

MANAGEMENT DIRECTIVE

Commonwealth of Pennsylvania Governor's Office

Subject: Limited Appointments to Positions Exempted from the Classified Service Pursuant to <i>Section 3(c)(4), Civil Service Act</i>	Number: 580.27 Amended
Date: October 28, 2009	By Direction of:  Jeffrey T. Wallace, Executive Director, State Civil Service Commission
Contact Agency: State Civil Service Commission (SCSC), Bureau of Technical and Information Services, Telephone 717-787-5855	

This directive establishes policy, responsibilities, and procedures for limited appointments to positions exempted from the classified service pursuant to § 3(c)(4), Civil Service Act, to be used for special studies, projects, or internships. Marginal dots are excluded due to major changes.

- 1. PURPOSE.** To establish policy, responsibilities, and procedures for limited appointments to positions exempted from the classified service pursuant to § 3(c)(4), *Civil Service Act*, to be used for special studies, projects, or internships.
- 2. SCOPE.** This directive applies to all agencies with classified service positions in state agencies identified in *Civil Service Act, 71 P.S. § 741.3(d)*, and to state agencies and political subdivisions of the commonwealth which have contracts with the SCSC for services and facilities as provided for in *Civil Service Act, 71 P.S. § 741.212*.
- 3. OBJECTIVE.** To understand policy, responsibilities, and procedures for requesting an exemption of a position from the classified service under § 3(c)(4), *Civil Service Act*.
- 4. DEFINITION. Minimum Qualifications.** The education, experience, licensure, certification, or other requirements which are established in classification standards for a class and which must be met by applicants or employees seeking appointment or promotion.

5. **POLICY.** Pursuant to *Civil Service Act, 71 P.S. § 741.3(c)(4); 4 Pa. Code § 91.4(b)(2)(iv)*; and subject to SCSC approval, unclassified service appointments may be made to otherwise classified service positions under the following conditions:

- a. Each appointment must be for the duration of a special study, project, or internship, to be completed after a fixed or limited period of time.
- b. A classified service appointment must be deemed inappropriate or impracticable under other options available, including, but not limited to, civil service employment or promotion lists, transfer, reassignment, voluntary demotion, reinstatement, or promotion without examination.
- c. Appointees must meet the minimum qualifications for their positions and must be separated timely from the positions.

6. **RESPONSIBILITIES.**

a. **Agencies** shall:

- (1) Request exemptions in writing and include justification as to why the position should be excluded from the classified service, as well as the period of time for which the exemption is requested.
- (2) Ensure those appointed to a position exempted from the classified service under *§ 3(c)(4), Civil Service Act* meet the minimum qualifications for the classification and are notified of appointment in accordance with paragraph 7.f. of this directive.
- (3) Identify either in SAP for state agencies or on Form SCSC-100, Report of Personnel Transactions for Non-State Employees, for local government agencies in which the appointment is exempt from classified service under *§ 3(c)(4), Civil Service Act*.
- (4) Notify the SCSC when an employee leaves the exempted position, either through separation or movement to another position, in accordance with paragraph 7.i. of this directive.

b. **The PA Office of Administration, Appropriate State Funding Agency, or the Bureau of Technical and Information Services**, as applicable, shall determine if it is appropriate to pursue a temporary exemption from the classified service under *§ 3(c)(4), Civil Service Act* and, if so, submit such request in accordance with paragraphs 7.d. and 7.e. of this directive.

c. **The State Civil Service Commission** shall:

- (1) After investigation, determine whether to approve or deny the exemption request and notify the requesting agency of its decision.
- (2) Ensure those appointed to a position exempted from the classified service under *§ 3(c)(4), Civil Service Act* meet the minimum qualifications for the classification and, if not, inform the agency to remove the employee from the position.

- (3) Monitor requests approved for exemption from the classified service under § 3(c)(4), *Civil Service Act*.

7. PROCEDURES.

- a. Requests from state agencies for approval to appoint under § 3(c)(4), *Civil Service Act*, must be routed through the:

PA Office of Administration
Office of Human Resources Management
Room 517, Finance Building

OR, for U.S. Postal Service deliveries:

P.O. Box 1323
Harrisburg, PA 17120-1323

- b. Requests from political subdivisions must be sent through the appropriate state funding agency.

