Michigan Department of Civil Service

REGULATION

Appointing Authority Letter Reference:	Effective Date:	Index Reference:	Regulation Number:
~~CS-6853~~	~~July 3, 1997~~August 20, 2000	Appointments: ~~Types of Transactions~~Job Changes	**~~3.10~~3.07**
Issuing Bureau: Human Resource Services	**Rule Reference:** Rules ~~3-1.1, 3-1.2, 3-1.3, and 3-4.1~~ 3-3.1, 3-3.2, 3-3.3, 3-3.4, 3-3.5, 3-3.6, 3-3.7, 3-3.8, and 3-3.9,		**Replaces:** ~~Selection Procedure S-3 (CS-6757)~~Reg. 3.10 (CS-6853, July 3, 1997)
Subject: **APPOINTMENTS AND JOB CHANGES**			

~~NOTE: THIS REGULATION SUPERSEDES AND REPLACES Administrative Procedure **S-3**, "Appointments," Effective October 1, 1994 (CS-6757), replaces Advisory Bulletin CS-254-91, effective October 29, 1991.~~

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~~AUTHORITY:~~
~~The Michigan Constitution of 1963, Article 11, Section 5, states in part:~~

> ~~*The commission shall . . . make rules and regulations covering all personnel transactions, and regulate all conditions of employment in the classified service. . . . No person shall be appointed to or promoted in the classified service who has not been certified by the commission as qualified for such appointment or promotion.*~~

1. PURPOSE

This regulation is issued to define various types of ~~personnel~~ transactions ~~used~~ to make appointments and job changes to provide standards and procedures governing their use.

2. CIVIL SERVICE COMMISSION RULE REFERENCE~~:~~

~~Chapter 3 of the *Rules of the Civil Service Commission* establishes the basis for appointing applicants to all positions in the state classified service. The primary rules relating to appointment are as follows:~~

> ~~*3-1.2 **Certification** means the process whereby (1) the department of civil service or its authorized agent refers the names of qualified candidates to an ap*~~nonexclusively ~~*pointing authority and (2) the department of civil service approves the subsequent appointment of a candidate by the appointing authority.*~~
>
> ~~*3-1.3 **Employment List** means a list of persons whom the department of civil service has determined to be qualified for appointment to a position in the classified service. A recall list is an employment list.*~~

A. ~~*3-4.1*~~*3-3.1* ***Process.*** — *All* ~~*referrals and*~~ *appointments, promotions, and job changes in the classified service* ~~*shall*~~ *must be made in accordance with the*~~*se*~~ *civil service rules and regulations.* ~~*of the department of civil service. Except where these rules or regulations of the department of civil service provide otherwise, certification shall first be limited to persons on recall lists.*~~ *Any person appointed or promoted must be certified as qualified in accordance with and subject to these rules and applicable regulations. The state personnel director shall administer the certification of all appointments and promotions.*

B. ~~*3-3.2 Demotions ¾*~~

a) ~~***Notice.*** *If an appointing authority intends to demote an employee, the appointing authority shall give prior written notice of the specific reasons for the demotion to the employee.*~~

b) ~~***Conditions.*** *An appointing authority may demote an employee under any of the following circumstances:*~~

~~*(1) If an employee is not performing satisfactorily.*~~

~~*(2) If an employee's position is reclassified downward.*~~

~~*(3) If the demotion is requested by the employee and approved by the appointing authority.*~~

~~*(4) If the position occupied by the employee is abolished.*~~

(5) If the employee is displaced by the return to duty of another employee entitled to the position.

(6) If the employee is displaced by another employee with more seniority during a reduction in force.

(7) If the employee does not satisfactorily complete a probationary period.

C. ***3-3.3 Emergency Appointment*** *¾ When emergency conditions require immediate action, an appointing authority is authorized to make an emergency appointment up to 28 calendar days. The state personnel director may approve an extension of an emergency appointment up to an additional 28 calendar days. An appointing authority cannot reappoint a person to a second consecutive emergency appointment within the same principal department, autonomous entity, or agency of convenience. An emergency appointment is authorized only when made in conformity with the civil service regulations governing emergency appointments.*

