

# Michigan Civil Service Commission

## Regulation 4.01

<b>Subject:</b> <b>Classification Actions Requiring Civil Service Review</b>		
<b>SPDOC No.:</b> <span style="color: red;">16-06</span>	<b>Effective Date:</b> <span style="color: red;">January</span> <del>October</del> 1, 2019 <del>7</del>	<b>Replaces:</b> Reg. 4.01 (SPDOC <del>16-046</del> , <span style="color: blue;">January</span> <del>une</del> <span style="color: red;">126</span> , 2017 <del>1</del> )

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### 1. Purpose

This regulation establishes ~~the standards and procedures for to processing~~ position-classification actions ~~that require~~ing Civil Service review. ~~Refer to regulation 4.02 for the standards and procedures for processing preauthorized classification actions.~~

## 2. CSC Rule References

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

#### 4-1.1 *Requirement*

*All positions must be established in the classified service unless specifically exempted or excepted by article 11, section 5, of the constitution, or these rules.*

#### 4-1.2 *Classification*

*A position established in the classified service must be reviewed to classify the position properly.*

#### 4-1.3 *Authority to Establish*

*The appointing authority may establish a position for reasons of administrative efficiency. An appointment cannot be made to a position until it has been established and classified.*

#### 4-1.4 *Classification Plan*

*The civil service commission shall authorize an official classification plan for all positions in the classified service. The state personnel director shall administer the official classification plan.*

*(a) Classification. Every position established must be classified in accordance with the official classification plan.*

*(b) Reclassification. Civil service staff may reclassify an employee if the employee's position has experienced gradual growth and accretion of higher level duties and responsibilities. The appointing authority must certify that the employee is satisfactorily performing the duties of the position.*

*\*\*\**

### 4-2 *Position Classification Review*

*Civil service staff shall provide for both a periodic and ongoing review of positions in the classified service to ensure positions continue to be properly classified.*

*\*\*\**

## 3. Definitions

### A. CSC Rule Definitions.

1. **Classification** means a group of positions whose assigned duties and responsibilities are sufficiently alike to warrant assigning the same classification title and requiring the same qualifications.
2. **Classification Level** means the placement of a classification within a series based on the duties and responsibilities of the position.
3. ~~**Class Series** means a series of classifications with similar but progressively more responsible job duties.~~

~~4.~~ **Position** means a classified job identified by its respective duties and responsibilities.

~~54.~~ **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.

~~65.~~ **Reclassification** means an authorized classification action to change an employee's classification or grade based on the gradual growth and accretion of higher level duties.

~~76.~~ **Selective position requirements** means specific qualifications that are narrower or more limited than those generally associated with a position and that are determined to be essential for performance of the duties of a specific position.

~~87.~~ **Subclass** means additional specialized experience, specialized training, licensure, or other specialized qualification that is required for appointment to a specific subgroup of positions.

## B. Definitions in This Regulation.

1. **Establishment** means ~~the~~ an appointing authority's creation of a new position ~~by an appointing authority~~ by defining the duties, responsibilities, and other relevant considerations on a position description. ~~Civil Service shall classify every position established in accordance with the official classification plan.~~
2. **Conversion** means a change of positions from one classification to another when a classification is abolished, a new classification is created, or a position is moved into or out of a performance-pay program ~~as~~ authorized by Civil Service.

## 4. Standards

### A. Establishment and Reclassification.

1. Civil Service must approve Aa classification action that is not preauthorized ~~must be reviewed and approved by Civil Service~~ before it ~~can be placed~~ s entry in the Human Resources Management Network (HRMN). Classification actions for ~~Departmental Trainee, advanced-level, senior (advanced), lead-worker, supervisory, managerial, specialist, administrative, or and~~ executive positions are not preauthorized.
2. For a classification action ~~that requires~~ ing Civil Service ~~review and~~ approval, the appointing authority must submit ~~to Civil Service~~ a Position Action Request to Civil Service (CS 129) and a completed Position Description (CS 214). If necessary, Civil Service may require Aa additional supporting documentation ~~may be required~~ to complete the classification review, ~~such as an organizational chart for the work area, approved advanced level standards, the appropriate specialist or managerial ratings, or a Civil Service approved Request for a Credential Review (CS 153A)~~. Positions in classifications in Groups 1, 2, and 3 of the Equitable Classification Plan (ECP) that are subclass eligible ~~should have proposed subclasses entered on the CS-129. If any additional information is necessary, Civil Service will request further clarification.~~

