

## TEMPORARY POOL EMPLOYEES

In accordance with Article 44, Section 2 of the AFSCME Master Agreement, the Commonwealth of Pennsylvania and AFSCME agree the following shall establish the salary, working conditions and Articles of the Master Agreement which are applicable to all temporary clerical pool employees and temporary adjunct custodial pool employees.

### GEOGRAPHICAL AREA

Temporary pool employees are assigned to agencies located within the capitol complex. For the purpose of this provision, the capitol complex shall be defined as "within the bounds of the city of Harrisburg". In addition, the Bureau of Enterprise Recruitment, Temporary Services Division, may assign employees to state agency facilities located outside the capitol complex in Dauphin and surrounding counties in close proximity to the capitol complex. Such locations include but are not limited to: the Pennsylvania State Police Headquarters; the Fish and Boat Commission Headquarters; the Game Commission Headquarters; the Pennsylvania Emergency Management Agency Headquarters, the Department of Corrections Headquarters, the Department of Military and Veteran's Affairs Headquarters.

### SALARY

Effective July 1, 2023 all Clerks, Clerk Typists and Custodial Pool Workers covered by this side letter will be paid at the hourly rate of \$16.17 per hour.

Effective July 1, 2024, all Clerks, Clerk Typists and Custodial Pool Workers covered by this side letter will be paid at the hourly rate of \$16.74 per hour.

As may be applicable, on July 1, 2025, July 1, 2026, and/or July 1, 2027, the parties agree the hourly rate for all employees covered by this side letter will be upwardly adjusted, as necessary, to maintain the minimum wage for Commonwealth state government employees.

### SENIORITY

Credited seniority hours shall be defined as all hours worked in the pool from February 10, 1992 through December 24, 1993. Effective December 25, 1993 through the pay period ending September 30, 1994, only regular hours worked in the pool will be counted as credited seniority hours. Effective with the pay period beginning October 1, 1994, only regular hours up to a maximum of 75 hours per pay period will be counted as credited seniority hours.

Employees who are appointed to permanent positions on or after July 1, 2000 shall carry that seniority earned under this Appendix into those permanent positions in bargaining units covered by the Master Agreement. Employees who are appointed to permanent positions on or after July 1, 2000 shall have that time worked under this Appendix considered as continuous service when determining eligibility for annual service increments.

The following shall constitute a break in service: resignation, separation for just cause, absence without approval for five consecutive working days, failure to report after leave and acceptance of other permanent employment while on leave. If service is broken by any of the above, the employee shall lose seniority hours. If an employee is returned within one year after such break in service, the employee shall be credited, for pay and seniority purposes, with the number of seniority hours accrued up to the time the break

in service occurred, but shall not be entitled to any credit for the time represented by such break in service.

Seniority lists shall be prepared for each seniority group covered by this Appendix and provided to the local Union President once every quarter.

#### LEAVE SERVICE CREDIT

Employees who are appointed to permanent positions on or after July 1, 2000 shall be credited with a year of leave service credit for each 26 pay periods completed in an active pay status under this Appendix, provided they were paid a minimum of one hour in each pay period.

#### BIDDING/RETURN RIGHTS

After working 1465 hours as a pool employee, employees covered by this Appendix shall be given preference for permanent entry-level vacancies for which they qualify.

Effective January 1, 2024, employees covered by this side letter shall be given preference for permanent entry-level vacancies for which they qualify, after working 975 hours. This provision shall expire on December 31, 2027, unless otherwise agreed to by the parties.

The three most senior bidding employees will be considered for the vacancy. The Employer reserves the right to refer employees with less than 1465 hours, when, in the Employer's judgment, the employees possess the required knowledge, skill and ability for the job opening. Additionally, when special circumstances exist, the Employer reserves the right to recruit into these vacancies from outside the clerical pool.

Effective January 1, 2024, the employer reserves the right to refer employees with less than 975 hours, when, in the Employer's judgment, the employees possess the required knowledge, skill and ability for the job opening. This provision shall expire December 31, 2027, unless otherwise agreed to by the parties.

Employees promoted into permanent agency vacancies through the pool's bidding/placement process, who elect to return, or are returned due to failure to successfully complete their probationary period will be ineligible to bid on vacancies from the same agency they returned from, for a period of 6 months from the date of return to the clerical pool.

In addition, custodial pool employees who bid on permanent entry-level vacancies in the Department of General Services shall be given consideration, not preference, for all such vacancies for which they qualify.

A vacancy for purposes of this provision will not include any vacancy to which a current permanent employee would have a seniority claim.

