

Michigan Civil Service Commission

Regulation 4.03

Subject: Employee Generated Position Reviews		
SPDOC No.: 18-03	Effective Date: January 1, 2019	Replaces: Reg. 4.03 (SPDOC 16-06, January 1, 2017)

1. Purpose

This regulation establishes procedures for an employee to request a position classification review from Civil Service.

2. CSC Rule References

4-2 *Position Classification Review*

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(a) Position review. An appointing authority shall give notice to civil service staff of material changes in the duties and responsibilities that may impact the proper classification of a position. If the appointing authority does not notify the civil service staff of material changes, the employee occupying the position may initiate a position review by filing an updated position description and a written request with the civil service staff.

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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.

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4-5 *Working out of Class*

(a) Working-out-of-class assignment. An appointing authority may temporarily assign an employee to work out of class only if (1) the employee is performing the duties and responsibilities of an existing position or (2) civil service staff has approved in advance a request for the employee to work out of class. A working-out-of-class assignment cannot exceed one year.

(b) Working-out-of-class pay. If an employee is assigned to work out of class for more than 10 consecutive work days, the employee is entitled to supplemental pay and benefits for the temporary assignment in accordance with the civil service rules and regulations.

(1) Claims for working-out-of-class pay. If an employee is assigned to work out of class and does not receive authorized supplemental working-out-of-class pay and benefits, the employee may request a technical working-out-of-class determination.

- (A) **Time limit.** *A request for a technical working-out-of-class determination must be filed during the working-out-of-class assignment or, after the end of the assignment, within the time specified in the regulations.*
- (B) **Back pay.** *In a technical working-out-of-class determination, the civil service review officer may award back pay and benefits for working out of class for a maximum of one year before the end of the working-out-of-class assignment. No supplemental working-out-of-class pay or benefits are payable for any period longer than one year even if the employee worked out of class for more than one year.*
- (2) **Relation to collective bargaining.** *Working out of class is a prohibited subject of bargaining. The exclusive procedure for any employee, including an exclusively represented employee, to bring a claim for working-out-of-class pay or benefits is to file a request for a technical working-out-of-class determination.*
- (c) **Exclusions.** *An employee in any of the following circumstances is not considered to be working out of class:*
- (1) *The employee is working in a preauthorized position.*
 - (2) *The employee is occupying a position downgraded for training.*
 - (3) *The employee is occupying a position that is reclassifiable.*
 - (4) *The employee is an overall assistant who normally substitutes for the employee's supervisor.*

3. Standards

- A. If the appointing authority does not notify Civil Service of material changes in duties and responsibilities assigned to a position, an employee occupying the position may initiate a position review under regulation 4.03 or a working-out-of-class determination under regulation 4.08 by electronically submitting an updated position description in [HMRN Employee Self-Service](#).
- B. A group of employees, in the same classification and performing similar duties and responsibilities, may submit a composite position description for a position review. The employee originating the request must enter the other employees' ID numbers. Once submitted, all included employees will receive notification and must electronically verify the joint request.
- C. Civil Service determines if the position is eligible for review under regulation 4.05. If ineligible, Civil Service notifies the employee and appointing authority.
- D. Civil Service staff forwards the request and proposed position description to the appointing authority for review. A copy is also sent to the employee informing them that Civil Service has received the request and requested the appointing authority's response.
- E. The appointing authority is allowed 28 days to complete the supervisor and appointing-authority sections of the position description. The appointing authority is allowed an

additional 14 days for professional managerial and specialist positions that require scored evaluation or rating reviews. Civil Service may grant extensions for good cause.

- F. The appointing authority shall respond to the Position Action Request, stating whether the employee meets the minimum requirements for the requested classification and is performing the classification's duties and responsibilities satisfactorily.
- G. The appointing authority may submit any other necessary information for Civil Service to make a classification decision.
- H. Civil Service may conduct an onsite position review to gather additional information.
- I. If the requested information is not timely received from the appointing authority, Civil Service may review the position based on the information provided by the employee and information obtained at any onsite position review.
- J. The effective date assigned to a classification action from an employee-generated request is the first day of the pay period when Civil Service receives the employee's request and electronically signed position description, except that:
 - 1. The effective date for reclassification from an experienced-level worker classification to an advanced-level worker classification cannot precede the approved effective date of agency-specific senior standards used to reclassify the position.
 - 2. The effective date for reclassification from an experienced- or advanced-level worker classification to a specialist classification cannot precede the day when the appointing authority certifies the employee first began performing specialist duties.

4. Procedures

Responsibility	Action
Employee	1. Completes employee information section of the position description and electronically submits it to Civil Service in HRMN Employee Self-Service (PARIS).
Civil Service	2. Administratively reviews the request for position review for eligibility under regulations and classification guidelines. 3. Sends the employee's request and completed position description to the appointing authority. A copy is also sent to the employee.
Appointing Authority	4. Directs the employee's immediate supervisor to complete the supervisor information section of the position description. 5. Completes the appointing authority information section of the position description and provides any other information necessary to review the position and render a proper classification decision.

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| | 6. Submits the completed position description and a Position Action Request to Civil Service. |
| Civil Service | 7. If necessary information is not received from the appointing authority within the specified time frame, reviews the position based on information provided by the employee and information obtained at any onsite position review. |
| | 8. Reviews the request, renders a decision, assigns an effective date, processes any necessary transactions in HRMN, and generates notice to the employee and appointing authority. |
| | 9. If the classification action is disapproved, informs the employee of appeal rights. |
| Appointing Authority | 10. Receives the final Position Action Request and informs agency management of the classification decision. |

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.