

Rules Revisions - Highlights

CHAPTER 1 - BASIC

- **1-1 Rules and Amendments** (relocated from Chapter 2, change from Modifications, Amendments, and Supplements)
 - 1-1.5 Rule-making through adjudicative proceedings (new)
- **1-2 Severability** (relocated from Chapter 2)
- **1-3 Regulations** (change from Implementation of Rules)
- **1-5 Compliance** (new)
- **Definitions** (relocated to Chapter 8)
- **Basis and Purpose** (deleted)
- **1-9 Excepted and Exempt Positions** (relocated from Chapter 2)
 - 1-9.3 Appointment to Excepted or Exempt Positions (relocated from Chapter 2)
- **1-10 Temporary Agencies** (relocated from Chapter 2)
- **State office defined** (relocated to Chapter 8)
- **1-13 Patents – Inventions** (relocated from Chapter 5)
- **1-14 Copyrights** (relocated from Chapter 5)
- **Legal Services** (relocated to Chapter 2)
- **Drug and Alcohol Testing** (relocated to Chapter 2)

CHAPTER 2 – EMPLOYMENT PROVISIONS

- **Basis and purpose** (deleted)
- **Excepted Positions** (relocated to Chapter 1)
- **Exempt Positions** (relocated to Chapter 1)
- **Appointments to Excepted/Exempted Positions** (relocated to Chapter 1)
- **Demotion** (relocated to Chapter 3)
- **Modifications, Amendments, and Supplements** (relocated to Chapter 1)
- **Severability** (relocated to Chapter 1)
- **2-1 Terms of Employment**
 - 2-1.2 Career Employment (change from 720 hours to the equivalent of 90 full-time workdays or more in a calendar year for career employment and limited-term appointments)
 - 2-1.3 Noncareer Employment (change from 720 hours to the equivalent of 90 full-time workdays in a calendar year)
 - (e) (change from 719 hours to the equivalent of 89 workdays)
 - 2-1.4 Student and Special Classifications (add Special to address other classifications such as State Worker allowed to exceed the limit placed on other noncareers, change from 719 hours to 89 full-time workdays in a calendar year)
- **2-2 Service Ratings**
 - 2-2.2 When Submitted
 - (a) (2) Full-time employees (change from 1040 hours to 6 months, change from 2080 hours to 1 year, change 520 hours to 3 months for new hires)
 - (a) (3) Less than full time employees (new – to make separate from full-time employees using 9 and 18 months rather than hours and 3 months for new hires)
 - (a) (4) Extension of probation (change 2080 hours to 1 year (full-time employees and 18 months (less than full-time employees).
 - (d) Follow-up ratings (deleted automatically and automatic)

- 2-2.5 Performance Pay Plan Evaluation System (new)
- **2-4 Employment Preference**
 - Definitions (relocated to Chapter 8)
 - 2-4.1 Application and protection (change from class/classes to classification/classifications throughout)
 - (b) Limitations (relocated from Chapter 3 and changed from Limited-term appointment; employment preference, under (2) (A) add classification to level)
 - 2-4.2 Determination
 - (c) Effect of status (change level to classification)
 - (d) Affirmative actin exemption (change department of civil right to civil rights commission)
 - 2-4.3 Qualification
 - (a) Position and eligibility (change level to classification, change 2080 hours to one year of fulltime employment or 18 months of less than fulltime employment)
 - (b) Subclasses (add classification to level)
 - (c) Selective position (change from certification to position)
 - 2-4.4 Employee Rights to Apply Preference
 - (a) (1) (delete and level)
 - (a) (2) (change level to classification, change 2080 hours to one year of fulltime employment or 18 months of less than fulltime employment)
 - Automatic series (deleted)
 - 2-4.5 Employment Preference Application Between Employees . . . Bargaining Agreement
 - (a)Qualification (change 1040 hours to one year of fulltime employment or 18 months of less than fulltime employment)
- **2-6 Drug and Alcohol Testing** (relocated from Chapter 1)
 - Definitions (relocated to Chapter 8)
 - 2-6.4 Penalties
 - (a) Classified employees (2) (B) and (b) New Hires (change employment lists to applicant pools)
 - Regulations (deleted)

