

# REGULATION

<p><b>SPDOC No.:</b>  <b>Appointing Authority</b>  <b>Letter Reference:</b></p> <p><u>03-9CS-69406997</u></p>	<p><b>Effective Date:</b></p> <p><del>March 18, 2001</del></p>	<p><b>Index Reference:</b></p> <p>Establishment,  Reclassification,  Preauthorized, Effective  Date</p>	<p><b>Regulation Number:</b></p> <p><b>4.04</b></p>
<p><b>Issuing Bureau:</b></p> <p>Human Resource  Services</p>	<p><b>Rule Reference:</b></p> <p>Rules: 1-3 (Regulations)  4-1 (Position Establishment and  Classification)  4-2 (Position Classification Review)</p>		<p><b>Replaces:</b></p> <p>Reg. 4.04  (CS-68976940, <del>April  25</del>March 18, <del>1999</del>2001)</p>
<p><b>Subject:</b></p> <p><b>EFFECTIVE DATES FOR CLASSIFICATION ACTIONS</b></p>			

## TABLE OF CONTENTS

<b>1. PURPOSE.....</b>	<b>2</b>
<b>2. CIVIL SERVICE COMMISSION RULE REFERENCE .....</b>	<b>2</b>
<b>3. STANDARDS.....</b>	<b>2</b>
A. Positions in Classifications that Require Civil Service Approval. .	2
B. Preauthorized Reclassifications. ....	3
C. Retroactive Reclassifications.....	3
D. Retroactive P-Rate Assignment.....	4
<b>4. PROCEDURES .....</b>	<b>5</b>
A. Positions in Classifications that Require Civil Service Approval.	5
B. Preauthorized Reclassifications. ....	5
C. Requests for Retroactive Reclassifications. ....	6
D. Requests for Retroactive P-Rate Assignment. ....	7

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## 1. **PURPOSE**

This regulation establishes the standards and procedures for determining an effective date for all classification actions.

## 2. **CIVIL SERVICE COMMISSION RULE REFERENCE**

### ***Rule 1-3 Regulations***

*The state personnel director is authorized to issue regulations that the director deems to be necessary or useful. A regulation issued by the state personnel director is binding on the department of civil service, unless the commission finds that the regulation violates a rule. The state personnel director shall make all regulations available to employees through their personnel offices and the internet.*

### ***Rule 4-1 Position Establishment and Classification***

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#### ***4-1.5 Effective Date of Establishment***

*Positions are established and classified on a current basis.*

### ***Rule 4-2 Position Classification Review***

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*(c) Effective date of change. A change in the classification of a position based on a review under this rule is on a current basis, except as otherwise approved by the state personnel director.*

\* \* \*

## 3. **STANDARDS**

### **A. Positions in Classifications that Require Civil Service ReviewApproval.**

1. All position establishments require approval by the Department of Civil Service. The effective date of an establishment action is the beginning of the pay period in which a fully documented position action request is received by the Department of Civil Service.

12. The effective date of an ~~establishment or~~ reclassification action that is approved by the Department of Civil Service, for a position in a classification that is not preauthorized, is the beginning ~~date~~ of the pay period in which a fully documented position action request is received by the Department of Civil Service.

- ~~23.~~ A fully documented position action request, ~~submitted by the appointing authority,~~ consists of an up-to-date, completed Position Description form (CS-214) and a properly prepared Position Action Request form (CS-129). ~~If the Position Action Request and the Position Description forms are submitted at different times, the date of the submission for the last form is used to assign the effective date of the requested action.~~
- ~~34.~~ The effective date assigned to agency-specific senior standards, ~~supervisory Group 3~~ complex work area standards, and other processing standards developed by the appointing authority and approved by the Department of Civil Service is the beginning ~~date~~ of the pay period ~~within which the appointing authority submits the proposed documented standard is submitted~~ to the Department of Civil Service.
- ~~45.~~ The appointing authority must supply ~~all~~ any additional necessary information, ~~as requested,~~ to render a classification decision, such as an updated organizational chart, evaluation system rating forms, senior standards, etc.
- ~~56.~~ ~~For~~ After an appointing authority initiates a request, failure ~~by the appointing authority to respond~~ provide to a request for additional requested information within 20 workdays (30 workdays for positions requiring agency evaluation on a classification rating system) of a request may result in the issuance of a “No Action” on the ~~initial request and classification review.~~ New Position Action Request and Position Description forms are required. The effective date of any subsequent action ~~is~~ will be the beginning ~~date~~ of the pay period in which ~~the a fully documented~~ resubmitted position action request is received.
- ~~6.~~ ~~If there is sufficient documentation to make a classification determination without the provision of the additional requested information, particularly with employee generated review requests; the Department of Civil Service may issue a classification decision without the appointing authority's information.~~

**B. ~~Positions in~~ Preauthorized Classifications Reclassifications.**

1. The appointing authority must assign as the effective date the beginning ~~date~~ of the pay period in which the preauthorized reclassification is processed, except as provided in standard C. below. This Effective dates will be subject to Department of Civil Service audit.
2. The appointing authority ~~cannot process a preauthorized~~ may not assign an effective date of reclassification earlier than 26 pay periods after the employee's appointment to the position or the employee's last reclassification, ~~whichever occurred last.~~