3. A position ~~classification~~ review ~~will be~~ is based on ~~the applying~~ ication of the Equitable Classification Plan (ECP) to the position's duties and responsibilities ~~of the position as of on~~ the date ~~the a~~ request is received. The effective date of ~~the any~~ reclassification action requiring Civil Service review is in accordance ~~may be retroactive as provided under with~~ regulation 4.04, including limited potential retroactive reclassification if the ~~classification plan~~ ECP and the position's duties and responsibilities ~~of the position~~ are the same on ~~both~~ the date received and ~~the~~ retroactive date.
- ~~4. The effective date assigned to any classification action request that requires Civil Service review will be in accordance with regulation 4.04.~~

## B. Establishment.

1. ~~The e~~Classification of a new position requires approval by Civil Service, unless otherwise preauthorized to the agency.
2. A position establishment is necessary, and a ~~position~~ reclassification or position update is not appropriate, when the position's primary function ~~of the position~~ undergoes a material and substantial change, requiring a new body of knowledge, skills, and abilities ~~to perform the duties~~. Each request is evaluated ~~on an~~ individually basis. A new position establishment and appointment is typically necessary ~~when the if a~~ job changes in from any of the following ~~ways~~:
  - a. ~~From a w~~Worker to ~~a Departmental T~~trainee, supervisor, manager, administrator, or executive.
  - b. ~~From a w~~Worker to an unrelated program or staff specialty.
  - c. Worker to lead worker.
  - ~~c. From one program or staff specialty area to another unrelated program or staff specialty area.~~
  - d. ~~From a s~~Supervisor to ~~a~~ manager, administrator, or executive.
  - e. ~~From a n~~Nonprofessional to ~~a~~ professional.
  - f. One program or staff specialty area to another unrelated program or area.
  - fg. ~~When two or more~~ Multiple work areas' ~~are combinationed and where~~ similarly situated positions exist ~~where there should be competition for the new position.~~
  - gh. ~~From o~~One kind of work to another; (e.g., ~~a~~Accounting ~~a~~Assistant to ~~e~~Carpenter or ~~p~~Property ~~a~~Analyst to ~~personnel management~~ Human Resources aAnalyst).
  - hi. ~~From a~~ A classification in one ECP Group to a classification in another ECP Group.
- ~~3. All professional administrative assistant positions must be established in the proper class series and at the proper classification level, as described in the job specification.~~

43. All professional administrative assistants and all secretaries and senior executive management assistants reporting to positions in the ECP Group 4 must be established at the appropriate classification level, as described in the job specification.
- ~~5. All multiple, limited, and overall assistant division director positions must be established in the proper class series and at the proper classification level.~~
- ~~64. Appointing authorities are to comply with any executive orders or directives in place that are applicable to their agency.~~
- ~~7.~~ A supervisory, managerial, administrative, or executive ~~level~~ position may be established with vacant subordinate positions to allow the future managerial employee-occupant to select ~~the~~ subordinates. The appointing authority has six months from ~~the date of~~ the manager's appointment to fill the subordinate positions and submit verification to Civil Service. If the ~~subordinate~~ positions are not filled within ~~this six-months time period~~, Civil Service ~~will~~ shall take appropriate action to appropriately reclassify the position ~~to the proper classification~~. Civil Service may grant extensions ~~beyond the six month period if an appointing authority for demonstrates~~ good cause.
- ~~8. A project manager position, a professional managerial position that has lead responsibility for major projects, may be established as a temporary or permanent position. A temporary project manager position can be established for up to 24 months. Extensions are permissible for demonstrated good cause. A permanent position can be established and must have continuous assigned projects, with certification as to the continuous nature of the projects. The project manager position must supervise two filled positions at all times. The subordinate positions can be permanently established, established on a temporary basis, or borrowed from other work areas.~~
- ~~95.~~ A pattern position ~~is a position that~~ requires ~~the possession of~~ specific education, experience, skills, and knowledge that can only be gained through on-the-job-training at ~~the~~ lower levels in ~~the~~ a classification. A pattern position must be filled at the lowest level in the approved pattern. ~~The~~ rReclassification of a pattern position is not preauthorized ~~to an appointing authority~~.

