

# Michigan Civil Service Commission

## Regulation 4.03

Subject: <b>Employee Generated Position Reviews</b>		
SPDOC No.: <del>16-06</del>	Effective Date: <del>January-October 1,</del> 2019 <del>7</del>	Replaces: Reg. 4.03 (SPDOC <del>165-061</del> , January <del>14</del> , 2017 <del>5</del> )

### 1. Purpose

This regulation establishes ~~the standards and~~ procedures ~~that for~~ an employee ~~can use~~ to request a position-classification review from Civil Service.

### 2. CSC Rule References

#### ~~4-1—Position Establishment and Classification~~

~~\*\*\*~~

#### ~~4-1.2—Classification~~

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

~~\*\*\*~~

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

\*\*\*

(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.

\*\*\*

(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.

\*\*\*

#### 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~~an appointing authority does not notify Civil Service of material changes in ~~the~~ duties and responsibilities assigned to a position, the 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 ~~using~~ PARIS at: <https://csintranet.state.mi.us/PARIS/Login/Login.aspx?RequestType=EGR>.

- B. A group of employees, in the same classification and performing similar duties and responsibilities, may submit a composite position description for a joint position review. The employee originating the request must enter the ~~additional-proposed-other~~ employees' ID numbers. Once ~~the request is~~ submitted, all included employees will receive notification and must electronically verify their ~~joint~~ joint request.
- C. Civil Service determines if ~~the a~~ position is eligible for review under regulation 4.05. If ~~the position is not in~~eligible, 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 Notice~~ is also sent to the employee ~~informing them~~ that Civil Service has received the request and ~~requested a response from~~ asked for the appointing authority's response.
- E. The appointing authority ~~shall is allowed 20 workdays to complete~~ and submit the ~~S~~supervisor ~~Information~~ and ~~A~~appointing ~~A~~authority ~~Information~~ sections of the position description ~~to after receipt from~~ Civil Service within 28 days. ~~The appointing authority is allowed a~~An additional 104 workdays are allowed if for professional managerial and specialist positions ~~that require~~ a scored evaluation or rankings ~~system rating reviews~~. Civil Service may authorize grant extensions for good cause.
- F. The appointing authority's ~~shall responded~~ to the Position Action Request, must stateing whether the employee meets ~~the minimum requirements for~~ the requested classification's minimum requirements and is satisfactorily performing the classification's duties and responsibilities ~~of that classification satisfactorily~~.
- G. The appointing authority may submit any other necessary information for Civil Service ~~staff~~ to make a classification decision.
- H. Civil Service ~~staff~~ may conduct an on-site position review to gather additional information.
- I. If ~~the~~ requested information is not timely received from the appointing authority ~~within the above specified time frame~~, Civil Service ~~staff~~ may review the position based on ~~the~~ information provided by the employee and ~~the information~~ obtained at any on-site position review.
- J. The effective date assigned to a classification action from an employee-generated request is determined in accordance with regulation 4.04. ~~the beginning date of the pay period Civil Service receives the employee's request and electronically signed position description, except for the following:~~
- ~~The effective date assigned to a reclassification from an experienced level worker classification to an advanced level worker classification cannot precede the approved effective date of the agency specific senior standards used to reclassify the position.~~

~~2. The effective date assigned to a reclassification from an experienced level or advanced level worker classification to a specialist classification is the beginning date of the pay period the appointing authority certifies the employee began performing specialist duties. However, the effective date cannot precede the beginning of the pay period when Civil Service receives the employee's request and electronically signed position description.~~

#### 4. Procedures

Responsibility	Action
Employee	1. Completes <del>E</del> mployee <del>I</del> nformation section of <del>the</del> position description and electronically submits <del>it</del> to Civil Service using <u>PARIS</u> .
Civil Service	2. Administratively reviews <del>the</del> request <del>for position review</del> for eligibility under <u>Civil Service</u> regulations and classification guidelines. 3. <del>Sends</del> <u>Submits</u> <del>the</del> employee's request and completed position description to <del>the</del> appointing authority. <del>A copy</del> <u>Notice</u> is also sent to <del>the</del> employee.
Appointing Authority	4. Directs <del>the</del> employee's immediate supervisor to complete <del>the</del> <u>S</u> upervisor <u>I</u> nformation section of <del>the</del> position description. 5. Completes <del>the</del> <u>A</u> ppointing <u>A</u> uthority <u>I</u> nformation section of <del>the</del> position description and provides any other information necessary to review <del>the</del> position and render <del>a proper</del> classification decision. 6. Submits <del>the</del> completed position description and <del>a</del> Position Action Request to Civil Service.
Civil Service	7. If <del>the</del> necessary information is not <u>timely</u> received from <del>the</del> appointing authority <del>within the specified time frame</del> , reviews <del>the</del> position based on <del>the</del> information provided by <del>the</del> employee and <del>information</del> obtained at any on-site position review. 8. Reviews <del>the</del> request, renders <del>a</del> decision, assigns <del>an</del> effective date, and signs off on <del>the</del> request. 9. <del>The</del> Human Resources Management Network (HRMN) <u>automatically makes is updated with</u> appropriate <u>position and employee record</u> changes and <u>notice/fies is sent to</u> <del>the</del> employee and appointing authority. 10. If <del>the</del> classification action is disapproved, <del>informs the</del> employee <u>is informed</u> of appeal rights.
Appointing Authority	11. Receives <del>the</del> final Position Action Request and informs <del>agency</del> management of <del>the</del> classification decision.

January October 1, 20197	Regulation 4.03: <b>Employee Generated Position Reviews</b>	Page 5 of 5
-----------------------------	---	-------------

**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).