**C. Retroactive Effective Dates Reclassifications.**

1. Departmental delays ~~are~~ may be considered as reasonable justification for retroactive effective dates only when the reclassification is from one level to another level within an entry/intermediate/experienced classification series or from ~~an~~ the experienced level to ~~a~~ related the advanced classification level. In such cases, retroactivity may be granted for up to a maximum of 26 pay periods preceding the ~~current effective date~~ beginning of the pay period in which the reclassification is processed.
2. For all other reclassifications, ~~the~~ Department of Civil Service may grant retroactivity of up to a maximum of seven pay periods preceding the ~~current effective date~~ beginning of the pay period in which the request is received ~~of a position action~~ when reasonable justification is ~~demonstrated~~ provided for position actions above the advanced level.
3. Special extenuating circumstances may provide a basis for retroactivity beyond the seven pay periods authorized in C.2 ~~for positions above the advanced level~~. Special extenuating circumstances, ~~as determined~~ approved by the Department of Civil Service, may include:
  - a. Any inappropriate action by the agency that ~~precludes~~ precluded the employee from filing a position review request directly with the Department of Civil Service.
  - b. The employee was incapacitated or incapable of filing a request for a position review.
  - c. Other extraordinary circumstances outside the control of the employee.
4. The maximum retroactivity permitted is 26 pay periods preceding the ~~current effective date~~ beginning of the pay period in which the reclassification request is received, even with a showing of special extenuating circumstances.
5. A reclassification may be retroactive according to these standards only if the classification plan and the duties and responsibilities of the position are the same on both the date received and the retroactive effective date.

#### D. Retroactive P-Rate Assignment.

The maximum retroactivity for P-rate assignment is 26 pay periods preceding the beginning of the pay period in which the request is received. The approval for P-rate may be retroactive according to this standard only if the classification plan and the duties and responsibilities of the position are the same on both the date the request is received and the retroactive effective date.

**4. PROCEDURES**

**A. Positions in Classifications that Require Civil Service Review/Approval.**

Responsibility	Action
Appointing Authority	1. Submits a Position Action Request form (CS-129) and Position Description form (CS-214) to the Department of Civil Service.
Department of Civil Service	2. Reviews the request and documents decision. 3. Enters the necessary approved position information in the Human Resources Management Network (HRMN). 4. Releases the Position Action Request form (CS-129) to the appointing authority. If disapproved, documents the reasons on the Position Action Request form and informs employee of the classification action and appeal rights.
Appointing Authority	5. Receives the completed Position Action Request form and enters the employee information in the HRMN for any occupied position.

**B. ~~Positions in~~ Preauthorized ReClassifications.**

Responsibility	Action
Agency Management	1. Submits a Position Description form and a request to the appointing authority for a classification review. 2. Certifies to the appointing authority that the employee is satisfactorily performing the higher-level duties and meets the classification's requirements.

<b>Responsibility</b>	<b>Action</b>
Appointing Authority	<ol style="list-style-type: none"><li>3. Reviews the request and documents the decision.</li><li>4. Enters the necessary approved employee information in the HRMN.</li></ol>

**C. Requests for Retroactive ~~Effective Dates~~ Reclassifications.**

<b>Responsibility</b>	<b>Action</b>
Appointing Authority	<ol style="list-style-type: none"><li>1. For reclassifications at the advanced level or above, submits Position Action Request and Position Description forms with rationale for a retroactive reclassification effective date. Agencies may independently process actions to recover retroactive effective dates on positions in preauthorized classifications (see regulation 4.02).</li></ol>
Department of Civil Service	<ol style="list-style-type: none"><li>2. Reviews the requested retroactive effective date and documents decision.</li><li>3. Enters the necessary approved position information in the HRMN.</li><li>4. Releases the Position Action Request form to the appointing authority.  If disapproved, documents the reasons on the Position Action Request form and informs employee of the classification action and appeal rights.</li></ol>
Appointing Authority	<ol style="list-style-type: none"><li>5. Receives the completed Position Action Request form and enters the employee information in the HRMN.</li></ol>

**D. Requests for Retroactive P-Rate Assignment.**

<b><u>Responsibility</u></b>	<b><u>Action</u></b>
<u>Appointing Authority</u>	1. <u>Submits a Position Action Request form (CS-129) and Position Description form (CS-214) with rationale for a retroactive effective date to the Department of Civil Service.</u>
<u>Department of Civil Service</u>	2. <u>Reviews the request and documents the decision. Enters the necessary approved position information in the Human Resources Management Network (HRMN).</u>  3. <u>Releases the Position Action Request form (CS-129) to the appointing authority.</u>  <u>If disapproved, documents the reasons on the Position Action Request.</u>
<u>Appointing Authority</u>	4. <u>Receives the completed Position Action Request form and enters the employee information in the HRMN for any occupied position.</u>

**CONTACT**

Questions regarding this regulation should be directed to the Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; by telephone, at 517-373-3048 or 1-800-788-1766; or by e-mail to [MDCS-BHRS@michigan.gov](mailto:MDCS-BHRS@michigan.gov).

**NOTE:** Regulations are issued by the State Personnel Director, under authority granted in the *State of Michigan Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.