### C. Reclassification.

1. A reclassification requires the appointing authority's certification that the incumbent (a) meets the minimum requirements, (b) is satisfactorily performing the duties and responsibilities of the requested classification or classification level, and (c) has a current, satisfactory ~~probationary, annual, or, follow up~~ performance rating.
2. A standard reclassification is one classification level higher, after the equivalent of one year (2,080 hours ~~in level~~) of full-time, documented, satisfactory service of compatible work assignments at the lower classification level.

3. If, during ~~the a~~ qualifying period, ~~the incumbent an employee~~ is on an ~~extended~~-paid absence of more than two consecutive pay periods, the appointing authority may delay ~~the~~-reclassification for a period equivalent to the ~~length of the~~-absence's length.
4. If, during ~~the a~~ qualifying period, an employee is on an unpaid absence, ~~the~~ reclassification ~~will be~~-is delayed for a period equivalent to the ~~length of the~~-absence's length.
5. ~~A position Civil Service~~ may ~~be~~-reclassify a position ~~ied~~-in ~~any of~~-the following circumstances:
  - a. To the advanced level when ~~the position is~~-assigned the most complex duties and responsibilities beyond those assigned to an experienced-level position, as determined by an Civil Service approved, ~~advanced-level concept-classification standards approved by Civil Service~~.
  - b. From the experienced ~~level~~-or advanced level to a specialist level if the ~~position's~~ principal duties and responsibilities remain basically the same, but the job has evolved from a worker to a related and identifiable program or staff specialty that ~~is recommended by~~-the appointing authority recommends and ~~accepted by~~-Civil Service accepts.
  - c. From a student assistant to ~~an appropriate~~ career classification ~~in accordance with~~ under regulation 3.02.
  - d. When ~~there is no change in~~-the assigned duties and responsibilities do not change, but a change in the ECP overall classification plan results in a change ~~in~~-the classification concept.
  - e. ~~When a change in the classification of the supervisor's position impacts upon the subordinate position's classification.~~
  - f. ~~When a change in the a supervisory or subordinate position's classification impacts upon the supervisory other position's proper classification.~~
  - gf. When ~~the~~-duties and responsibilities remain basically the same, but the position takes on greater importance and stature through a change in ~~the~~-organizational placement: ~~For example (e.g., a division organizational entity is elevated to a bureau organizational entity in recognition of the agency's changing mission and program goals).~~
  - hg. When ~~there is continuity in the~~-duties and responsibilities of a supervisory or managerial position continue and responsibility for additional program(s) ~~and/or~~ staff are added sucho that the position meets ~~the a different classification's~~ concepts, examples of work, and requirements ~~for a different classification~~.

- i. When ~~the~~ duties and responsibilities ~~remain basically the same, but the duties and responsibilities~~ have gradually ~~accrued~~ changed over ~~a long period of time~~ (several years), to the extent that ~~a reasonable argument can be made that a~~ reclassification is warranted. ~~Civil Service will review when and how the onset of these duties and responsibilities occurred.~~
- ii. When ~~the appointing authority proposes and Civil Service accepts that the~~ reclassification is warranted because the employee would be competing for his or her own position. ~~This is a situation where~~ and no real competitive opportunity exists for the position.
6. ~~The a~~ Assigning and performing ~~ance of~~ working-out-of-class (WOC) duties and responsibilities ~~does~~ not support a position reclassification. WOC ~~orking out of class~~ assignments and position reclassification are mutually exclusive ~~situations~~. WOC ~~orking out of class~~ assignments ~~will be~~ are reviewed and processed ~~in accordance with~~ under regulation 4.08.