- c. Requests from applicable Housing Authorities or other entities having a contract with SCSC for services and facilities not referenced above must be routed to the SCSC, Bureau of Technical and Information Services (BTIS), at the following address:

State Civil Service Commission
Bureau of Technical and Information Services
3rd Floor, Strawberry Square Complex
320 Market Street
Telephone: 717/787-5855

OR, for U.S. Postal Service deliveries:

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

OR, email at ra-cs-taad@state.pa.us

- d. As applicable, the PA Office of Administration, appropriate state funding agency or BTIS on behalf of covered Housing Authorities or other contract entities will submit the request in writing to the:

Executive Director
State Civil Service Commission
4th Floor, Strawberry Square Complex
320 Market Street

OR, for U.S. Postal Service deliveries:

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

- e. Each request must reference this management directive and include the following:
 - (1) Name of agency making request.
 - (2) Date prepared.
 - (3) Class title(s).
 - (4) Total number and location of position(s).
 - (5) A brief description of the special study, project, or internship, including the actual or anticipated starting and completion dates.
 - (6) Justification why a classified service appointment is not appropriate or practicable.
 - (7) If applicable, identification of the special skills or qualifications required.
 - (8) A statement that the appointee(s) meets the minimum qualifications for the class(es) of position. Qualifications for each appointee are to be reviewed by the agency prior to appointment and will be documented on Form SCSC-1, Application for Employment/Promotion.
 - (9) Name, title, and telephone number of the appointing authority or designated representative.
 - (10) Signature of the appointing authority or designated representative.
- f. After receipt of SCSC approval and no later than ten days after each appointment date, agencies must submit to the Director, SCSC, at the address shown in paragraph 7.d of this directive, the following documents:
 - (1) Copy of written notification of appointment. The notification will include: employee's name, the last four digits of the social security number (e.g., xxx-xx-0001), effective date of action, rate of pay, job title, and state that employment is for a specified period, and is to terminate on or before a specified date. Notices to state employees must also contain the personnel number.
 - (2) For local government agencies, Form SCSC-100, Report of Personnel Transactions for Non-State Employees. Enter "Appointment under § 3(c)(4), Civil Service Act" in the Remarks section on the Form SCSC-100, Report of Personnel Transactions for Non-State Employees.
 - (3) Completed Form SCSC-1, Application for Employment/Promotion.
- g. For state agencies, log the exemption in SAP under, "Maintain Position, Detailed Position Attribute, Additional Position Codes, by selecting '4' from the drop down box under SCSC Exemption Code."

- h.** Extension of exemptions may be granted under limited and special circumstances. Extension requests must be submitted in the same manner as for original requests, except for the following:

 - (1)** They should be received no later than 60 calendar days before the scheduled termination date of the original exemption.
 - (2)** Relative to paragraph 7.e. (5) of this directive, provide the expected completion date only.
 - (3)** Relative to paragraph 7.e. (6) of this directive, justify why the extension is needed.
- i.** When extensions have been approved, agencies shall submit to the Director, SCSC, at the address shown in paragraph 7.d. of this directive, the following documents:

 - (1)** Copy of written notification of exemption extension, unless there is a change in incumbent(s); in which case the data elements of paragraph 7.e. of this directive, will be included.
 - (2)** For local government agencies, Form SCSC-100, Report of Personnel Transactions for Non-State Employees. Enter "Extension of Appointment under § 3(c)(4), Civil Service Act" in the Remarks section on the Form SCSC-100, Report of Personnel Transactions for Non-State Employees.
- j.** For state agencies, continue to log the exemption in SAP under "Maintain Position, Detailed Position Attribute, Additional Position Codes, by selecting '4' from the drop down box under SCSC Exemption Code."
- k.** When an exemption has expired, local government agencies should send a Form SCSC-100, Report of Personnel Transactions for Non-State Employees, to BTIS and SCSC with "Termination of Appointment under § 3(c)(4), Civil Service Act" in the Remarks section. State agencies should separate the employee(s) using the appropriate SAP transaction code.
- l.** When an employee leaves the exempted position either through separation or movement to another position, submit the following to BTIS at the address shown in paragraph 7.c. of this directive.

 - (1)** Name of agency.
 - (2)** Employee name.
 - (3)** Class title and class code.
 - (4)** Date employee separates from position.
 - (5)** Copy of written notification to employee indicating either separation or movement to another position.

This directive replaces, in its entirety, *Management Directive 580.27*, dated February 18, 1988.