- **2-8 Disclosure of Interest and Contacts**
 - 2-8.2 Disclosure of Contacts
 - Definitions (relocated to Chapter 8)
- **Temporary Agencies** (relocated to Chapter 1)
 - Definitions (relocated to Chapter 8)
- **2-10 Leave of Absence with Pay**
 - 2-10.1 Authorization (add with status and salary payments may be paid in whole or in part)
- **2-11 Leave of Absence without Pay**
 - 2-11.1 Authorization (add with status)
 - 2-11.4 Annual Leave Balance
 - (b) Limitation and exception (deleted last sentence as it was moved to Waived Rights Leave of Absence)
 - 2-11.5 Medical Leave of Absence (new)
- **2-12 Waived Rights Leave of Absence** (moved out from under Leave of Absence without Pay, added with status, for a period not to exceed one year, extension beyond one year requires approval of the SPD and employee may not carry annual leave balance)
- **2-13 Veterans' Preference and Military Leave**
 - 2-13.6 Educational Leave (change 1040 hours to six months)
 - 2-13.8 Reclassification (change reallocation to reclassification and reallocated to reclassified)
- **2-15 Assumption into Classified Service**
 - 2-15.2 Classification of Assumed Positions (change allocate/allocation to classify/classification)

- 2-15.3 Appointment
 - (b) No merit selection (change six months to 12 months of fulltime employment or 18 months of less than fulltime employment)
 - (b) Last paragraph (change six months to 12 or 18 month)
- **2-19 Technical Appeal Process**
 - Definitions (relocated to Chapter 8)
- **2-20 Legal Services** (relocated from Chapter 1)
- **Senior Executive Management Assistant Service (SEMAS)** (relocated to Chapter 4)

CHAPTER 3 – SELECTION

- **Definitions** (relocated to Chapter 8)
- **3-1 Appraisal Methods** (changed from Examinations)
 - 3-1.1 Authority (change examinations to appraisal methods)
 - 3-1.2 Content and Method (change examinations shall consist of appraisal methods ... to appraisal methods must assess ... and change examination to appraisal)
 - 3-1.3 Application (deleted and schedule of examinations)
 - Last sentence (deleted DCS shall publish an examination schedule)
 - 3-1.4 Reasonable Accommodations (change examination process to appraisal process)
 - Examination Administration (deleted)
 - Scoring of Examinations (deleted)
 - 3-1.5 Integrity of Process (change examination to appraisal)
 - (a) Prohibited Practices (change examination to appraisal)
 - (5) (change examination to appraisal)
 - (6) (new – violating drug and alcohol testing rule)
- **3-2 Applicant Pools and Recall Lists**(changed from employment lists)
 - 3-2.1 Applicant Pools (change employment lists to applicant pools throughout, change candidate to applicant)
 - 3-2.2 Removal from applicant pool (changed from employment list)
 - Reasons for removal (deleted failure to respond to an inquiry regarding possible employment, an indication of lack of interest in an employment opportunity and failure to accept employment)
 - (c) (add with or without reasonable accommodations)
 - (f) (add applicant pool)
 - 3-2.3 Recall Lists
 - (b) Recall (change classes or positions to classifications)
 - Reasons for removal from recall lists (new)