D. ***3-3.4 Hire*** *¾ An appointing authority may appoint a qualified candidate to a position in the classified service as authorized by and in accordance with the civil service rules and regulations. ~~The state personnel director shall certify as qualified each person appointed and promoted in the classified service.~~ {Ref. Commission Meeting July 2000} –A candidate may be qualified for appointment in one or more of the following ways:*

a) *The candidate is listed in an appropriate civil service applicant pool.*

b) *The candidate meets the civil service qualifications for appointment to a designated classification.*

c) *The candidate is qualified after review by the department of civil service.*

E. ***3-3.5 Lateral Job Change Between Departments*** *¾ Any two appointing authorities may authorize a lateral job change for an employee between departments or autonomous entities. The employee may be moved to a different classification only if (1) the employee previously attained status in the classification, (2) the job change is based on the civil service preauthorized lateral job change list, or (3) the employee meets the civil service qualification requirements. A lateral job change between departments or autonomous entities requires the agreement of the employee and the approval of the department of civil service.*

F. ***3-3.6 Lateral Job Change within a Department*** *¾ An appointing authority may authorize a lateral job change for an employee within the employee's current department or autonomous entity. The employee may be moved to a different classification only if (1) the employee previously attained status in the classification, (2) the job change is based on the civil service preauthorized lateral job change list, or (3) the employee meets the civil service qualification requirements. A lateral job change within a department or autonomous entity does not require the agreement of the employee. However, an employee may request a lateral job change. ~~A lateral job change within the employee's current department or autonomous entity is not an appointment.~~ {Ref. Commission Meeting July 2000}*

G. ***3-3.7 Promotion*** *¾ An appointing authority may appoint a qualified employee candidate to another position at a higher classification level as authorized by and in accordance with the civil service rules and regulations. A candidate may be qualified for appointment in one or more of the following ways:*

a) The candidate is listed in an appropriate civil service applicant pool.

b) The candidate meets the civil service qualifications for appointment to a designated classification.

c) The candidate is qualified after review by the department of civil service.

H. ***3-3.8 Recall*** *¾ A person is recalled in accordance with the civil service rules and regulations in effect at the time of the recall. Unless the rules or regulations provide otherwise, appointment is first limited to persons on recall lists.*

I. ***3-3.9 Reinstatement*** *¾ A classified employee who achieved status and who is demoted or separated while in satisfactory standing is eligible for reinstatement. An appointing authority may reinstate an eligible person to (1) the classification in which the person last achieved status before the separation or demotion or (2) to a classification at the same or lower classification level for which the person is qualified. A person's eligibility for reinstatement is limited to 3 years after separation or demotion. However, the state personnel director may extend eligibility in the regulations to meet work force needs.*

3. DEFINITIONS ~~OF TYPES OF APPOINTMENTS:~~

A. Civil Service Commission Rule Definitions:

1. ***Applicant*** means a person who requests to participate in an appraisal process.
2. ***Applicant Pool*** means a group of applicants whom the Department of Civil Service has determined to be qualified.
3. ***Appointing Authority*** means each of the following: (1) a single executive heading a principal department, (2) the chief executive officer of each principal department headed by a board or commission, or (3) the person designated by either of the preceding as being responsible for administering the personnel functions of the department, board, or commission, or agency of convenience.
4. ***Appointment*** means an authorized act of an appointing authority employing a properly qualified person in a specific position in the classified service.
5. ***Autonomous Entity*** means an executive branch organization or function established by law within a principal department, but specifically directed by law to be an autonomous entity (i.e., a separate, independent unit), with the intent that its authority, powers, duties, and responsibilities, including personnel, budgeting, procurement, and management-related functions be exercised free from the direction and supervision of the principal department.
6. ***Class~~ification~~ Series*** **means** ~~includes entry-level worker through specialist or supervisory/ managerial level~~ a series of classifications ~~for a group of positions~~ with similar but progressively more responsible job duties. [HRMN Reference Note: class series is represented in the HRMN as job title.]
7. ***Demotion*** means ~~the transfer~~ an authorized movement of an employee with status from a position in one classification level to ~~a position in another class at~~ a lower classification level. ~~[Rule 1-0.1(I)]~~ [HRMN Reference Note: demotion may be represented in the HRMN as a job change.]
8. ***Employee Status Code*** means the status assigned to an employee for the purposes of determining pay and benefits. There are six (6) codes for active employees:

AA = Full-time	**AC** = Intermittent	**AE** = Seasonal
AD = Limited-Term	**AB** = Part-time	**AQ** = Noncareer

9. ***Hire*** means the initial appointment ~~of an applicant to a position in~~ to the state classified service authorized by the department of civil service. ~~This transaction~~

~~must also be used to rehire or reinstate a person who has previously worked for the state of Michigan and has separated for any reason.~~