#### D. Conversion.

A position may be converted to a different classification or moved into or out of a performance ~~pay~~ program only when Civil Service determines conversion is warranted. ~~Regulation 5.07, §§ 4.E, G, and L establishes how salary is determined upon conversion of an occupied position.~~

#### E. Departmental Trainee Classifications.

~~The Departmental~~ Trainee classifications facilitates career movement of employees ~~who do not possess~~ without a bachelor's degree into designated professional classifications, based on specific ~~state~~ classified experience that ~~has~~ provideds the knowledge, skills, and abilities to perform professional tasks in a learning capacity.

1. The appointing authority must submit a ~~Position Description (CS 214) and~~ Position Action Request (~~CS 129~~) requesting that for Civil Service to classify the new position. Civil Service designates, ~~on the CS 129,~~ the classification to which the position will be reclassified ~~upon~~ after ~~completing of~~ the transitional period.
2. If ~~the Departmental Ta~~ trainee classification is used to facilitate ~~the movement of~~ an employee's movement to a position that will ultimately be classified at the advanced level, ~~position specific or universal, an advanced-level classification standards~~ concept must be approved ~~prior to~~ before the employee's appointment.
3. The appointing authority must ~~submit a request for a~~ credential review ~~in accordance with~~ under regulation 3.07, § 4.B.43. Civil Service shall review the qualifications of the intended appointee ~~prior to~~ before the appointment.
4. An employee may be reclassified to the new professional classification after ~~successfully~~ completing ~~of~~ the classification's experience requirements ~~for the~~

~~classification.~~ A reclassification requires the appointing authority's certification that the employee (a) meets the minimum requirements, (b) is satisfactorily performing the duties and responsibilities of the requested classification or classification level, and (c) has a current, satisfactory ~~probationary, annual, or follow-up~~ performance rating. If the reclassification would result in a pay decrease, the employee continues in the transitional period for another year.

~~5.—Regulation 5.01, § 3.L establishes standards for determining salary upon appointment of the employee to a Departmental Trainee.~~

~~6.—Regulation 2.01, § 4.D provides guidance in determining employment preference for Departmental Trainees in the event of a reduction in force (RIF).~~

**F. ~~Establishing and Assigning~~ Selective Position Requirements.**

1. Selective position requirements (SPRs) for specific positions must be job-related. The appointing authority must establish that how the position ~~is different~~ from others in the classification, ~~detail how it is different,~~ and describe what unique qualifications are needed. ~~A current, approved Position Description (CS 214) for an established position must be submitted with the request for selective position requirement approval.~~
2. ~~SPR~~selective position requirements must be specific qualifications that are ~~narrower or~~ more limited than the classification requirements and ~~are~~ essential to the position's duties ~~of the position.~~ ~~(e.g., For example,~~ an associate's degree in an particular area ~~could be approved~~ for a position in a classification requiring with any associate's degree ~~requirement~~ or a master's degree ~~could be approved~~ for a general classification ~~that typically requiring~~ es a bachelor's degree). An SPR is not appropriate for a qualification that is not required upon appointment to the position.
3. The criteria must relate to entry requirements, ~~not to~~ rather than knowledge, skills, abilities, or other characteristics acquired in the position.
4. ~~Selective position requirements~~ SPRs must be quantifiable, ~~easily~~ observable, and verifiable. ~~For example~~ ~~(e.g., "possession of a teacher's certificate", "15 college credits in toxicology", "one year of experience in historic preservation", etc.).~~
5. ~~Selective position requirements~~ SPRs may be approved for positions in classifications with approved subclasses.
6. An approved ~~selective position requirement~~ SPR must be applied when ~~ever the~~ a position is ~~to be~~ filled. The hiring agency must screen applicants to identify those who possess the SPR. ~~The approval remains in effect for the duration of the position unless there is a substantial change in the position's duties and responsibilities affecting the qualification requirements.~~