- **3-3 Appointments and Job Changes** (changed from Certification)
 - 3-3.1 Process (change all referrals and appointments to all appointments and job changes)
 - 3-3.2 Recall Lists (moved from Process, change certification to appointment)
 - Referral (deleted)
 - 3-3.3 Demotion (relocated from Chapter 2)
 - (b) Conditions
 - (4) (change reallocated to reclassified)
 - 3-3.4 Emergency Appointment (1st sentence - add up to 28 calendar days, add 2nd sentence – An appointing authority cannot reappoint a person to a second consecutive emergency appointment within the same principal department, autonomous entity or agency of convenience)
 - 3-3.5 Hire (new)
 - 3-3.6 Promotion (new)
 - 3-3.7 Reassignment (change in language)
 - Reassignment between principal departments or autonomous agencies; Limitations (deleted, to be incorporated in regulation)
 - Regulations (deleted)
 - 3-3.8 Recall (new)
 - 3-3.9 Reinstatement (delete in a class, change class to classification, add classification to level, change the department of civil service to state personnel director)
 - 3-3.10 Transfer (change in language)
- **3-5 Probation and Status**
 - 3-5.1 Probationary Period
 - (b) Employee with Status (change classification level to classification)
 - 3-5.2 Length of Probationary Period
 - (a) Minimum length (change 2080 hours to one year of fulltime employment to 18 months of less than fulltime employment)

- (b) Extension of Probationary Period (change any extension may not exceed an additional 1040 hours to any extension beyond an additional six months requires the approval of the state personnel director)

- 3-5.3 Unsatisfactory Service
 - (b) Employee with status (delete level)

- 3-5.5 Grievance of Probationary Dismissal or Demotion
 - (a) Probationary employee without status (add civil service to grievance procedure provided by the appointing authority and up through the department level)

- 3-5.6 Status Defined (change examined to appraised and certified to qualified, add classification to level)

- Limited-Term Appointment; Employment Preference (relocated to Chapter 2, Employment Preference)

- **CHAPTER 4 – CLASSIFICATION**

- **Entire Chapter** (change allocation/allocated to classification/classified and reallocate to reclassify)
- **4-1 Position Establishment and Classification**
 - 4-1.4 Classification Plan
 - (b) Reclassification (new)
 - (c) Predetermined classification and classification levels (change classes to classification and add classification to level)
 - (d) Selective position requirements (change certification to position)
 - Regulations (deleted)
- **4-2 Review**
 - 4-2.1 Position Classification Review
 - (b) Frequency of review (add the DCS may require the appointing authority to establish . . .)
- **4-3 Appeals: Conditions**
 - 4-3.1 Authorized (add or classification level)
- **4-4 Position Abolishment**
 - 4-4.2 Rescinding of Classification (change any permanent position to any position, deleted last sentence)
- **4-5 Working out of class**
 - 4-5.1 Temporary Assignment
 - (a) (1) Exception (deleted pattern)
- **Disbursements for Personal Services** (relocated to Chapter 7)
- **4-6 Senior Executive Service**
 - 4-6.2 Conditions of Employment
 - (a) Performance Pay (New - All positions in the senior executive service are included in a performance-pay program)
 - (b) Transfers and reassignments (change level to classification)
 - (g) (1) (A) Employment preference (change level to classification)

- 4-6.4 Transitional Provisions
 - (c) Automatic conversion of positions to the SES, (c) and (d) Treatment of incumbents (change restricted to frozen)
 - Regulations (deleted)
- **4-7 Senior Executive Management Assistant Service (SEMAS)** (relocated from Chapter 2)
 - 4-7.1 Defined
 - Features (deleted)
 - Purpose (deleted)
 - Regulations (deleted)
 - Positions in the SEMAS (deleted)
 - Performance Evaluation System (deleted)
 - 4-7.2 Conditions of Employment
 - (a) Performance pay (New – All positions in the senior executive management assistant service are included in a performance-pay program)
 - (b) Transfers and reassignments (change level to classification)
 - (g) (A) Employment preference (change level to classification)
 - 4-7.4 Transitional Provisions
 - (a), (d) and (b) (change restricted to frozen)
 - Designation of Positions (deleted)
- **4-8 Equitable Classification Plan Group 4**
 - 4-8.2 Conditions of Employment in Group 4
 - (a) Performance pay (New - All positions in ECP Group 4 are included in a performance pay program)
 - (c) Transfers and reassignments (add to the same classification or another classification at the same classification level and add classification to level)
 - Regulations (deleted)
- **4-9 Equitable Classification Plan (ECP) Groups 1, 2, and 3** (entire section new to the rules, from Compensation Plan)
- **Attorneys Employed by the Department of Attorney General** (deleted)