10. ***Indefinite Appointment*** *means ~~an~~ a career appointment ~~that has~~ with no fixed ending date at the time of ~~the~~ appointment. ~~and is expected to last seven hundred twenty (720) or more hours, as authorized in Rule 2-16.2. Indefinite appointments may be made to positions with full-time, part-time, seasonal, intermittent, or job share work schedules.~~*

11. ***Job Change*** *means an authorized movement of an employee from one position to another. Job change includes, for example, demotion, lateral job change, promotion, reclassification, and reduction-in-force.*

12. ***Lateral Job Change*** *means the authorized movement of an employee to (1) a different position in the same classification or (2) a different position in a different classification at the same classification level.*

13. ***Limited-Term Appointment*** *means a~~n~~ career appointment that has a ~~n~~ fixed ending date at the time of the appointment. ~~and is expected to last seven hundred twenty (720) or more hours, as authorized in Rule 2-16.2.~~*

14. ***NonCareer Appointment*** *means an appointment to a classified position that is expected to last less than the equivalent of 90 fulltime {Ref. Commission Meeting July 2000} workdays in a calendar year.*

15. ***Preauthorized*** *means the specific authorization granted to an appointing authority to process a transaction in accordance with Civil Service rules and regulations without prior Civil Service review.*

16. ***Principal Department*** *means one of not more than ~~twenty (~~20~~)~~ executive branch departments provided for by Article 5, Section 2, of the Constitution. [HRMN Reference Note: principal department is represented in the HRMN as process level.]*

17. ***Promotion*** *means the appointment of an employee to a different position at a higher classification level.*

18. ***Recall List*** *means a~~n employment~~ 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. ~~There are two types of recall lists: departmental and statewide.~~*

19. ***Reinstatement*** *means the appointment of a person who was previously separated from, or demoted in, the classified service while in satisfactory standing.*

20. ***Status means*** *~~is granted to~~ the recognition of an employee who has been properly ~~examined~~appraised, ~~certified~~qualified, and ~~properly~~ appointed ~~on an indefinite or limited-term basis,~~to the classified service and who has satisfactorily completed the probationary period in an indefinite or limited term appointment. ~~An employee who has achieved status and who later accepts an appointment to a position at a different level shall have status at the former level.~~*

B. Additional Definition(s) as used in this Regulation:

1. **EEO~~Job~~ Category** means one of eight broad occupational groupings defined by the United States Equal Employment Opportunity Commission and modified by the Michigan Department of Civil Service. Every classification is assigned to an "EEO~~job~~ category" by the Department of Civil Service. Descriptions of each of the EEO ~~job~~ categories are contained in the State of Michigan, Department of Civil Service, Compensation Plan.

2. ***Emergency Appointment*** means an appointment based upon a short-term, urgent need. ~~(a) arising outside normal working hours, or (b) in the absence of available names on an employment list. An emergency appointment shall automatically terminate at the end of the pay period in which the appointment exceeds twenty-eight (28) calendar days, unless terminated earlier by the appointing authority or extended by approval of the Department of Civil Service.~~ An employee in an emergency appointment is not entitled to (1) sick or annual leave accruals, (2) holiday pay, (3) enrollment in state-sponsored insurance plans, (4) service credit for any purpose, (5) continued employment, (6) status, or (7) employment preference rights.

3. ***Preauthorized ~~Transfer and Reassignment Report~~ Lateral Job Change List*** is a compilation of current classifications showing, for each classification, a listing of all the classifications at the same classification level to which ~~transfer~~ lateral job change between a department or ~~reassignment~~ lateral job change within a department may occur without prior review of qualifications by the Department of Civil Service. ~~Lists for individual classifications may be viewed and printed through an on line inquiry (425 I) in to the Automated Certification and Creation of Eligible Lists (ACCEL) system. Hard copy reports are also available through an on-line request (435 E) by the appointing authority.~~

4. ***Recall*** means the return of a former or current employee to a position ~~for~~ in which he or she ~~is eligible~~ achieved status and whose~~because the~~ previous

employment was modified by a reduction in force. ~~The transaction is used to return the employee to a position from a recall list.~~

5. ***Student Appointment*** means an appointment to a designated student classification as authorized in Rule ~~2-16.4~~2-1.3. An employee in a student appointment is not entitled to (1) sick or annual leave accruals, (2) holiday pay, (3) enrollment in state-sponsored insurance plans, (4) service credit for any purpose, (5) continued employment, (6) status, or (7) employment preference rights.