7. ~~Approved Selective position requirements~~ SPRs must be ~~approved and~~ in place for 28 ~~calendar~~ days before they ~~criteria~~ can be applied during a RIF ~~action~~ affecting the position, ~~the~~ employee, or ~~a~~ person ~~exercising employment preference bumping to~~ the position. When a RIF affects a position with an ~~approved selective position requirement~~ SPR in place for 28 calendar days or more, the ~~approved~~ requirement ~~must be~~ applied to all ~~persons~~ people in whose bump chain the position appears. Only employees who satisfy the ~~selective position criteria~~ SPR ~~may~~ can ~~exercise employment preference bump~~ into the position.
8. The SPR approval remains in effect for the position, unless a substantial change in the position's duties and responsibilities affects the qualification requirements or Civil Service approves the appointing authority's request to remove the SPR.

#### G. ~~Establishing and Assigning a Subclass~~ Codes.

1. An identified position or a group of positions must ~~exist and~~ have duties and responsibilities ~~that~~ requireing more specialized qualifications (~~i.e.g.~~, experience, training, ~~or~~ licensure, ~~etc.~~) than those ~~established~~ on the ~~class~~ job specification. The duties and responsibilities must be essential to the position at ~~job~~ entry. The subclass definition must describe qualifications ~~for which there is~~ with a recognized applicant pool.
2. Civil Service establishes, abolishes, and revises subclasses and their definitions. ~~Requests to establish, abolish, or revise subclasses may be initiated by a~~ Appointing authorities or Civil Service ~~staff~~ may initiate requests to establish, abolish, or revise subclasses. Appointing authorities ~~have the opportunity to~~ may review and comment on subclasses to be established, abolished, and revised, including ~~the~~ definitions, before implementation.
3. Subclasses may be assigned when a position is established or ~~at~~ any other time, except during a RIF. An appointing authority must provide supporting rationale ~~for~~ to ~~requesting~~ addition or removal of a subclass from a specific position.
4. ~~The a~~ Approval of subclasses for a position does not preclude further narrowing of the requirements through ~~selective position requirements~~ SPRs, when appropriate.
5. ~~Subclass additions, deletions, and revisions are published periodically in the "Established and Abolished Class Report."~~ Subclasses are represented by subclass codes and defined in a list ~~as~~ maintained ~~on the~~ by Civil Service ~~web site~~.
6. To be ~~found~~ qualified for a subclass, a person must first meet the qualifications of the classification of the job to which the subclass is assigned.
7. If a position is assigned one subclass, the applicant selected to fill it must satisfy the subclass criteria. If a position is assigned ~~more than one~~ multiple subclasses, the

selected applicant ~~selected~~ must satisfy at least one ~~of the~~ subclasses, unless multiple subclasses are required.

8. Approved ~~S~~subclass criteria must be ~~approved and~~ in place for 28 ~~calendar~~ days before they can ~~subclass criteria may~~ be applied ~~in~~ during a RIF ~~action~~. Subclass qualification must be determined for all persons in whose bump chain the position appears. Only employees who satisfy the subclass criteria ~~may~~ can ~~exercise employment preference bump~~ into the subclass ~~assigned~~ position.

#### H. Downgrading Positions.

1. An appointing authority may request reclassification between any of the lower classification levels within ~~the a~~ non-supervisory ~~/or~~ non-managerial class series; ~~e.g., worker, specialist class series~~, except ~~for~~ professional administrative ~~assistant~~ positions.
2. Agency recall names preclude downgrading ~~of~~ a position. When requesting a downgrade, an appointing authority must include a cleared recall list with the Position Action Request.