CHAPTER 5 – COMPENSATION AND FRINGE BENEFITS

- **Definitions** (relocated to Chapter 8)
- **5-3 Compensation Schedules** (change from Compensation Administration)
 - 5-3.1 Compensation Schedules (change class to classification)
 - 5-3.2 Departmental Salary Range Subdivisions (change class to classification)
 - 5-3.3 Individual Compensation (change class to classification level)
 - 5-3.4 Operation of Compensation Schedules (add compensation)
 - (b) Schedules with steps (change class to classification level)
 - (b) (2) Advancement (change class to classification level)
 - (b) (3) Reduction of pay (change class to classification level)
 - (b) (4) General schedule revision (change class to classification level)
 - (c) Performance-pay programs
 - (c) (1) (A) Minimum point (change class to classification)
 - (c) (1) (B) Control point (change class to classification)
 - (c) (1) (C) Maximum point (change class to classification)
 - (c) (3) Grievances regarding performance-pay programs (add to the department of civil service)
 - (c) (3) (A) Grievance and appeal permitted
 - (4) The performance-pay action violates article 12, section 5, of the constitution (previously Exception under this section)
 - (d) Conversion of performance-pay schedule to step schedule (change class to classification)
 - (e) Salary rate for temporary projects (change The appointing authority must request the alternative compensation to The appointing authority must receive written authorization for the project pay from the DCS)
 - (f) Red-circled pay treatment (change from Salary rate for red-circled employees and change in language)
 - 5-3.5 Salary Rate Upon Change in Classification, Return from Layoff, or Reinstatement (change class to classification in the title and paragraph)
 - 5-3.6 Payment at Death of an Employee (Add - The appointing authority shall pay the final)
 - 5-3.8 Pilot Compensation Plans (new)

- **5-4 Additional Compensation: Overtime, Etc.**
 - 5-4.1 Additional Compensation (change from special pay applications)
 - Special Conditions Defined and Procedure for Payment (replaced with new Overtime, On-call, Callback, Shift Differential)
 - 5-4.6 Exclusions and Exceptions
 - (a) Exclusions for SES and ECP Group 4(deleted attorneys)
 - (b) State Police High Visibility Patrol (new)
 - (b) Exceptions for ECP Groups 1, 2 and 3 (new)
- **5-5 Additional Compensation: Prison Employees** (new to the rules)
 - 5-5.1 Prison Employees Premium (from the Compensation Plan)
 - 5-5.2 High Security Retention Premiums (from the Compensation Plan)
- **5-6 Additional Compensation: Miscellaneous** (new to the rules)
 - 5-6.1 High Structures and Tunnels Premium (from the Compensation Plan)
 - 5-6.2 Explosive Materials Premium (from the Compensation Plan)
 - 5-6.3 Premium for DCIS Examiners Working out of State (from the Compensation Plan)
 - 5-6.4 Premium for Department of Treasury Auditors Residing out of State (from the Compensation Plan)
 - 5-6.5 Other Employees Residing out of State (new)
 - 5-6.6 State Police Emergency Response Compensation (new)
 - 5-6.7 Conservation Officer 13 Premium (new)
 - 5-6.8 Jury Duty (from the Compensation Plan)
 - 5-6.9 Severance Pay (from the Compensation Plan)
- **5-7 Expense Reimbursement** (new to the rules)
 - 5-7.1 Travel Expense Reimbursement (from the Compensation Plan)