~~**DEFINITIONS OF PERSONNEL TRANSACTIONS USED TO PLACE AN INDIVIDUAL IN A STATE CLASSIFIED POSITION**~~

~~***Reassignment*** means an authorized movement of an employee from one classified position to another at the discretion of an appointing authority and outside the certification process. A reassignment takes place outside the certification process and is not an appointment. [Rule 3-1.4] The presence of recall names on the employment list does not prevent a reassignment from occurring, except as provided in Standard D of this regulation.~~

~~***Transfer*** means the appointment of an employee in the classified service to another position, at a level equal to or lower than the level at which the employee has status.~~

~~DEFINITIONS of additional terms:~~

~~***Certified Employment List*** means the listing of eligible applicants referred to an appointing authority for a vacancy in a specific classification, employment type, and location. Recall list and standard employment list candidates are identified by list-type code. Certified employment lists are generated by an on-line request into the Automated Certification and Creation of Eligibles List (ACCEL) system.~~

~~***Employment-Type Code*** means a single-character nicode that describes the type of employment desired by the candidates appearing on an employment list. There are six codes:~~

~~***Job Category*** means one of eight broad occupational groupings defined by the United States Equal Employment Opportunity Commission and modified by the Michigan Department of Civil Service. Every classification is assigned to a "job category" by the Department of Civil Service. Descriptions of each of the job categories are contained in the *State of Michigan, Civil Service Commission, Compensation Plan*.~~

~~***List-Type Code*** means a single-character code that establishes the priority of referred names on a certified employment list. There are three (3) codes:~~

~~***Qualification Review*** means the process used by an appointing authority to request a determination by the Department of Civil Service regarding an individual's qualifications for a specific classification or position.~~

~~***Standard Employment List*** means an employment list containing names of persons determined by the Department of Civil Service to be qualified and eligible for consi~~nonexclusively ~~deration for vacancies in a specified classification. Names are typically placed on these lists as a result of the Civil Service examination process, other approved appraisal methods, or as transfer or reinstatement candidates.~~

4. STANDARDS~~:~~

A. RECALL APPOINTMENTS AND JOB CHANGES~~:~~

1. Contractual obligations in regard to layoff, recall, ~~transfer, or reassignment~~ or lateral job change must be fulfilled first when filling a position covered by a collective bargaining ~~unit contract~~agreement. After all contractual requirements have been exhausted, the standards in this regulation must be applied in order for an employee to be lateral job changed~~, transfer, reassign,~~ or demoted ~~an employee~~.
2. Appointments must be made ~~from a certified employment list in the following order of consideration~~as follows:

   a. Departmental Recall: ~~Lists (List Type 2):~~ The most senior available candidate, based on total continuous service hours, must be appointed.

   b. Statewide Recall: ~~Lists (List Type 3):~~ In the absence of departmental recall names, an appointment shall be made from among any names appearing as statewide recall candidates. All ~~candidates~~ recall list names must be ~~appointed or~~ properly removed in accordance with Regulation 3.~~12~~09, "Establishment, Maintenance, and Duration of Recall Lists for Nonexclusively Represented Employees," before additional candidates can be considered.
3. Within the same principal department or autonomous entity, an employee may be ~~reassigned~~ lateral job changed by the appointing authority to a position in the same classification and classification level, to a different classification at the same classification level within the same ~~job~~ EEO

category, or to a position where the movement is identified as a reassignment lateral job change in the Preauthorized Transfer and Reassignment Lateral Job Change List. An employee may be demoted to a position at a lower classification level in the same classification class series or to a position at a lower classification level within the same EEO job category. Reassignment and demotion are also subject to the following conditions:

Job Categories 1 (Officials and Administrators) and 2 (Professionals) shall be considered as one job category for reassignment purposes.

