substitute, or Student Employee may not be concurrently employed as a Professional Expert.

5. Compensation

- a. Professional Experts will be compensated in accordance with the Professional Expert Employment Agreement.
- b. Professional Experts will not be compensated for preparation or training required to meet the professional qualifications necessary to perform their duties.
- c. 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.
- d. 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.
- e. 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 professional expert employment agreement and submission of a new request for an agreement.

6. Process

- a. The Department is to make sure that funding is available and a budget account is identified before they proceed with initiating a Request for Professional Expert.

- b. Once funding availability has been identified, the Department should fill out a Request for Professional Expert form available on the Intranet under Diversity and Human Resources/Document and Forms section.

<http://intranet.rccd.net/departments/administrative/district/DHR/Documents%20and%20Forms/Forms/AllItems.aspx>

- c. Once the Budget Office has verified funding, they will forward the form to Diversity and Human Resources who will prepare the Professional Expert Employment Agreement in consultation with the hiring manager.
- d. The Professional Expert Employment agreement will require Board approval so the request must be submitted to DHR in time to prepare the agreement and add to the Board consent agenda (normally 6 1.5 weeks prior to the board meeting date).
- e. After Board approval, DHR will forward a signed copy of the Professional Expert Employment Agreement to payroll and budget control and maintain the original copy in the Professional Expert Personnel file.

Office of Primary Responsibility: Diversity and Human Resources Department

Administrative Approval: February 25, 2013

**RIVERSIDE COMMUNITY COLLEGE DISTRICT
PROFESSIONAL EXPERT EMPLOYMENT REQUEST FORM**

Name of Prospective Professional Expert: _____

The Nature of Work to be Performed

Professional experts can only be employed outside the classified service if hired on a temporary basis for a specific project, regardless of length of employment. Please identify the project (position description) and its estimated duration: _____

From: _____ To: _____

Recommended Salary or hourly rate for Contract Period: _____

Please identify the area of expertise of this prospective worker and employment standards required for this area of expertise: _____

Please describe the specific duties to be assigned to this prospective worker, if hired.

Professional experts cannot be employed to perform duties that have previously been exclusively performed by bargaining unit workers. Further, professional experts cannot be employed if that results in the displacement or replacement of classified workers. "Displacement" includes layoff, demotion, reduction of hours, and all involuntary transfers. "Replacement" is the filling of a position a classified worker left vacant.

Identify budget code(s) and percentages for professional expert contract:

Fund	School	Resource	PY	Goal	Function	Object	Percent

 Title and signature of administrator requesting professional expert contract Date _____

 Signature of Area Vice President/Vice Chancellor Date _____

 Signature of College President/Chancellor Date _____

 Budget Approval Date _____

 Vice Chancellor, Diversity and Human Resources Date _____

For DHR Use Only	Date
Date Contract to Be Submitted to Board for Approval:	

Distribution: Original/Personnel File Copy/Employee Copy/Payroll