

Michigan Civil Service Commission

Regulation 3.10

Subject: Hiring-Restriction Conditions		
SPDOC No.: 21-04	Effective Date: September 5, 2021	Replaces: Reg. 3.10 (SPDOC 18-03, January 1, 2019)

1. Purpose

This regulation provides standards to establish hiring restrictions and to promote or transfer within an agency during hiring-restrictions or hiring-freeze declarations.

2. Definitions

A. CSC Rule Definitions.

1. *Appointment* means an authorized act of an appointing authority employing a properly qualified person in a specific position in the classified service.
2. *Recall list* means a list of persons who have been laid off, demoted, or otherwise displaced for reasons of administrative efficiency, including, for example, lack of work, lack of adequate funding, change in mission, or reorganization of the work force.

3. Standards

A. Establishing an Authorized Hiring Restriction or Freeze.

1. The agency must have a current hiring-restriction declaration on file approved by the state personnel director.
2. A bona fide hiring restriction or freeze is established when a declaration is forwarded to the state personnel director by the governor or an appointing authority that describes the nature, rationale, and scope of the hiring restriction or freeze and anticipated effective and expiration dates.
3. A hiring-restriction or hiring-freeze declaration must identify the total staffing level of current filled positions of each area affected by the declaration.
4. A hiring restriction may be agency-wide or specific to organizational areas.
5. The organizational areas designated for hiring restrictions must be identified by major budgetary units or definable and distinct programs (i.e., bureau, division, office, or district). Unit or section levels are too narrow organizationally. The restriction conditions must apply to all classifications and classification levels used in the

designated organizational area. The state personnel director must approve any exceptions.

6. The hiring-restriction or hiring-freeze declaration is void if:
 - a. The expiration date is reached and it is not reissued.
 - b. An individual outside the agency is hired into a declared hiring-restricted organizational area defined in the declaration.
 - c. The declaration is rescinded.

B. Transfer Within an Agency or Promotion under Hiring-Restriction Conditions.

1. Appointments cannot be approved under this regulation before the appointing authority receives written approval of its hiring-restriction condition declaration from Civil Service.
2. All agency recall names must be cleared before a promotional appointment.
3. The selected candidate must possess the qualifications for the appointment's classification.
4. Recall names do not normally prevent an employee's lateral job change or demotion to a different position within the agency, but recall names prevent a lateral job change from a limited-term appointment to an indefinite appointment.

CONTACT

Questions on this regulation may be directed to Classifications and Selections, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; 517-284-0103; or MCSC-OCSC@mi.gov.