4. **Appointments** to professional entry-levelor technician positions when recall names appear on the employment recall list must be made as follows:

   a. When recall names appear on the employment list for entry-level professional classifications, the appointment must be made to the specific professional classification (i.e., Departmental Analyst 9, Buyer 9, etc.).

   ba. Appointments to the State Transitional Manager, State Transitional Professional Trainee, or State Transitional Business and Administrative Technician classifications can only be made through the established process. Individuals being appointed from a recall list are not eligible for appointment to the Professional Trainee cannot be recalled into these classifications. Appointments must be made to the specific manager, professional, or technician classification.

   b. Employment list requests for Appointments or job changes to Departmental Trainee classifications will only be processed when there are no recall names appearing on for the specific corresponding professional entry-level classification. [Exception: If the department has an authorized hiring freeze declaration on file with the Department of Civil Service (See Regulation 3.13, "Promotion or Internal Transfer of Current Employees Under Hiring Restriction Conditions") and no recall names appear on the professional entry-level employment list from their department, an "Information Only" employment list will be processed.]

   dc. Following appointment from a recall list, Iimmediate reallocation reclassification to the State Transitional Manager, State Transitional Professional, Trainee or Departmental Trainee, or State Transitional

Business and Administrative Technician classifications ~~when appointed from a recall list~~ is prohibited. (Changes in classification or ~~reallocation~~ reclassification of the position ~~is~~ are subject to the standards described in Classification Regulation 4.05, "Frequency of Review of Positions.")

~~3~~d. Recall names for a classification normally prevent the hire, promotion, reinstatement or ~~transfer~~ lateral job change between departments of an individual to that classification. Exceptions may occur if a hiring freeze or hiring restriction is in effect. Civil Service Regulation 3.~~13~~10, "*Promotion or ~~Internal Transfer~~ Lateral Job Change Within a Department of Current Employees Under Hiring Restriction Conditions*," establishes the standards that must be fulfilled.

~~4~~e. Recall names for a classification do not prevent demotion or ~~reassignment~~ lateral job change within a department to that classification, except as provided in Standard ~~D~~ C of this regulation.

~~6.~~f. Recall names prevent the movement of an exclusively represented employee ~~to a position in a different collective bargaining unit agreement or~~ to a nonexclusively represented position.

B. ALL APPOINTMENTS AND JOB CHANGES~~:~~

1. ~~The a~~Applicants must possess the ~~minimum~~ qualifications for the classification to which an appointment or job change is being made; at least one of the assigned sub-nonexclusively ~~classifications~~classes, if any; and any selective ~~certification~~ position requirement criteria that ~~have~~ has been approved by the Department of Civil Service.

2. All appointments and job changes must be made in accordance with the standards and conditions of this regulation. Misapplication of these standards and conditions that creates an improper appointment or job change will result in voiding the appointment or job change and will require corrective action.

3. Civil Service will review qualifications of applicants for all classifications covered in Department of Civil Service maintained applicant pools. Civil Service will also review qualifications of applicants for all classifications that have not been preauthorized to the appointing authority.

4. Appointing authorities will review qualifications of applicants for all classifications preauthorized to them. (See Advisory Bulletin **XXX.XXXX** for a listing of the preauthorized classifications.)

5. All appointments and job changes shall be made in compliance with Civil Service rules, regulations, and procedures, as certified by the appointing authority to the Department of Civil Service.

C. LIMITED TERM APPOINTMENTS

1. A limited term appointment means a career appointment that has a fixed ending date at the time of the appointment.

2. A limited-term appointment shall automatically expire at the fixed end of the term, unless terminated earlier by the appointing authority.

3. A limited-term appointment shall not exceed two years from the date of appointment unless approved for extension by the Department of Civil Service.

4. An individual appointed on such a basis shall have the same rights as employees in indefinite appointments, except as those benefits and rights are otherwise limited elsewhere in rules or regulations.

5. Limited-term appointments may have employee status code of ~~be made to positions with~~ full-time (AA), part-time (AB), seasonal (AE), intermittent (AC), limited-term (AD), or noncareer (AQ) ~~job share work schedules~~.

6. Employment preference or recall rights can only be applied as defined in Civil Service Rule ~~3-5.7~~2-4.1.

~~**Hires and Promotions:**~~

~~Hires, promotional appointments, must be made from the top available band (score group) appearing on a certified employment list. If fewer than fifteen (15) names remain available in the band, names from the next lower band are eligible for consideration.~~

~~Exceptions may occur under the following conditions:~~

~~1. For a limited number of professional 10- and P11-level classifications, an initial appointment may be made using a CS-153-A form (Request for Qualification Review). (See Civil Service Regulation 3.06, "Appointments to 10 and P11 Level Positions in Classifications Not Tested by the College Graduate Careers Examination" for additional information.)~~

~~2. Vacancies for certain specified classifications are filled through referral processes authorized by the Department of Civil Service.~~