- 5-7.2 Moving Expense Reimbursement (from the Compensation Plan)
- **5-8 Longevity Payment** (change from Supplemental Pay Provisions, change in language to specify eligibility and payment)
- **5-9 Supplement to Workers' Disability Compensation** (new to the Rules)
 - 5-9.1 Duty-Incurred Disability Payment (from the Compensation Plan)
- **5-10: Paid Holidays and Leave**
 - 5-10.2 Paid leave (changed from paid annual leave, now includes annual leave, school participation leave and sick leave)
 - (1) Annual leave
 - (B) Table (maximum accumulation increased to allow credit of 16 hours of annual leave October 1 of each year)
 - (C) new (crediting of annual leave with a note explaining now personal leave)
 - (D) new
 - (2) School participation leave (new)
 - (3) (b) Leave use and limitations
 - (2) Crediting and use of sick leave (Add – The appointing authority may require an employee to be examined at state expense by a physician selected by the appointing authority)
 - (3) Other limitations (add school participation and sick leave)
- **5-11 Group Health and Insurance Plans** (new to the rules, from the Compensation Plan)
- **5-13 Retirement** (new)
- **5-14 Coordination of Benefits** (new to the rules, from the Compensation Plan)
- **Patents – Inventions** (relocated to Chapter 1)
- **Copyrights** (relocated to Chapter 1)

CHAPTER 6 – EMPLOYEE-EMPLOYER RELATIONS

- **Definitions** (relocated to Chapter 8)
- **6-3 Commission Authority**
 - 6-3.7 Application of Civil Service Rules and Regulations
 - (a) Nonexclusively represented employees (change classes of positions to classifications and class to classification and grade)
 - (b) Exclusively represented employees (change classes to existing grades within a classification)

- **CHAPTER 7 – DISBURSEMENTS FOR PERSONAL SERVICES**
- **Chapter 7** (relocated from Chapter 4)
- **Definitions** (relocated to Chapter 8)

CHAPTER 8 – DEFINITIONS

- **Chapter 8 (new)**
- **New Definitions:**
 - Agencies of Convenience
 - Applicant
 - Applicant Pool
 - Appointment Duration
 - Appraisal Method
 - Candidate Pool
 - Classification
 - Classification Level
 - Core Position Title
 - Employee Status Code
 - Employment Type
 - Examination
 - Frozen
 - Grade
 - Hire
 - Human Resource Management Network (HRMN)
 - Indefinite appointment
 - Job Change
 - Job Title
 - Limited-term appointment
 - Position
 - Preauthorized
 - Process Level
 - Promotion
 - Reclassification
 - Regulation
 - Status
- **Changes to Existing Definitions**
 - Appointment (change certified to qualified, add as authorized by the DCS)
 - Appropriate Unit (add (classifications) after classes)
 - Career Appointment (change from career employee, change 720 hours to 90 work days or more)
 - Creditable Time (change time in a career or limited-term classified position to time in a career appointment in a classified position, under (b) add classification to level)

- Demotion (change from mean a transfer to means an authorized movement, change class to classification level and delete in another class)
- Longevity
- Noncareer Appointment (change from noncareer employee, change 720 hours to 90 workdays in a calendar year)
- Prohibited Subjects of Bargaining (under (a) change allocation to grade assignment and delete last sentence, add (b) the compensation schedule, grade and rates assigned to a newly created classification and the structure of the compensation plan and under (c) change examinations to appraisal and delete certification)
- Red-circled Pay Treatment (add the salary of and change class to classification)
- Selective Position Requirements (change from selective certification requirements and change job classification to position)
- Status Classification (change class to classification)
- Subclass (deleted within a job classification)
- Supervisory Position (under (a) change reallocate to reclassify)
- Transfer (change at a level equal to or lower than the level at which the employee has status to at the same or lower classification)

- **Deleted Definitions**
 - Certification
 - Employment List