

Michigan Civil Service Commission

Regulation 4.04

Subject:		
Effective Dates For Classification Actions		
SPDOC No.: 16-06	Effective Date: January October 1, 2019 7	Replaces: Reg. 4.04 (SPDOC 16-06 7-14 , October January 17, 200 17)

1. Purpose

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

2. CSC Rule References

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.

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.

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3. Standards

A. Classification Actions ~~that~~ Requiring Civil Service Approval.

1. The classification of all established positions ~~establishments~~ requires approval by Civil Service approval. The effective date of ~~an establishment action~~ a position's establishment and classification is the beginning start of the pay period ~~in which when Civil Service receives~~ a fully documented Position Action Request ~~(CS-129) is received by Civil Service~~.
2. The effective date of a position's non-preauthorized reclassification ~~action for a position in a classification that is not preauthorized~~ is the beginning start of the pay period ~~in which when Civil Service receives~~ a fully documented Position a Action

~~Request, if subsequently reclassified is received by Civil Service, except as provided in 3 and 4 below.~~

- ~~3. The effective date of a Student Assistant reclassification is the beginning of the pay period in which a fully documented position action request is approved by Civil Service. In accordance with regulation 3.02 retroactivity is not permitted.~~
43. A reclassification can only be retroactive if the classification plan and the position's duties and responsibilities are the same on both the date received and the retroactive effective date. Retroactivity of student assistant reclassifications is not permitted. The A retroactive effective date of for any other non-preauthorized retroactive reclassification action for a position in a classification that is not preauthorized will be is determined based upon Civil Service's receipt of a fully documented P position a Action Request and one of under the following standards conditions:
 - a. When reclassification is between ~~an~~ entry, intermediate, experienced, or advanced levels in a class series and the appointing authority provides reasonable justification ~~is provided by the appointing authority~~, Civil Service may grant retroactivity ~~of~~ up to ~~a maximum of~~ 26 pay periods ~~preceding before~~ the beginning start of the pay period ~~in which when Civil Service received the reclassification request is received by Civil Service.~~
 - b. When reclassification is from ~~an experienced level or advanced level~~ worker classification to a specialist classification and the appointing authority provides reasonable justification ~~is provided by the appointing authority~~, Civil Service may grant retroactivity up to ~~a maximum of~~ seven pay periods ~~preceding before~~ the beginning start of the pay period ~~in which when Civil Service received the reclassification request is received by Civil Service.~~ The appointing authority must certify that the ~~position's~~ incumbent was performing specialist duties ~~as of on the requested effective date requested.~~
 - c. For ~~all~~ other reclassifications, Civil Service may grant retroactivity of up to ~~a maximum of~~ seven pay periods ~~preceding before~~ the beginning start of the pay period ~~in which when Civil Service received the reclassification request is received by Civil Service, when if the appointing authority provides reasonable justification is provided by the appointing authority.~~
 - d. Exceptional mitigating occurrences may provide a basis ~~for to~~ granting retroactivity of up to 26 pay periods before the start of the pay period when a request is received beyond the seven pay periods authorized in 4.b. and c. above if an employee was prevented from filing a position-review request directly with Civil Service. Exceptional mitigating occurrences are one of the following: by

- ~~(1) Any inappropriate action by the appointing authority agency that prevented the employee from filing an employee-generated position review request directly with Civil Service.~~
- ~~(2) the employee's Sserious physical or mental incapacity; or of the employee that prevented them from filing an employee-generated position review request directly with Civil Service.~~
- ~~(3) Eextraordinary unforeseen circumstances outside the employee's control of the employee that prevented the employee from filing an employee-generated position review request directly with Civil Service.~~
- ~~e. The maximum retroactivity permitted is 26 pay periods preceding the beginning of the pay period in which the reclassification request is received, even with a showing of exceptional mitigating occurrences.~~
- ~~f. 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.~~
- ~~54. Civil Service reviews and approves P-rate assignment for Nonexclusively Represented Employees (NEREs) only. The effective date of a P-rate assignment is the beginning-start of the pay period in which when Civil Service receives a fully documented position action rrequest is received by Civil Service, except as provided in 6 below.~~
- ~~6. The maximum that retroactivity for P rate assignment is of up to 26 pay periods preceding is allowed 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 position's duties and responsibilities of the position are the same on both the date the request is received and the retroactive effective date.~~
- ~~75. The effective date assigned to agency-specific senior standards, Group-3 complex-work-area standards, and other processing standards developed by the appointing authority and approved by Civil Service is the beginning-start of the pay period in which when Civil Service receives the proposed standard or standard-revision is received by Civil Service. The effective date for a A classification action's effective date cannot precede the standard's approved effective date of the standard.~~
- ~~8. A fully documented position action request consists of an up-to-date, completed Position Description (CS-214) and a properly prepared Position Action Request (CS-129).~~

