

## TEMPORARY ASSIGNMENT TO HIGHER RANK OR CLASSIFICATION

### 11.01 PURPOSE

The purpose of this regulation is to provide policy and procedures for utilizing temporary assignments in a higher rank or classification and payment for such assignments.

### 11.02 GENERAL PROVISIONS

- A. Before personnel are assigned to work in a higher-level rank or classification, every effort shall be made to ensure that such an assignment is absolutely essential to the continued operation of the organizational segment.
- B. Troop Commanders and Bureau/Office Directors should consider the "whole position" prior to pursuing any temporary assignment to a higher-level rank or classification. Duties and responsibilities of many positions, particularly supervisory and managerial, are not likely required to be performed during an incumbent's short period of absence. Duties unique to these higher-level positions may include preparing performance evaluations, approving leave, assigning and reviewing work, preparing work schedules, assisting in budget preparation, and recommending and implementing changes to operations and procedures as well as an assortment of other duties which constitute the "whole position."
- C. When the Troop Commander or Bureau/Office Director determines that the continued performance of the duties and responsibilities of a position are absolutely essential, priority consideration shall be given to accomplishing these duties on a temporary, non-overtime basis in the following order:
  - 1. Personnel in a higher-level rank or classification shall be used to perform the most essential responsibilities when temporarily unstaffed or vacant positions exist for a short period of time.
  - 2. Personnel in the same rank or classification or pay scale group shall be temporarily assigned on a rotational basis, where practicable.

3. Personnel in the next lower rank or classification or pay scale group who meet the minimum experience and training requirements of the higher-level position shall be temporarily assigned the duties on a rotational basis, where practicable.
- D. For personnel to be compensated for temporarily working in a position of a higher-level rank or classification, the higher position must be an approved existing permanent position in the Department complement for which a temporary replacement is needed, or there must be a temporary position with duties supporting a higher-level rank or classification to which a permanent member/employee may be assigned. Temporary assignments must be separate and distinct from the individual's regular assignment. A position may be temporarily filled when the incumbent is absent from the position due to a variety of reasons such as on any approved leave with or without pay, suspension, absence without leave, temporary reassignment, or has been separated from the position.
  - E. The calendar quarter is defined as the beginning of the first full pay period in January through March 31, April 1 through June 30, July 1 through September 30, and October 1 through the last full pay period of the leave calendar year, which is the pay period that includes December 31.

#### 11.03 PROVISIONS FOR ALL PERSONNEL

- A. Personnel temporarily assigned to a higher rank or classification should, in general, perform the higher-level work in addition to their regular duties. A member's/employee's temporary assignment should not result in a second member/employee receiving a temporary assignment to backfill the first member's/employee's position.
- B. Personnel shall not be temporarily assigned to perform, in general, the duties and responsibilities of a position in a higher-level rank or classification for more than nine continuous months or the length of the leave of absence from the position to which the member/employee being replaced has guaranteed right to return, whichever is greater.

- C. Personnel will be paid for temporary assignments to a higher-level rank or classification provided the eligibility criteria have been met in the quarter. When eligibility criteria have not been met, days worked in a higher-level rank or classification will not be carried over from one quarter to the next.
- D. The pay of personnel temporarily assigned to a higher-level rank or classification who are injured on the job and qualify for workers' compensation salary benefits and/or Heart and Lung Act salary benefits, will be based upon computations made at their regular hourly rate for those days.
- E. Personnel temporarily assigned to a higher-level rank or classification who earn alert time/standby time will be paid at their regular hourly rate for those hours. Personnel called in to work in a higher-level rank or classification will receive call time pay for time worked in the higher-level rank or classification, provided the requirements for assignment and payment have been met.

