

MANAGEMENT DIRECTIVE

Commonwealth of Pennsylvania Governor's Office

Subject:

Classified Service Emergency
Appointments

Number:

515.3 Amended

Date:

September 3, 2008

By Direction of:

Jeffrey T. Wallace, Executive Director,
State Civil Service Commission

Contact Agency:

State Civil Service Commission, Bureau of Technical and Information Services,
717-787-5855

This directive contains policy and procedures for emergency appointments in the classified service. This directive contains major changes; therefore, the marginal dots have been omitted.

- 1. PURPOSE.** To announce changes to the policy and procedures used for emergency appointments in the classified service.
- 2. SCOPE.** Applies to all classified service employees in state agencies identified in § 3(d), *Civil Service Act of August 5, 1941, P. L. 752, as amended*, and political subdivisions of the Commonwealth that have contracts with the State Civil Service Commission (SCSC) for services and facilities as provided for in § 212, *Civil Service Act*.
- 3. OBJECTIVE.** To understand the policy and procedures associated with hiring and placing a person in emergency status in the classified service.
- 4. DEFINITION. Emergency employee.** A qualified person hired by the appointing authority to meet an unexpected need and whose tenure will not exceed an initial 30 workdays. With advanced approval of the Director, SCSC, emergency appointments may be extended an additional 30 workdays for a maximum of 60 workdays.

5. POLICY.

- a. Emergency appointments are authorized for compelling circumstances only. *Section 606 of the Civil Service Act* provides that, "Any appointing authority or any subordinate authorized by him may, to prevent serious impairment of the public business when an emergency arises and time will not permit securing the authorization from the director for the appointment of a certified eligible, appoint any qualified person during the emergency for a period not exceeding thirty days and may with the approval of the Commission be extended for a further period not to exceed thirty days."
- b. *Section 606* further provides that, "The existence of a vacancy of which the appointing authority has had reasonable notice or of employment conditions of which the appointing authority had previous knowledge shall not be considered an emergency."
- c. Consistent with paragraph 5.a of this directive, an emergency appointment to a vacant position **shall not** be made unless the appointing authority cannot practicably or successfully use another personnel action, such as appointment from an eligible list, transfer, reassignment, or out-of-class assignment, to meet the staffing need.
- d. Approval for the extension of an emergency appointment must be sought, in writing, from the:

State Civil Service Commission
Bureau of Technical and Information Services
3rd Floor, Strawberry Square Complex
320 Market Street

Or, for U.S. Postal Service deliveries:

P.O. Box 569
Harrisburg, PA 17108-0569

Or, by email: ra-cs-taad@state.pa.us

- e. Emergency appointments to positions in Trainee classes, as identified in *Management Directive 535.5, Use of Trainee Classes in the Classified Service*, are **not** authorized.
- f. Emergency appointments will be for 30 workdays. They may be extended under paragraph 5.d of this directive for 30 additional workdays.
- g. **References.** § 606, *Civil Service Act*; 4 Pa. Code § 97.52; *Management Directives 535.5, Use of Trainee Classes in the Classified Service*; and *Management Directive 580.11, Documentation of Classified Service Personnel Actions*.

6. PROCEDURES.

a. Action By: Agency.

- (1) Shall seek an emergency appointment when other means of appointment have been exhausted, or when an emergency arises and time will not permit securing the authorization from the Director, SCSC, for the appointment of a certified eligible. Any certified eligibility listings used in an attempt to fill the position should be issued no earlier than three months prior to the emergency appointment. All certified eligibility listings considered but not used to fill the position should be cleared prior to the emergency appointment and have no available eligible candidates. Postings and advertisements must be made available upon request by the SCSC.
- (2) May appoint a qualified person for the first 30 workdays without advance approval from the SCSC upon determining that an emergency condition, as defined in paragraph 5.a of this directive, exists.
- (3) Shall submit the following completed documents directly to the SCSC at the address shown in paragraph 5.d of this directive, within five workdays after the effective date of an emergency appointment:
 - Written explanation of the circumstances which necessitated the emergency appointment;
 - Description of attempt made to fill the position including numbers of certifications requested and cleared;
 - Form SCSC-1, *Application For Employment/Promotion*; and, if applicable;
 - Form SCSC-1A, *Research Questionnaire* (optional).

If the examination is open for the job title being filled by emergency appointment, applicants should be provided with the link to use SCSC's online application at www.scsc.state.pa.us.

- (4) Shall provide written notice to emergency employee in accordance with *Management Directive 580.11, Documentation of Classified Service Personnel Actions*, by stating effective date, rate of pay, job title, civil service status (emergency), and that employment will be terminated on or before a specified date. May not indicate in the appointment letter to the emergency employee that the employee will be appointed if they are "reachable" on the Certification of Eligibles.
- (5) If requesting an extension beyond the initial 30 workday period of an emergency appointment, the request must be sought and approved prior to the 30th workday.

- (6) Shall act on a timely basis to terminate an emergency appointment which has been disapproved by the SCSC, or when the authorized time has expired.

b. Action By: SCSC.

- (1) Will notify the appointing authority in writing when requests are disapproved because an emergency condition does not exist. If Forms SCSC-1 and SCSC-1A were submitted by paper application, they will be returned to the appointing authority.
- (2) If an emergency condition exists, will review application to ensure the applicant is qualified for the job title.
 - (a) If qualified and the examination is open for application for the job title, the documents will be processed accordingly.
 - (b) If qualified and the examination is closed for application for the job title, Forms SCSC-1 and SCSC-1A, if applicable, will be returned to the appointing authority.
 - (c) If not qualified for the job title, the appointing authority will be notified in writing and Forms SCSC-1 and SCSC-1A, if applicable, will be returned to the appointing authority.
- (3) Will notify the appointing authority in writing when emergency employees are about to reach the end of their authorized employment. Action should be taken by appointing authorities to preclude such employees from exceeding the authorized time periods specified in paragraph 5.f of this directive.
- (4) Names of emergency employees who have served beyond the authorized time period will be provided to appointing authorities. Action shall be taken by appointing authorities to immediately separate such employees.
- (5) The Director, SCSC, will take action to remove emergency employees who are not separated on a timely basis.

This directive replaces, in its entirety, *Management Directive 515.3*, dated May 14, 1985.