

# Michigan Civil Service Commission

## Regulation 4.01

<b>Subject:</b> <b>Classification Actions Requiring Civil Service Review</b>		
<b>SPDOC No.:</b> <del>21-07</del> <u>22-08</u>	<b>Effective Date:</b> <del>January-September 14,</del> 2022	<b>Replaces:</b> Reg. 4.01 (SPDOC <del>21-07</del> <u>19-11</u> , <del>October-January 1,</del> 20 <u>22</u> <del>19</del> )

### 1. Purpose

This regulation establishes standards to process position-classification actions requiring Civil Service review.

### 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.*

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#### **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.*

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### **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. **Position** means a classified job identified by its respective duties and responsibilities.
4. **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.
5. **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.
6. **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.
7. **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 an appointing authority's creation of a new position by defining the duties, responsibilities, and other relevant considerations on a position description.
2. **Conversion** means changing 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 authorized by Civil Service.

### **4. Standards**

#### **A. Establishment and Reclassification.**

1. Civil Service must approve a classification action that is not preauthorized before its entry in the Human Resources Management Network (HRMN). Classification actions

for trainee, advanced-level, lead-worker, supervisory, managerial, specialist, administrative, and executive positions are not preauthorized.

2. For a classification action requiring Civil Service approval, the appointing authority must submit a Position Action Request to Civil Service. If necessary, Civil Service may require additional supporting documentation to complete the classification review.
3. A position review is based on applying the Equitable Classification Plan (ECP) to the position's duties and responsibilities on the date a request is received. The effective date of any classification action requiring Civil Service review is in accordance with regulation 4.04, including limited potential retroactive reclassification if the ECP and the position's duties and responsibilities are the same on the date received and retroactive date.

#### **B. Establishment.**

1. Classification of a new position requires approval by Civil Service, unless otherwise preauthorized to the agency.
2. A position establishment is necessary, and a reclassification or position update is not appropriate, when the position's primary function undergoes a material and substantial change requiring a new body of knowledge, skills, and abilities. Each request is evaluated individually. A new position establishment and appointment is typically necessary if a job changes from any of the following:
  - a. Worker to trainee, supervisor, manager, administrator, or executive.
  - b. Worker to an unrelated program or staff specialty.
  - c. Worker to lead worker.
  - d. Supervisor to manager, administrator, or executive.
  - e. Nonprofessional to professional.
  - f. One program or staff specialty area to another unrelated program or area.
  - g. Multiple work areas' combination where similarly situated positions exist.
  - h. One kind of work to another (e.g., Accounting Assistant to Carpenter or Property Analyst to Human Resources Analyst).
  - i. A classification in one ECP Group to a classification in another ECP Group.
3. 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.
4. A supervisory, managerial, administrative, or executive position may be established with vacant subordinate positions to allow the future occupant to select subordinates.

The appointing authority has six months from the manager's appointment to fill the subordinate positions and submit verification to Civil Service. If the positions are not filled within six months, Civil Service shall take appropriate action to appropriately classify the position. Civil Service may grant extensions for good cause.

5. A pattern position requires specific education, experience, skills, and knowledge that can only be gained through on-the-job-training at lower levels in a classification. A pattern position must be filled at the lowest level in the approved pattern. Reclassification of a pattern position is not preauthorized.

### **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 performance rating.
2. A standard reclassification is one classification level higher, after the equivalent of one year (2,080 hours) of full-time documented satisfactory service of compatible work assignments at the lower classification level.
3. If, during a qualifying period, an employee is on a paid absence of more than two consecutive pay periods, the appointing authority may delay reclassification for a period equivalent to the absence's length.
4. If, during a qualifying period, an employee is on an unpaid absence, reclassification is delayed for a period equivalent to the absence's length.
5. Civil Service may reclassify a position in the following circumstances:
  - a. To the advanced level when assigned the most complex duties and responsibilities beyond those assigned to an experienced-level position, as determined by an advanced-level concept approved by Civil Service.
  - b. From the experienced or advanced level to a specialist level if the 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 the appointing authority recommends and Civil Service accepts.
  - c. From a student assistant to a career classification under regulation 3.02.
  - d. When the assigned duties and responsibilities do not change, but a change in the ECP changes the classification concept.
  - e. When a change in a supervisory or subordinate position's classification impacts the other position's proper classification.

- f. When duties and responsibilities remain basically the same, but the position takes on greater importance and stature through a change in organizational placement (e.g., a division is elevated to a bureau).
  - g. When duties and responsibilities of a supervisory or managerial position continue and responsibility for additional programs or staff are added so that the position meets a different classification's concepts, examples of work, and requirements.
  - h. When duties and responsibilities have gradually changed over several years to the extent that reclassification is warranted.
  - i. When reclassification is warranted because the employee would be competing for his or her own position and no real competitive opportunity exists for the position.
6. Assigning and performing working-out-of-class (WOC) duties and responsibilities do not support a position reclassification. WOC assignments and position reclassification are mutually exclusive. WOC assignments are reviewed and processed 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.

**E. Trainee Classifications.** Trainee classifications facilitate career movement of employees ~~without a bachelor's degree~~ into designated professional and technician classifications based on specified ~~ed~~ classified experience that provides the knowledge, skills, and abilities to perform professional or technician tasks in a learning capacity.

