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**GOVERNMENT CODE - GOV**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** ( Title 2 enacted by Stats. 1943, Ch. 134. )

**DIVISION 5. PERSONNEL [18000 - 22980]** ( Division 5 added by Stats. 1945, Ch. 123. )

**PART 2.6. PERSONNEL ADMINISTRATION [19815 - 19999.7]** ( Part 2.6 added by Stats. 1981, Ch. 230, Sec. 55. )

**CHAPTER 2.5. Days and Hours of Work [19851 - 19991.14]** ( Chapter 2.5 added by Stats. 1981, Ch. 230, Sec. 55. )

**ARTICLE 8. Emergency [19888 - 19888.2]** ( Article 8 added by Stats. 1981, Ch. 230, Sec. 55. )

**19888.** Service under emergency appointment shall be credited for purposes of vacation, sick leave, annual leave, and salary adjustment only if and as provided by department rule.

If the provisions of this section are in conflict with the provisions of a memorandum of understanding reached pursuant to Section 3517.5, the memorandum of understanding shall be controlling without further legislative action, except that if such provisions of a memorandum of understanding require the expenditure of funds, the provisions shall not become effective unless approved by the Legislature in the annual Budget Act.

(Amended by Stats. 1986, Ch. 657, Sec. 10.)

**19888.1.** The appointing power, to prevent the stoppage of public business when an actual emergency arises, or because the work will be of limited duration, not to exceed 60 working days, may make emergency appointments without utilizing persons on employment lists and, if necessary, without regard to existing classes. The method of selection and the qualification standards for an emergency employee shall be determined by the appointing power. The frequency of appointment, length of employment, and the circumstances appropriate for the appointment of an individual under emergency appointments shall be restricted by the State Personnel Board by rule so as to prevent the use of emergency appointments to circumvent employment lists.

Service under emergency appointment shall be credited for purposes of layoff only if and as provided by department rule.

(Added by Stats. 1981, Ch. 230, Sec. 55.)

**19888.2.** (a) Notwithstanding Sections 18531 and 19888.1, the Department of Industrial Relations may make emergency appointments that exceed 60 working days, subject to the limits of Section 5 of Article VII of the California Constitution, until December 1, 2026.

(b) The Department of Industrial Relations shall report all uses of this emergency appointment authority to the Director of the Department of Human Resources by January 1, 2025, for uses in 2024, and January 1, 2026, for uses in 2025, and January 1, 2027 for uses in 2026.

(c) The Department of Industrial Relations shall expedite its analysis and submission of classification changes to the Department of Human Resources. The Department of Human Resources shall expedite the analysis and submission of classification changes, which would assist the Department of Industrial Relations in filling positions, in coordination with applicable collective bargaining organizations and submit to the State Personnel Board for consideration.

(d) The Department of Industrial Relations, the Department of Human Resources, and the State Personnel Board, in coordination with applicable collective bargaining organizations, shall develop a process to streamline the hiring of positions for providing services in multiple languages.

(e) Between December 1, 2024, and December 1, 2026, the Department of Industrial Relations shall provide quarterly reports to the budget committees of the Senate and the Assembly. This report, at a minimum, shall include information about all of the following:

(1) The number of positions filled.

(2) The number of remaining vacancies.

(3) A description of the positions associated with these vacancies.

(4) The average time for filling new positions.

(f) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

*(Added by Stats. 2024, Ch. 52, Sec. 16. (AB 171) Effective July 2, 2024. Repealed as of January 1, 2027, by its own provisions.)*