11.04 PROVISIONS FOR ALL EMPLOYEES

- A. Personnel temporarily assigned to work in a higher classification must meet the minimum experience and training (MET) requirements for the higher classification. Job specifications that contain MET requirements can be accessed at <http://www.jobclass.state.pa.us>.
- B. An employee temporarily assigned to a higher classification must accumulate five full workdays within the calendar quarter (see 11.02.E) to be compensated for any days worked in the higher classification during that quarter. (Exceptions: An employee in the P4 or R1 bargaining unit must accumulate ten full half days for payment eligibility.)
- C. Excluding exceptional circumstances, employees shall not be temporarily assigned to a higher-level classification for a period of less than three days. Circumstances pertaining to requests for less than three-day assignments must be addressed in the "Comments" Section of the Position/Personnel Action Request (PAR) as noted in paragraph 11.10.A.

- D. An employee shall not be temporarily assigned duties in a higher-level classification as a result of a second employee's alternate work schedule day off.
- E. When an employee is assigned the duties of a higher-level classification which is in a different bargaining unit than that of the employee, the eligibility provisions (e.g., minimum number of days per calendar quarter, leave pay) of the employee's permanent bargaining unit shall apply.
- F. Employees shall not be temporarily assigned to law enforcement positions in the L-1 (State Police) bargaining unit. In cases where an enlisted supervisor position is un-staffed or vacant, an employee can be temporarily assigned to perform non-police-related supervisory duties over other employees in the same pay scale group.
- G. Non-Civil Service employees shall not be temporarily assigned to higher-level Civil Service classifications, except where the higher-level classification is Civil Service and the next lower classification historically used is non-Civil Service.
- H. Employees will not be compensated for working in a higher classification during the period in which a reclassification action is pending.

11.05 PROVISIONS FOR EMPLOYEES UNDER BARGAINING UNITS A1, A2, A4, B1, B4, G1, G2, G4, G5, J1, J2, N1, N2, P4, AND R1

- A. An eligible employee will receive out-of-class pay for a holiday provided that the employee is assigned and performs the duties of a higher-level classification on their scheduled workday immediately before and immediately after such holiday. If the employee has not met the eligibility requirements for payment in the higher-level classification, the holiday shall not count toward the required cumulative workdays.
- B. Employees shall not receive out-of-class pay for any periods of leave with pay. For example, if an eligible employee uses three hours of leave, they will be compensated at the higher-level classification rate only for the 4.5/5 hours actually worked.

11.06 PROVISIONS FOR EMPLOYEES UNDER BARGAINING UNITS A5, B5, AND MANAGEMENT

- A. An eligible employee will receive out-of-class pay for a holiday or any leave with pay provided that the employee is assigned and performs the duties of a higher-level classification on their scheduled workday immediately before and immediately after such absence. For example, if an eligible employee uses three hours of leave, they will be compensated at the higher rank or classification for their full workday of 7.5 hours even though three hours of leave were used. If the employee has not met the eligibility requirements for payment in the higher-level classification, the holiday or leave with pay shall not count toward the required cumulative workdays.
- B. An eligible employee's higher-level classification assignment that includes an absence record with a start and end date spanning a pay increase shall be processed in SAP with separate absence records for dates that surround the pay increase. For example, rather than entering one absence record for the period January 4-15, 2010, that includes a pay increase effective date of January 9, 2010, the timekeeper shall ensure that two separate records are input for this employee; i.e., January 4-8, 2010, and January 11-15, 2010, if assigned to a Monday through Friday work schedule.

11.07 PROVISIONS FOR EMPLOYEES UNDER BARGAINING UNITS K4 AND K5

An eligible employee who is absent for a holiday or any leave with pay shall not receive out-of-class pay for such absence. For example, if an eligible employee uses three hours of leave, they will be compensated at the higher classification for only the five hours actually worked. If the employee has not met the eligibility requirements for payment in the higher-level classification, the absence will not count toward the required cumulative workdays.

11.08 PROVISIONS FOR MEMBERS (BARGAINING UNIT L1)

- A. When a member is temporarily assigned and performs the distinguishing duties of a higher-level rank for five cumulative

workdays in a quarter, the member shall receive pay for one rank higher for all such shifts.