D. ~~TRANSFERS,~~ LATERAL JOB CHANGES, ~~REASSIGNMENTS,~~ REINSTATEMENTS, AND DEMOTIONS~~:~~

~~2~~1. A ~~transfer, reassignment~~lateral job change, reinstatement, or demotion ~~does~~ will not require ~~a Qualification~~ Civil Service ~~R~~review of applicants qualifications when one of the following conditions exist:

a. The movement is to a different position in the same classification ~~and level~~ (with the same subclass code, if applicable) or to a position at a lower classification level in the same ~~classification~~ class series.

b. The movement between classifications is listed in the Preauthorized ~~Transfer and Reassignment Report.[1]~~ Lateral Job Change Listing.

c. The employee's name is ~~on~~ in the ~~current employment list~~ Department of Civil Service applicant pool for the classification (with subclass code, if applicable) to which ~~transferring~~lateral job changing, ~~reassigning,~~ reinstating, or demoting.

~~d. The employee achieved status in the proposed classification within the previous three years.~~

~~e~~d. ~~The Human Resource Services Bureau~~ There is documentation that the Department of Civil Service has reviewed and approved ~~a Request for Qualification Review (CS-153-A)~~ the employee's qualifications for the proposed movement ~~within the previous six months~~ and the ~~minimum~~ qualifications for the classification have not changed.

e. The appointing authority has reviewed and approved the employee's qualifications for the preauthorized classification and the qualifications have not changed.

2. ~~Transfers~~Lateral job changes, ~~reassignments,~~ reinstatements, or demotions that do not satisfy the conditions stipulated in Standard ~~D-2~~ C-1 require review and approval of the candidate's qualifications by the ~~Human Resource Services Bureau~~ Department of Civil Service before the ~~appointment~~ action is ~~made~~taken. A ~~CS-153-A~~ request for qualification

~~[1] See definition for *Preauthorized Transfer and Reassignment* Report, under the "Definitions of Additional Terms" section of this regulation.~~

review must be submitted for this purpose. A transfer examination may be required in some instances to verify the employee's qualifications.

3. An employee must have status to be eligible for transfer, reassignment, reinstatement, or demoiton; howeverDuring the probationary period, an employee may be reassignedlateral job changed, or demoted to a position in the same classification or classificationclass series, with the same employment type.

4. Contractual obligations in regard to layoff, recall, transfer, or reassignment must be fulfilled first when filling a position covered by abargaining unit contract. After all contractual requirements have been exhausted, the stannonexclusively dards in this regulation must be applied in order to , transfer, reassign, or demote an employee.

64**.** Reassignment across departmental or autonomous entity lines Lateral job changes between departments may occur in accordance with Civil Service Rule 3-4.63-3.5 as follows:

a. Reassignment between principal departments or autonomous agencies; Limitations. An employee may be reassigned from one principal department or autonomous agency to another, subject to the following additional provisions: The sending and receiving appointing authorities must certify in witingwriting to the state personnel director that they mutually agreed to the job change.

b. An employee who is reassigned has the right to refuse reassignment a lateral job change between departments and, wherewhen necessary, to exercise employment preference within the sending department or agency autonomous entity instead of being reassigned.

c. An employee may not be reassigned lateral job changed between departments if there is an employee currently working for the receiving appointing agency department or autonomous entity who is on the receiving has departmental recall list rights for to the classification and classification level of the reassignment.

d. An employee who is reassigned must receive written notice of the reassignment at least thirty twenty-eight (3028) calendar days before the effective date of reassignmentthe lateral job change unless agreed otherwise.

e. ~~Reassignment~~ A lateral job change of a nonexclusively represented employee to a position covered by a collective bargaining agreement~~s~~ shall be governed by the terms and conditions of the collective bargaining agreement.

~~(1) The sending and receiving appointing authorities must certify in writing to the state personnel director that work force leveling or other redeployment needs warrant the reassignment of employees as provided by this rule 3-4.6(a), and the state personnel director must concur.~~

~~(2) An employee who is reassigned has the right to refuse reassignment and, where necessary, to exercise employment preference within the sending department or agency instead of being reassigned.~~

~~(3) An employee may not be reassigned if there is an employee currently working for the receiving appointing agency who is on the receiving departmental recall list for the classification and level of the reassignment.~~

~~(4) An employee who is reassigned must receive written notice of the reassignment at least twenty-eight (28) calendar days before the effective date of reassignment.~~

~~(5) Reassignment of a nonexclusively represented employee to a position covered by collective bargaining agreements shall be governed by the terms and conditions of the collective bargaining agreement.~~

~~7.Reassignment into a position in the Senior Executive Services (SES), Senior Executive Management Assistant Service, and State Transitional Manager is prohibited. Transfer and reassignment into, out of, and within non-SES Group 4 classifications is permitted.~~

~~8~~5. Reinstatement must take place within three years of the employee's separation, demotion, or departure on a waived rights leave of absence from an indefinite or limited-term appointment in which status was attained. The reinstatement period for employees who have been laid off or demoted because of a reduction in force begins when their recall rights expire. An employee must have separated in satisfactory standing ~~and not have been dismissed for cause~~ to be eligible for reinstatement.

