



CASUAL SEASONAL EXCEPTION OPERATING PROCEDURE	
Department of Human Resources (DHR) Statewide Operating Procedure (OP) #: To be assigned.	Authority: 29 Del.C. § 5903 (17)
Effective Date: January 1, 2020	Supersedes: N/A
Application: Executive Branch Agencies	

1. ELIGIBILITY

Agencies requesting the hiring of Casual Seasonal (CS) employees that are exceptions to the State of Delaware Code.

2. POLICY/REGULATION

a. 29 Del.C. § 5903 (17) a. provides for situations where CS employees may be employed by the State of Delaware (State). 29 Del.C. § 5903 provides for the following:

(17) a. Casual seasonal employees may be employed by the State on a temporary basis in order to assist agencies in the following situations:

1. Casual assistance - employee is needed on a sporadic or on-call basis where hours cannot be predetermined and vary greatly from week to week. Such employees may be used as needed.
2. Seasonal assistance - employee is needed for peak operating seasons not to exceed nine (9) months.
3. Institutional assistance - employee is needed to provide optimum staffing levels for clients or to maintain security in an institution. Such employees may be used as needed.
4. Part-time assistance - employee works less than 30 hours per week on a consistent basis. Such employees may be used as needed.
5. Project assistance - employee performs duties related to a specific project that has defined objectives and an established time period of completion that does not exceed one (1) year.
6. Primary incumbent replacement - employee is needed to fulfill the job responsibilities of the primary incumbent who is unable to perform such responsibilities for an extended period of time. Such employees may be used for a maximum of nine (9) months or the length of time the incumbent is unable to perform the job responsibility, whichever is less.
7. Intern - employee is a college student enrolled in an academic program and working to gain job-related experience. Such employees may be used for a maximum of nine (9) months.

8. Co-op student - employee is a high school or college student enrolled in an academic program who is working to gain job-related experience. Such employees may work part time during the school year, full time during times when school is not in session and may be used as needed.
 9. Summer/School break assistance - employee is hired for a specific time period and uses this employment as an introduction to government and its services. Such employees may be used for a maximum of nine (9) months.
- b. The term durational is not applicable to any classification of employee employed by the State.
- c. Agencies that experience circumstances that require the use of CS employees that are not defined in subsection (a) of this section must submit a request for approval to the Department of Human Resources (DHR) Secretary, the Director of the Office of Management and Budget (OMB), and the Controller General (CG) for approval. Upon completion of one (1) year of work from CS employees, the DHR Secretary, the Director of OMB, and the CG must review the Agency need for such CS employment.

3. OPERATING PROCEDURES

- a. Agency Human Resources representative (Agency HR rep) prepares the CS Exception Request form thirty (30) days prior to the projected CS employee start date if an Agency requires approval for an exception per 29 *Del.C.* § 5903 (17) c. when the need for the CS does not fall within 29 *Del.C.* § 5903 (17) a., listed in Section 2, Policy/Regulation, of this OP.
 - The Signature section appears first on the Form to be completed by the appropriate parties at the end of the process.
 - Agency HR rep completes Parts 1, 2, 3 and 4 under sections designated for Agency HR.
 - In Part 1, the name of the Agency Fiscal Designee, whether it is an Initial or Renewal request, and the Agency HR rep contact information must be entered.
 - In Part 2, the Agency and request information must be entered.
 - In Part 3, all columns are to be completed except for Total Cost. This last column contains an imbedded formula.
 - In Part 4, the operational necessity is to be described.
- b. Agency HR rep submits the CS Exception Request to the DHR-Class-Comp@delaware.gov inbox with all sections completed correctly. A copy of the emailed request form must also be sent to both the Agency's appointing authority or designee and the Agency Fiscal Authority.
- c. Once received at Central Classification and Compensation (C/C/C), the C/C/C Administrative representative (C/C/C admin) records the request into the CTS log and sends Agency HR rep the receipt response. Each step in the process will be logged into the CTS by this representative.

- d. The CS Exception Request will be evaluated only when all the required information is submitted. DHR will determine if the request is justified and discuss any alternative recommendations with the Agency.
- e. The C/C/C representative assigned may schedule a conference call with the Agency HR rep to review this request and its priority among the Agency's submitted requests.
- f. If there are any questions about the costs associated with the request, the Agency Budget Analyst will contact the Agency Fiscal Designee listed on the Request.
- g. The C/C/C representative conducts the analysis, prepares the recommendation and provides to C/C/C Manager for review followed by a review by the C/C/C Administrator.
- h. The C/C/C admin provides the request for final determination to the Office of the DHR Secretary for signature via the Secretary's Administrative representative. The C/C/C admin notifies Agency HR rep when the DHR Secretary has signed the request within any required time frames and forwarded the document to OMB.
- i. When the request is fully executed (signed by all three (3) signatories), C/C/C admin notifies Agency HR rep of process completion and returns the request with results to Agency HR rep for implementation.
- j. Agency HR rep must document the employee CS status appropriately in PHRST.
- k. DHR Benefits Office monitors Agency CS work monthly on Affordable Care Act thresholds and shall discuss any issues with Agency HR rep.

4. EXCLUSIONS OR EXCEPTIONS

5. FORMS AND OTHER DOCUMENTS

- [Casual Seasonal Exception Request Form.](#)