96. The appointing authority must supply any additional necessary information requested to render a classification decision; ~~such as an~~ (e.g., updated organizational charts, evaluation system rating forms, senior standards, etc.).

107. After an appointing authority initiates a request, failure to provide additional requested information within ~~280 workdays~~ (or ~~3042 workdays~~ for positions requiring appointing authority evaluation on a ~~classification scored~~ rating system) ~~of a request~~ may result in ~~the issuance of a "No Action" on closing~~ the request. Civil Service may set ~~the~~ effective date of any subsequent action ~~will be as~~ the beginning start of the pay period ~~in which when Civil Service receives~~ a fully documented resubmitted ~~p~~Position ~~a~~Action ~~r~~Request ~~is received by Civil Service~~.

B. Preauthorized Reclassifications.

1. An appointing authority can process ~~P~~preauthorized reclassification actions only can be processed by the appointing authority only for a position in an entry/intermediate/experienced ~~classification~~ series.

2. The appointing authority must assign as the effective date the beginning start of the pay period ~~in which when~~ the preauthorized reclassification is processed, except ~~as provided in 3 below~~.

~~3. that~~ Aagency delays may be ~~considered as~~ reasonable justification ~~for to~~ granting retroactivity of up to ~~a maximum of~~ 26 pay periods ~~preceding before~~ the beginning start of the pay period ~~in which when~~ the reclassification is processed ~~if~~. ~~The appointing authority may not assign an~~ the employee was otherwise eligible for reclassification on the retroactive effective date ~~of reclassification earlier than 26 pay periods after the employee's appointment to the position or the employee's last reclassification~~.

43. Reclassification actions and effective dates are subject to Civil Service audit.

4. Procedures

A. Classification Actions ~~that~~ Requiring Civil Service Approval.

Responsibility	Action
Appointing Authority	<p>1. For position establishments, reclassifications, and P-rate assignments, submits a Position Action Request (CS 129) and a Position Description (CS 214) <u>with rationale for any requested retroactive effective date</u> to Civil Service.</p> <p>2. For retroactive reclassifications and P-rate assignment, submits a position action request and a position description with rationale for a retroactive effective date to Civil Service.</p>

- Civil Service ~~32.~~ Reviews ~~the request and documents decision.~~
- ~~43.~~ If approved or modified, documents decision, eEnters ~~the necessary~~ approved position and employee information in ~~the~~ Human Resources Management Network (HRMN); and
- ~~5.~~ Releases ~~the position action~~ request to ~~the~~ appointing authority.
- ~~4.~~ If disapproved, documents ~~the reasons on the position action~~ request; and Informs ~~the~~ employee of ~~the reclassification~~ action and appeal rights.
- Appointing Authority ~~65.~~ Receives ~~the~~ completed position action request and enters ~~the~~ employee information in HRMN for any occupied position.

B. Preauthorized Reclassifications.

Responsibility	Action
<p>Agency Management</p>	<p>1. Submits a position description and a request to the appointing authority for a classification review.</p> <p>2. Certifies to the appointing authority that the employee is satisfactorily performing the higher-level duties and meets the classification's requirements.</p>
<p>Appointing Authority</p>	<p>3. Reviews the request and documents the decision, <u>including rationale for any</u> .</p> <p>4. <u>For</u> retroactive reclassifications, documents the reason for retroactivity.</p> <p>54. Enters the necessary approved employee information in HRMN.</p>
<p>Civil Service</p>	<p>65. <u>Conducts a</u> <u>Audits</u> to ensure reclassifications and effective dates are processed in compliance with applicable standards.</p>

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.