- 1. The appointing authority must submit a Position Action Request for Civil Service to classify the new position. Civil Service designates the classification to which the position will be reclassified after completing the transitional period.
- 2. If a trainee classification is used to facilitate an employee's movement to a position that will ultimately be classified at the advanced level, an advanced-level concept must be approved before appointment.
- 3. The appointing authority must ensure a credential review under regulation 3.04, § 4.D is performed.
- 4. An employee may be reclassified to the new technician or professional classification after successfully completing the classification's experience requirements. 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 performance rating. If the reclassification would result in a pay decrease, the employee continues in the transitional period for another year.

**F. Selective Position Requirements.**

1. Selective position requirements (SPRs) for specific positions must be job-related. The appointing authority must establish how the position differs from others in the classification and describe what unique qualifications are needed.
2. SPRs must be specific qualifications that are more limited than the classification requirements and essential to the position's duties (e.g., an associate's degree in a specific area for a position in a classification requiring any associate's degree or a master's degree for a classification typically requiring 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 rather than knowledge, skills, abilities, or other characteristics acquired in the position.
4. SPRs must be quantifiable, observable, and verifiable (e.g., a teacher's certificate, 15 credits in toxicology, one year of experience in historic preservation, etc.).
5. SPRs may be approved for positions in classifications with approved subclasses.
6. An approved SPR must be applied when a position is filled. The hiring agency must screen applicants to identify those who possess the SPR.
7. Approved SPRs must be in place for 28 days before they can be applied during a RIF affecting the position, employee, or person bumping the position. When a RIF affects a position with an SPR, the requirement applies to all people in whose bump chain the position appears. Only employees who satisfy the SPR can 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. Subclass Codes.**

1. An identified position or a group of positions must have duties and responsibilities requiring more specialized qualifications (e.g., experience, training, licensure, etc.) than those on the job specification. The duties and responsibilities must be essential to the position at entry. The subclass definition must describe qualifications with a recognized applicant pool.
2. Civil Service establishes, abolishes, and revises subclasses and their definitions. Appointing authorities or Civil Service may initiate requests to establish, abolish, or revise subclasses. Appointing authorities may review and comment on subclasses to be established, abolished, and revised, including definitions, before implementation.

3. Subclasses may be assigned when a position is established or any other time, except during a RIF. An appointing authority must provide supporting rationale to request addition or removal of a subclass from a specific position.
4. Approval of subclasses for a position does not preclude further narrowing of the requirements through SPRs, when appropriate.
5. Subclasses are represented by subclass codes and defined in a list maintained by Civil Service.
6. To be qualified for a position with 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 multiple subclasses, the selected applicant must satisfy at least one subclass, unless multiple subclasses are required.
8. Approved subclass criteria must be in place for 28 days before they can be applied during a RIF. Subclass qualification must be determined for all persons in whose bump chain the position appears. Only employees who satisfy the subclass criteria can bump into the subclass-assigned position.

**H. Downgrading Positions.**

1. An appointing authority may request reclassification between any of the lower classification levels within a non-supervisory or non-managerial class series, except professional administrative-assistant positions.
2. Agency recall names preclude downgrading 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 Position Action Request and other necessary information to Civil Service for position review.</li> <li>2. To reclassify filled position, certifies on request that employee meets minimum qualifications, is satisfactorily performing requested classification's duties and responsibilities, and has current satisfactory rating.</li> </ol>
Civil Service	<ol style="list-style-type: none"> <li>3. Reviews establishment or reclassification request.</li> </ol>

Responsibility	Action
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| Appointing Authority | <ol style="list-style-type: none"> <li>4. If approved or modified, classifies or reclassifies position appropriately with necessary documentation on request and enters necessary position information and employee information in HRMN.</li> <li>5. If establishment is disapproved, documents reason on request and informs appointing authority of right to file technical complaint.</li> <li>6. If reclassification is disapproved, documents reason on request and informs incumbent and appointing authority of right to file technical complaint.</li> <li>7. Releases request to appointing authority.</li> <li>8. Receives Position Action Request and, for any occupied position, enters any employee information in HRMN not entered centrally by Civil Service.</li> </ol> |
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**B. Assigning or Removing SPRs or Subclass Codes.**

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| Appointing Authority | 1. Submits completed Position Action Request with any additional documentation, and narrative with rationale for requested assignment or removal.   |
| Civil Service        | <ol style="list-style-type: none"> <li>2. Reviews request and, if approved, enters necessary position information in HRMN.</li> <li>3. If disapproving, informs appointing authority of right to file technical complaint.</li> <li>4. Releases request to appointing authority.</li> </ol> |

**C. Establishing Subclass Codes.**

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| Appointing Authority | 1. Submits written request with supporting rationale to establish new subclass or revise or abolish existing subclass.   |
| Civil Service        | <ol style="list-style-type: none"> <li>2. Reviews requests, makes determination, makes appropriate adjustments to subclass, and notifies agencies.</li> <li>3. Updates Civil Service subclass listing to reflect changes.</li> </ol> |

**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](mailto:MCSC-OCSC@mi.gov).