#### TEMPORARY TAX SEASON CLERKS/CLERK TYPISTS

Temporary Tax Season Clerks/Clerk Typists employed during the 1997-1998 tax season who opt to apply for and meet the minimum qualifications, who are then certified by the State Civil Service Commission and are accepted into the Temporary Clerical Pool prior to July 1, 2000, shall have all credited hours earned while a Tax Season Clerk/Clerk Typist since February 10, 1992 credited as time worked in the Temporary

## Clerical Pool.

It is understood that Temporary Tax Season Clerks/Clerk Typists who elect not to apply for positions with the Temporary Clerical Pool, or who do not receive certification by the State Civil Service Commission, shall be given preference after working 1465 hours over Limited Term Clerks/Clerk Typists from the Temporary Clerical Pool for entrance level, permanent part-time and/or full-time vacancies within the Department of Revenue for which they qualify. The three most senior bidding employees will be considered for the vacancy. It is understood that said Temporary Tax Season Clerks/Clerk Typists are ineligible to use those credited hours earned while a Tax Season Clerk/Clerk Typist to bid on vacancies occurring outside the Department of Revenue.

## CONTRACTUAL PROBATIONARY PERIOD

Upon attaining permanent status, an employee who has worked 975 hours or more as a pool employee will serve a 90-calendar day probationary period. Employees who have worked less than 975 hours as a pool employee, or who have attained permanent status in other than a Clerk/Clerk Typist I classification, will serve a six-month probationary period.

## OVERTIME

Employees who work in excess of 40 hours in a workweek shall be paid at the rate of time and one-half for all hours worked over 40.

## MEAL PERIODS

Employees will receive a 30-minute unpaid meal period or a 60 minute unpaid meal period (subject to agency scheduling rules and procedures) after working four consecutive hours, unless their work assignment ceases, and the employee goes home. This meal period will be scheduled prior to the end of the employee's fifth hour of work.

## UNION SECURITY/DUES DEDUCTION

The provisions of Articles 3 and 4 are applicable to employees covered by this Appendix.

## FAMILY AND MEDICAL LEAVE ACT (FMLA)

Employees who have been employed at least 12 months and have been paid for at least 1250 hours during the previous 12 month period, are entitled to a total of 12 weeks of leave without pay, without benefits in a 12 month period for purposes of leave for the employee's own serious health condition, parental leave and/or family care leave, as those leaves are described in the federal "Family and Medical Leave Act of 1993" and Title 29, Part 825 of the Code of Federal Regulations.

## MILITARY EXIGENCY OR MILITARY CAREGIVER LEAVE

After completing one year of service, employees may be eligible to use unpaid military exigency or military caregiver leave in accordance with the Family and Medical Leave Act of 1993, 29, U.S.C. Sections, 2601, et seq., provided the employee has at least 1250 hours of actual work time within the 12 months

preceding the commencement of the leave. Military exigency absence provides 12 weeks of leave within the rolling calendar year. Military caregiver absence provides 26 weeks of leave within a single 12 month period. Both military exigency leave and military caregiver leave may be used intermittently or on a reduced time basis.

#### LEAVES OF ABSENCE WITHOUT PAY FOR UNION BUSINESS

The provisions of Article 17, Section 3, are applicable to employees covered by this Appendix.

#### DISCIPLINE

The provisions of Article 28, Section 1, are applicable to employees covered by this Appendix after completion of 1,950 regular hours of work.

#### UNIFORM, CLOTHING AND EQUIPMENT

The provisions of Article 30 are applicable to the employees covered by this Appendix.

#### DISCRIMINATION/EMPLOYEE TREATMENT

The provisions of Article 31 are applicable to the employees covered by this Appendix.

#### MISCELLANEOUS PROVISIONS

The provisions of Article 35, Sections 1, 2, 3, and 10 are applicable to employees covered by this Appendix. The provisions of Section 7 will apply only after the pool employee reports to the designated work site. If any current/former employee wishes to become part of the employment pool, they shall be allowed to do so. However, their rate of pay and benefit entitlement (if any) shall not exceed the maximum paid to a pool employee.

#### EQUAL EMPLOYMENT OPPORTUNITY

The provisions of Article 36 are applicable to employees covered by this Appendix.

#### GRIEVANCE AND ARBITRATION

The provisions of Article 38 are applicable to employees covered by this Appendix.

#### SAFETY AND HEALTH

The provisions of Article 39 are applicable to employees covered by this Appendix.

#### POLITICAL ACTION

The provisions of Article 42 are applicable to employees covered by this Appendix.


LABOR/MANAGEMENT MEETINGS

The Employer and the Union agree to meet to discuss issues concerning the employees covered by this Appendix. Such meetings will be scheduled on an annual basis. Upon request of either party, additional labor/management meetings may be scheduled.

TRAINING

The Commonwealth recognizes the importance that training plays in staff development and toward that end, it agrees to provide Limited-Term Clerks with the necessary on-the-job training and to allow such staff to arrange job-relevant virtual or classroom training as offered through the Commonwealth University (subject to supervisory review and approval).

This Agreement shall be effective January 1, 2024 and shall continue in full force and effect up to and including December 31, 2027.

 16 Jan 24  
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Zollie Rayner Date  
AFSCME Council 13

 1/17/2024  
\_\_\_\_\_  
Justin Sluga Date  
Office of Administration  
Bureau of Employee Relations