- B. When a member works a full shift of at least eight hours, the majority of which is worked in a higher rank, the whole shift shall be considered as worked in the higher rank.
- C. Payment in the next higher rank will be for days actually worked and will not include holidays or leave periods.

11.09

AUTHORIZATION AND NOTIFICATION FOR MEMBERS

- A. **Supervisors** shall request a member's temporary assignment in a higher rank from their Troop Commander or Bureau/Office Director. If approval is received, **supervisors** shall ensure that an electronic PAR is submitted to the Bureau of Human Resources at least five workdays prior to the commencement of the assignment. The "Comments" Section of the "PAR Working Out of Class" shall include the member's regular and temporary (higher) rank and position, assignment starting and ending dates, and reason for the assignment.
- B. The Bureau of Human Resources shall include SAP processing instructions and return the "PAR Working Out of Class" to the requester within two workdays. Copies of a completed "PAR Working Out of Class" shall be provided to the temporarily-assigned member and the timekeeper (for payroll processing).
- C. Assignments without advance notification to the Bureau of Human Resources shall only be made in emergency situations and the reason for such shall be fully documented. Additionally, when a temporary assignment in a higher rank becomes necessary during the off-duty hours of the Troop Commander, the Officer-of-the-Day may verbally authorize the assignment for that shift only. In either of these cases, the "PAR Working Out of Class" shall be submitted as soon as possible and include, within the "Comments" Section, the same information as identified in paragraph A above and the reason why the assignment was not submitted in advance (e.g., unscheduled/extended leave).

11.10 AUTHORIZATION AND NOTIFICATION FOR EMPLOYEES

- A. Managers/supervisors shall request prior approval for an employee's temporary assignment in a higher-level classification by ensuring that an electronic PAR is submitted to the Bureau of Human Resources at least five workdays prior to the commencement of the proposed assignment. The "Comments" Section of the "PAR Working Out of Class" shall address the employee's regular and temporary (higher) classifications and organizational assignments, assignment starting and ending dates, reason for the assignment including, if applicable, justification for assignments of less than three days, and the name/position of the Troop Commander or Bureau/Office Director who authorized submission of the request.
- B. The Bureau of Human Resources shall include SAP processing instructions and return an approval/disapproval determination to the requester within two workdays after receipt of the "PAR Working Out of Class." Copies of an approved "PAR Working Out of Class" shall be provided to the temporarily-assigned employee and the timekeeper (for payroll processing).
- C. Assignments without pre-approval of the Bureau of Human Resources shall only be made in emergency situations and the reason for such shall be fully documented. In such cases, the "Comments" Section of the "PAR Working Out of Class" shall address the same information as identified in paragraph A above, and the reason why the assignment was not submitted for pre-approval (e.g., unscheduled/extended leave) shall be identified.
- D. If the Troop Commander or Bureau/Office Director is made aware of the absence of a subordinate which will result in certain personnel experiencing an additional workload, but **WILL NOT** include a responsibility for performing the distinguishing (higher-level) duties of the higher-level position, the Troop Commander or Bureau/Office Director shall ensure that affected personnel are advised that a temporary assignment to a higher-level classification will not be made and no additional compensation will be forthcoming.

11.11 PAYMENTS

**The Bureau of Human Resources will provide SAP processing instructions on an approved PAR.** The Troop Commander or Bureau/Office Director shall ensure that a timekeeper assigned to their Troop/Bureau/Office performs the necessary payroll processing in SAP. Appendage A identifies the most commonly-used reason codes for the SAP processing of a temporary assignment to a higher-level rank or classification. For temporary assignments of a member, the member shall receive a valuation-basis payment equal to the difference between his/her regular hourly rate and the rate he/she would receive had he/she been promoted.

11.12 AUDITING

The Bureau of Human Resources shall audit every temporary assignment to a higher-level rank or classification for conformance to Commonwealth and Department rules/regulations.