### 5. Procedures

#### A. Establishing and Reclassifying Positions.

Responsibility	Action
Appointing Authority	<ol style="list-style-type: none"> <li>1. Submits <del>a</del> Position Action Request (<del>CS 129</del>), <del>Position Description (CS 214)</del>, and <del>any</del> other necessary information to Civil Service for <del>a</del> position review.</li> <li>2. To reclassify <del>a</del> filled position, certifies on <del>the CS 129 request</del> that <del>the</del> employee meets <del>the</del> minimum qualifications, is satisfactorily performing <del>the requested classification's</del> duties and responsibilities <del>of the requested classification</del>, and has <del>a</del> current satisfactory <del>performance</del> rating.</li> </ol>
Civil Service	<ol style="list-style-type: none"> <li>3. Reviews <del>the</del> establishment or reclassification request.</li> <li>4. If approved or modified, classifies or reclassifies <del>the</del> position <del>to the</del> appropriately <del>classification</del> with <del>the</del> necessary documentation on <del>the CS 129 request</del> and enters <del>the</del> necessary position information and <del>for</del> employee information in HRMN.</li> <li>5. If <del>an</del> establishment is disapproved, documents <del>the</del> reason on <del>the CS 129 request</del> and informs <del>the</del> appointing authority of <del>their</del> right to file <del>a</del> technical complaint.</li> <li>6. If <del>a</del> reclassification is disapproved, documents <del>the</del> reason on <del>the CS 129 request</del> and informs <del>the</del> incumbent and appointing authority of <del>their</del> right to file <del>a</del> technical complaint.</li> </ol>

Responsibility	Action
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| Appointing Authority | <p>7. Releases <del>the request CS 129</del> to the appointing authority.</p> <p>8. Receives <del>the</del> Position Action Request <del>(CS 129)</del> and, for any occupied position, enters any employee information in HRMN not entered centrally by Civil Service.</p> <p><b>B. <del>Establishing Assigning or Removing Selective Position Requirements</del> or Subclass Codes.</b></p> |
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Responsibility	Action
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| Appointing Authority | 1. Submits <del>a written completed Position Action Request for approval that includes a copy of the with current CS 214, a CS 129,</del> any additional documentation, and <del>a narrative that provides with the rationale for requested assignment or removal and linkage between the requested criterion and the CS 214, and any relevant supporting materials, such as pertinent legislation.</del> |
| Civil Service        | <p>2. Reviews <del>the</del> request and, if approved, enters <del>the</del> necessary position information in HRMN.</p> <p>3. If <del>the request is</del> disapproved, informs <del>the</del> appointing authority of <del>their</del> right to file <del>a</del> technical complaint.</p> <p>4. Releases <del>the request CS 129</del> to the appointing authority.</p>                                |

**C. Establishing Subclass Codes.**

Responsibility	Action
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|----------------------------|--|
| Appointing Authority       | 1. Submits <del>a</del> written request <u>with supporting rationale</u> to establish <del>a</del> new subclass, or <del>to</del> revise or abolish <del>an</del> existing subclass, <del>and provides supporting rationale.</del> |
| Civil Service              | 2. Reviews requests <del>for subclass establishment, abolishment, or revision.</del> <u>M</u> akes determination, <u>m</u> akes appropriate adjustments to subclass, and notifies <del>user</del> agencies.                        |
| All Appointing Authorities | <del>3. Reviews and comments on proposed subclass establishment, abolishment, or revision.</del>   |
| Civil Service              | <del>4. Reviews agency comments and makes appropriate adjustments to subclass.</del>   |
|                            | <del>5. Includes subclass establishments, abolishments, and revisions in the "Established and Abolished Class Report."</del>   |
|                            | <del>6. Updates Civil Service subclass listing directly to the Civil Service web site to reflect subclass changes.</del>   |

~~D. Assigning and Removing Subclasses from Positions.~~

<b>Responsibility</b>	<b>Action</b>
Appointing Authority	1. <del>Completes a CS 129 requesting addition or removal of subclasses from a position, with supporting rationale</del>
Civil Service	2. <del>Reviews CS 129 and makes determination regarding appropriateness of adding or removing requested subclasses. If approved, enters the necessary position information.</del> 3. <del>Releases CS 129 to appointing authority.</del>
Appointing Authority	4. <del>Receives the CS 129 and, if approved, enters the employee information in HRMN for any occupied position.</del>

**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; ~~by telephone at 517-284-0103 373-6695;~~ or ~~to~~ [MCSC-OCSC@mi.gov](mailto:MCSC-OCSC@mi.gov).