~~E. EMERGENCY APPOINTMENTS:~~

~~1. Emergency appointments may be made under the following circumstances:~~

~~a. When employment lists do not contain sufficient names to meet the immediate need; or~~

~~b.When an urgent need arises that is not expected to exceed thirty (30) days.~~

~~2. A series of emergency appointments shall not be used to maintain employment in the state-classified service.~~

~~3. In cases where employment lists have not provided eligible candidates, and the appointment is expected to last more than thirty (30) calendar days, the Department of Civil Service shall commence appropriate action within three (3) pay periods of the appointment date for addressing the work force need that necessitated the appointment. In such cases, the emergency appointment may be authorized or extended for a duration not to exceed six (6) pay periods. This period of time includes the pay period in which the appointment began.~~

~~PROCEDURES:~~

~~The primary method for filling positions in the state classified service is through the use of certified employment lists. Appointments will typically be made in accordance with the instructions contained in the *Operator's Guide for the On-Line Automated Certification and Creation of Eligible Lists* (ACCEL) system.~~
~~When an appointment cannot be certified through the ACCEL system, the following procedures are to be used to make appointments under each specified condition:~~

~~**I. PROCEDURES TO TRANSFER, REASSIGN WITHIN THE SAME DEPARTMENT OR AUTONOMOUS ENTITY, REINSTATE, OR DEMOTE WHEN THE CANDIDATE'S NAME IS NOT ON THE CERTIFIED EMPLOYMENT LIST:**~~

~~Responsibility~~	~~Action~~
~~Appointing Authority~~	~~1. If a Qualification Review is required, submits a Request for Qualification Review form (CS-153-A), with the necessary documentation, to the agency liaison in the Human Resource Services Bureau, Department of Civil Service.~~

~~Responsibility (Cont.)~~	~~Action (Cont.)~~
~~Appointing Authority (Cont.)~~	~~2. If a Qualification Review is not required, submits a Request for Approved Appoint~~nonexclusively ~~ment form (CS-1672) with necessary documentation to the agency liaison in the Human Resource Services Bureau, Department of Civil Service.~~ ~~**Note: Intraagency reassignments to the same classification, level, and em**~~**nonexclusively** ~~**ployment type or demotions to a lower level in the same classifica**~~**nonexclusively** ~~**tion series may be entered directly into the Personnel Payroll Information System for Michigan (PPRISM).**~~
~~Agency Liaison, Human Resource Services Bureau~~ ~~+-~~	~~3. Completes the Qualification Review process:~~ ~~a. If the employee is not qualified for the proposed classification, annotates disapproval on CS-153-A and returns the Qualification Review documents to the requesting agency.~~ ~~b. If the employee is qualified for the proposed classification, annotates approval on the CS-153-A.~~ ~~4. Reviews Qualification Review or Approved Appointment request to determine if the employee meets conditions for transfer, reassignment, reinstatement, or demotion, as appropriate.~~ ~~5. Annotates CS-153-A or CS-1672 as approved or disapproved, including rationale.~~

	~~6. If transaction is approved, completes an approved appointment transaction in the ACCEL system and enters certification number and date on CS-153-A or CS-1672.~~
~~Responsibility (Cont.)~~	~~Action (Cont.)~~
~~Agency Liaison, Human Resource Services Bureau (Cont.)~~	~~7. Returns copy of completed CS-1672 or CS-153A to appointing authority.~~
~~Appointing Authority~~	~~8. If approved, enters transaction into the PPRISM system.~~

