

POLICY
MEMORANDUM

November 28, 1990

Policy Memorandum No. 10 - FY 1991

TO: Elected Officials, Agency Directors and Personnel Officers

FROM: Bonnie L. Sides *Bonnie L. Sides*
Acting State Personnel Director
Mississippi State Personnel Board

SUBJECT: SUSPENSION OF HIRING, PROMOTIONS, AND OTHER PERSONNEL ACTIONS

A. Statement of Purpose

In accordance with Mississippi Code of 1972 Annotated, Section 25-9-116 and recommendation by the Department of Finance and Administration, the State Personnel Board, acting through the State Personnel Director, hereby authorizes and directs an immediate suspension of all hirings, promotions, reclassifications, reallocations and pay grade realignments until such time as the Department of Finance and Administration shall recommend that such action is no longer required. Administration of this suspension shall be governed by the policies and procedures in this memorandum. This suspension is effective December 3, 1990, and will continue until further notice.

The development of the following policies is based upon implementation of Mississippi Code of 1972 Annotated, Section 25-9-116 as follows:

Upon recommendation of the state fiscal management board, after a determination that the state revenue and expenditure requires such action the state personnel board may institute an immediate suspension of all hirings, promotions, reclassifications, reallocations and pay grade realignments until such time as the state fiscal management board shall recommend that such action is no longer required.

NOTE: Section 27-104-1 provides that the term "Fiscal Management Board" shall mean the "Department of Finance and Administration."

B. Coverage of these Policies

1. These policies shall govern:

- a. State service employees and positions; and
- b. Non-state service employees and positions excluded from the state service by Miss. Code Ann. Sec. 25-9-107(c) but subject to State Personnel Board salary setting authority as listed below:
 - (1) Part-time employees and positions [Refer, Miss. Code Ann. Sec. 25-9-107(c)(xi)];
 - (2) Persons appointed on an emergency basis [Refer, Miss. Code Ann. Sec. 25-9-107(c)(xii)];
 - (3) Time-limited employees and positions [Refer, Miss. Code Ann. Sec. 25-9-107(c)(xiv)]; and
 - (4) Administrative officers, deputies, bureau chiefs, and directors and their positions [Refer, Miss. Code Ann. Sec. 25-9-107(c)(xvi)].

C. Policies and Procedures for Implementation

1. Recruitment Activities

Recruitment activities are suspended effective close of business, November 30, 1990, with the exception of recruitment activities required to provide applicants to fill certain employment positions exempted under Section D of this memorandum. Recruitment activities may be resumed at the discretion of the State Personnel Director to ensure the availability of applicants upon repeal of this policy.

2. Selection Activities

Selection activities including evaluation, testing, the maintenance of lists of eligibles and the issuance of Certificates of Eligibles are suspended effective close of business, November 30, 1990, with the exception of selection activities required to provide applicants to fill certain employment positions exempted under Section D of this memorandum and any maintenance activity deemed necessary by the State Personnel Director. Selection activities may be resumed at the discretion of the State Personnel Director to ensure the availability of applicants upon repeal of this policy.

Written and proficiency examinations will be administered only to applicants who were scheduled and notified prior to implementation of the suspension period or who are notified after December 3, 1990, by the State Personnel Director.

C. Policies and Procedures for Implementation (Continued)

Outstanding requests for Certificates of Eligibles are cancelled effective close of business, November 30, 1990. No further requests for Certificates of Eligibles will be accepted for processing except requests which meet the criteria set forth in Section D.

3. Classification and Compensation Activities

The following Classification and Compensation activities are suspended effective close of business, November 30, 1990, with the exception of processing actions required to fill employment positions exempted under Section D of this memorandum and with the exception of actions identified below which are not subject to this suspension.

(a) Subject to Suspension

Reallocations
Reclassifications
Realignments
Educational Benchmark Awards
Experience Benchmark Awards
Detail to Special Duty Pay
Additional Compensation
Appointments
Promotions
Inter Agency Demotions
Inter Agency Transfers
Salary increases above the current salary level authorized before close of business, November 30, 1990. (i.e., productivity, new hire/promotional/recruitment flexibility, executive compensation, etc.)
Increases in projected number of months and/or hours per week

(b) Not Subject to Suspension

Terminations
Personnel Data changes (i.e., changes to date of birth, social security number, EPAS ratings and date record, etc.)
Position data changes (i.e., changes to county code, organization code, FLSA, etc.)
Decreases in number of months per year and/or hours per week
Position abolishments
Intra agency lateral transfers (within budget category)
Intra agency demotions (within budget category)
Call-back pay
Standby pay
Overtime Pay

C. Policies and Procedures for Implementation (Continued)

Position escalations as authorized by Department of Finance and Administration
Intra agency lateral reallocations (within budget category)
Intra agency downward reallocations (within budget category)

D. Exceptions to this Suspension

Until further Board action, the State Personnel Director and the State Fiscal Officer or their designees are authorized to jointly exempt certain employment positions from the provisions of this policy on an individual basis in such instances where a temporary delay in filling a vacant position would:

- (1) Have a significant adverse reaction on direct patient/resident care; or
- (2) Result in a definite loss of significant federal funds or federal program support; or
- (3) Result in significant adverse legal consequences for the agency involved; or
- (4) Pose a significant threat to public safety; or
- (5) Seriously disrupt the operations of any agency or impede the delivery of services to the public by said agency.

The State Personnel Board will serve as the final authority regarding requests for authorization to fill vacant positions where the State Personnel Director and the State Fiscal Officer do not concur.

Only an Agency Director or governing board may request authorization to fill a vacant position within the parameters delineated in this section. These requests must be accompanied by the attached form.

Personnel and position transaction requests and Experience and Training Records received by the State Personnel Board after close of business, November 30, 1990, will be returned without action.

EHS:lc

Attachment

STATE PERSONNEL BOARD
Request for Exemption to Suspension of Personnel Actions

Agency: _____

Pin(s): _____

Type of Transaction: _____

Job Title(s): _____

Occupational Code: _____

If a Reallocation or Reclassification,
Indicate Proposed Job Title and Occupational Code: _____

Requested Salary: _____

Funding Source: _____

Exception Criteria
as Defined in
Policy Memorandum: _____

Signature of Agency Head Date

***Funds Certification Form Must Be Attached**

Action by SPD: _____ Date: _____

Action by SFO: _____ Date: _____

Action by SPB: _____ Date: _____