

MANAGEMENT DIRECTIVE

Commonwealth of Pennsylvania Governor's Office

Subject: Transfer of Employees From One Agency to Another	Number: 515.2 Amended
Date: January 20, 2016	By Direction of:  Sharon P. Minnich, Secretary of Administration
Contact Agency: Office of Administration, Office for Human Resources and Management, HR Service Center, Telephone 717.787.8001	

This directive establishes policy, responsibilities, and procedures for the transfer of an employee from one agency to another. Marginal dots are excluded due to major changes.

1. **PURPOSE.** This directive establishes policy, responsibilities, and procedures for transferring employees from one agency to another.
2. **SCOPE.** This directive applies to all departments, boards, commissions, and councils (hereinafter referred to as "agencies") under the Governor's jurisdiction and to independent agencies who use SAP and elect to participate in these procedures.
3. **OBJECTIVES.**
 - a. To facilitate the transfer of an employee from one agency to another.
 - b. To provide a transferring employee with continuity of compensation.
4. **DEFINITIONS.**
 - a. **Enterprise Position/Personnel Action Request (EPAR).** The process used to assist supervisors in requesting services from agency Human Resources (HR) Offices, as well as to facilitate the processing of SAP transactions within the Office of Administration, Office for Human Resources and Management, HR Service Center.

- b. **Official Personnel Folder (OPF).** The hard copy or electronic (e-OPF) repository of employee information, which includes permanent employee information and temporary employee information that documents the employment work record.
- c. **Transfer.** The movement of an employee from the jurisdiction of one agency to another agency. A transfer may occur in conjunction with a reassignment, promotion, or demotion.

5. POLICY.

- a. The termination of employment and subsequent rehiring of a person by a different agency after a break in employment of two weeks or less is considered to be, and is to be processed as, a transfer. A transferred employee is not to be paid for unused annual leave.
- b. The effective date of the transfer will be negotiable between the losing and gaining agency heads. In no case will the losing agency delay a transfer more than 60 calendar days. The length of delay will depend upon whether the vacancy of the position endangers the health and safety of the workforce or the public and the necessity of the employee to complete projects or assignments. These factors will vary based upon the organizational location, level of responsibility, and specialized duties, if any, of each individual. The 60 calendar day rule does not apply when employees are moving into trainee classifications that require an exact start date for all participants in the program.

6. RESPONSIBILITIES.

- a. **Agency Heads** shall ensure that transfers of employees are processed in accordance with this directive and *Management Directive 580.26, Transfer or Reassignment of Classified Service Employees*, when classified service employees are involved.
- b. **Agency HR Offices in the Gaining Agency** planning to hire a person either with no break in employment, or, after a break in employment of two weeks or less, shall immediately contact the losing agency and negotiate a release date. Once a release date is confirmed, the gaining agency HR Office notifies the hiring manager and initiates transfer procedures via Form STD-320, Personnel Transfer/Movement Request. Form STD-320 should be used for all instances of transfers from one agency to another agency.
- c. **Agency HR Offices in the Losing Agency** that becomes aware of an employee's pending employment by another agency shall notify the gaining agency that the employee is currently employed by that agency. If termination procedures have been initiated by the losing agency, the termination procedures will be canceled and transfer procedures will be followed.

7. PROCEDURES.

- a. Requests for transfers from or to the Department of Human Services are to be sent to facilities, county assistance offices, or central human resources offices, as appropriate.
- b. Requests for transfers from or to all other agencies will be processed by Agency HR Offices or the Office of Administration, Office for Human Resources and Management, HR Service Center.
- c. The following procedures for processing transfers apply to classified and nonclassified employees. Timely processing should occur throughout this procedure to ensure the continuity of employees' compensation.

(1) Gaining Agency Human Resources Office.

- (a) Verifies current employment status of the employee, who has been selected by the gaining agency supervisor to fill the vacancy, to determine if employee is active, in a LWOP status, or pending termination.
- (b) Secures from the losing agency HR Office, the employees' Official Personnel File (OPF) and leave records for the gaining agency supervisor to review.
- (c) Initiates a Fill a Vacant Position EPAR for the recommended candidate.
- (d) Secures and coordinates all necessary approvals.
- (e) Contacts the losing agency HR Office to negotiate employee transfer date. Once date is finalized, processes EPAR.
- (f) Completes Part 2 of Form STD-320 and forwards to the employee.

(2) Employee. Completes Part 1 of Form STD-320 and returns to the losing agency HR Office.

(3) Losing Agency Human Resources Office.

- (a) Completes Part 3 of Form STD-320 confirming the official effective date. **The effective date of transfer should be the last day of the losing agency's pay period.**
- (b) Forwards completed Form STD-320 to gaining agency HR Office.
- (c) Retains a copy of Form STD-320.

(4) Gaining Agency HR Offices or Office of Administration, Office for Human Resources and Management, HR Service Center. Processes a transfer action in SAP and creates related employee correspondence that specifies the effective date, the new job title, and the related salary.

NOTE: If employee is currently on LWOP in the losing agency, a return from LWOP action must be entered in SAP following the processing of the transfer action.

(5) Office of the Budget, Office of Comptroller Operations, Bureau of Commonwealth Payroll Operations.

- (a)** Continues to pay the employee from the losing agency until the transfer actions are received.
- (b)** Audits transfer actions and coordinates appropriate processing due to pay group changes. Computes and processes any overpayments and/or underpayments as a result of the transfer.

(6) Employee. On the effective date, transfers to the gaining agency.

(7) Losing Agency Human Resources. Within 10 work days after the physical transfer of an employee, forwards the employee's up-to-date OPF, Form STD-301 (if paper OPF exists), to the gaining agency's human resources office. In instances of transfers to the Department of Human Services, the OPF should be sent to the address shown on Form STD-320. No action is required if the employee has an e-OPF.

d. To Withdraw a Transfer Request Prior to Effective Transfer Date.

(1) Employee. Notifies losing agency human resources office and signs Part 4 of Form STD-320.

(2) Losing Agency Human Resources Office.

- (a)** Completes Part 4 of Form STD-320.
- (b)** Notifies gaining agency human resources.

(3) Gaining Agency Human Resources Office or Office of Administration, Office for Human Resources and Management, HR Service Center. Deletes transfer action in SAP or reopens EPAR to the HR Service Center to delete the transfer action.

This directive replaces, in its entirety, *Management Directive 515.2*, dated June 16, 2000.