~~II. PROCEDURES FOR REASSIGNMENT BETWEEN DEPARTMENTS OR AUTONOMOUS AGENCIES:~~

~~Responsibility~~	~~Action~~
~~Appointing Authority~~	~~1.Sends written request to the agency liaison in the Human Resource Services Bureau, Department of Civil Service requesting reassignment of the employee(s), including the following information:~~ ~~a.Documentation of agreement between department directors or agency heads and the State Personnel Director's concurrence that the proposed action is justified.~~ ~~b.Current Certification of Eligibles (170-C) showing there are no currently employed List Type 2 candidates for the position.~~ ~~c.Name, Social Security number, classification and level, position number, and location of each individual to be reassigned.~~

	~~d.Department/agency, classifica~~nonexclusively ~~tion and level, position number, location of position to which the reassignment is to occur, and effective date of reassignment.~~
~~Responsibility (Cont.)~~	~~Action (Cont.)~~
~~Appointing Authority (Cont.)~~	~~e.CS-1672 or a copy of an approved CS-153-A for each employee when the movement is to a different classification not identified in the Preauthorized Transfer and Reassignment Report.~~
~~Agency Liaison, Human Resource Services Bureau~~	~~2.Reviews request for compliance with standards.~~
	~~4.If disapproved, sends request back to appointing authority with reason for disapproval.~~
	~~6.If approved, enters approved appointment transaction into ACCEL system and forwards approval notification to appointing authority.~~
~~Appointing Authority~~	~~7.If approved, enters appointment transaction into PPRISM.~~

~~III. PROCEDURES FOR AN EMERGENCY APPOINTMENT EXPECTED TO LAST THIRTY DAYS OR LESS:~~

~~Responsibility~~	~~Action~~
~~Appointing Authority~~	~~1.Determines that an urgent need exists. (Example: A cook may be needed to prepare meals for institution residents.)~~
	~~2.Appoints individual and enters it into the PPRISM, with an expiration date not to exceed thirty (30) calendar days after the first day worked.~~

~~**Note: No further notice to the Department of Civil Service is required. The appointment will be automatically terminated at the end of the pay period in which the appointment exceeds thirty (30) calendar days.**~~

~~IV. PROCEDURES FOR AN EMERGENCY APPOINTMENT EXPECTED TO LAST THIRTY DAYS OR MORE:~~

~~Responsibility~~	~~Action~~
~~Appointing Authority~~	~~1.Determines that an emergency appointment is necessary and is expected to last more than thirty (30) calendar days.~~
	~~2.Appoints applicant on emergency basis.~~
	~~5.Submits Request for Emergency Appoint~~nonexclusively ~~ment Authorization form (CS-1520), with necessary documentation, to the agency liaison in the Human Resource Services Bureau by the third workday following the appointment date.~~
~~Agency Liaison, Human Resource Services Bureau~~	~~4.Reviews request to determine if the stipulated conditions for an emergency appointment have been met.~~
	~~5.If there is an employment list with active names available, denies approval and issues a Certification of Eligibles, with a termination notice for the appointment, within two workdays following receipt of request.~~

	~~6.If there is no usable employment list, reviews CS-1520 and documentation, and annotates CS-1520 as approved or disap~~nonexclusively ~~proved, including appropriate rationale.~~
	~~7.If qualified, initiates examination scheduling for the appointee.~~
	~~8.Schedules and conducts the examination before appointee completes three (3) pay periods in the appointment.~~
~~Responsibility (Cont.)~~	~~Action (Cont.)~~
~~Agency Liaison, Human Resource Services Bureau (Cont.)~~	~~9.If appointee is qualified and passes the examination, issues Certification of Eligibles. Returns certification to appointing authority with CS-1520, indicating termination date of emergency appointment.~~
	~~11.If appointee is not qualified or does not receive a passing examination score, issues a certification against the appoint~~nonexclusively ~~ment and returns the CS-1520 notifying the appointing authority of the termination date of the appointment.~~
~~Appointing Authority~~	~~3.If approved, uses the issued certification and appropriate selection procedures to fill the position.~~
	~~4.If disapproved, terminates the emergency appointment by the termination date provided on the CS-1520.~~

CONTACT ~~PERSON:~~

Questions ~~or concerns~~ regarding this regulation should be directed to the ~~Human Resource Services Bureau Group Leader responsible for providing human resource~~

~~services to the agency: Charles Green, Jr. (517) 373-3326, George Minerick (517) 373-3065, or Carol Mowitz (517) 373-3040.~~ Department of Civil Service, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909, (517) 373-3048 or 1-800-788-1766, or MDCS@state.mi.us.

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.

~~This regulation is issued in accordance with Subsection 2-13.5 of the *Michigan Civil Service Commission Rules*.~~

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~~June 2, 2000~~