

**Department of Personnel Administration  
Memorandum**

**TO: Personnel Management Liaisons (PML)**

<b>SUBJECT:</b> Delegation of Personnel Management Functions Update	<b>REFERENCE NUMBER:</b> 2007-026
<b>DATE ISSUED:</b> 09/25/07	<b>SUPERSEDES:</b>

This memorandum should be forwarded to:

**Personnel Officers**

**FROM:** Department of Personnel Administration  
Classification and Compensation Division

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This memorandum updates the Department of Personnel Administration's (DPA) Personnel Management Delegation Program. Among the changes are some that were requested from Personnel Offices to help with your operational and business needs in the interim to HR Modernization. The delegated functions are also identified in the attached chart.

Backdating Allocations

Current practice requires departments to obtain DPA approval for all backdates beyond 60 workdays regardless of Modified Classification Review (MCR) designation or method of appointment (certification or transfer) for position allocations.

Departments are now delegated the authority to backdate position allocations beyond 60 workdays. Departments must document the circumstances which resulted in the delay and verify that the employee was assigned and performing the appropriate duties. Backdating of appointments should be conducted in accordance with the State Personnel Board's policy on backdating appointments.

Out-of-Class (OOC)

Important Reminder: Check MOU for OOC provisions.

Rank and File: There are no exceptions to request extensions of OOC assignments beyond the MOU provisions.

Excluded: All departments have delegated authority to approve OOC assignments for confidential, supervisory, managerial, and other excluded employees up to one year.

Managerial: As members of the management team, employees in managerial classes can reasonably be expected to perform work as needed to help the department function smoothly. For limited periods of time, a manager should be expected to fulfill a wide range of assignments not normally part of his/her assignment and classification without additional compensation. Current practice requires departments to obtain DPA approval prior to the assignment of OOC work.

Departments are now delegated the authority to pay managerial OOC. There are rare circumstances when a department determines a managerial OOC assignment must continue beyond a short time frame and additional compensation is appropriate. Payment will commence on the 91st day. (Departments are still required to submit OOC assignments approval to exempt positions prior to the assignment of OOC work.)

#### Date of Entitlements (Backdating)

Current practice requires departments to obtain DPA approval prior to processing transactions that update or change employee salaries or pay history. The Personnel Services Branch (PSB) currently receives transactions and corrections of mandatory actions beyond three years for approval prior to submitting the request to the State Controller's Office (SCO) for payment.

Departments are now delegated the authority to backdate transactions to their date of entitlement without prior review/approval by PSB. Departments must document the basis for each date of entitlement request, and retain the documentation for review. Departments need to enter an 'X' in the 'On File for Audit' box within Line 10 of the PAR document, as well as complete PAR Item 215, Employment History Remarks, as instructed on page 2.36 of the Personnel Action Manual related to date of entitlement.

#### Hire Above Minimum (HAM)

Current practice requires departments to submit HAM requests in order to hire employees with extraordinary qualifications that do not meet the HAM requirements to DPA for review/approval.

Departments are now delegated the authority to approve exceptions to the HAM criteria for extraordinary qualifications without prior review/approval by PSB, for all new State employees. (Departments are still required to submit HAM approval for a current State employee to PSB in all cases.) Departments must document the basis for each HAM request and retain the documentation for DPA program review.

#### Merit Salary Adjustments (MSA)

Current practice requires departments to obtain DPA approval to allow employees to receive the maximum salary of a classification, instead of setting up an anniversary date, when the employee is \$25.00 or less from the maximum salary range of the classification.

Departments are now delegated the authority to approve movement to the maximum of the salary range when the salary is \$25.00 or less from the maximum rate. Departments with delegation must document the basis for each salary exception request and retain the documentation for review. Departments shall process the increase to the maximum of the salary range using the employment history SAL transaction reflecting the same effective date as the MSA transaction that resulted in the employee salary rate of \$25.00 or less. Reference this PML (e.g. PML 2007-026) in Item 215, Employment History Remarks, of the SAL transaction.

#### Career Executive Assignment (CEA)

As noted in [PML 2007-022](#), departments may submit requests to DPA for exceptions to the CEA salary program when there is an extraordinary operational impact or severe salary compaction:

- to exceed the non-attorney/physician/engineer Level 5 rate; or
- to exceed the 10% salary movement in a fiscal year.

Requests must include a clear justification on the need for the exceptional request, including:

- title of CEA position and current level;
- subordinate staff classifications, salaries, and compaction issue;
- brief description of CEA role and an organization chart;
- specific salary or percentage increase requested; and
- appropriate signature authority (Agency Secretary, Director, or designee).

DPA views 5% as an acceptable differential between managerial positions due to compaction issues.

To address the critical need for succession planning, departments may allow an overlap of employees in a CEA position while the prior incumbent orients and mentors the new appointee. The duration of overlap for orientation/mentoring may last up to four months.

#### Position Allocation

A request to use another department-specific classification is considered an exceptional allocation and requires DPA approval via the 625 process. It is appropriate for departments to seek a courtesy approval from another department; however, DPA will make the final allocation decision.

The [Pay Scale Section 13](#) will be modified to reflect departments' delegation authority.

### Class Modifications

All staff calendar classification changes must be submitted through DPA for processing and union notification. Please do not submit items directly to the State Personnel Board (SPB).

### Class Establishment

PML 2001-049 is obsolete. (The PML had placed a moratorium on classification changes.)

The priority order of Board Item review and processing is as follows:

#### Urgent/Important

1. Court-ordered mandates
2. Legislative mandate (by law) involving new program/department:
  - No existing civil service class or alternative
  - New scope of work

#### Important/Not Urgent

3. Legislative mandate (by law) involving revised Minimum Qualification:
  - New license or registration
  - Education
4. New/revised classification as a result of Memorandum of Understanding (MOU) mandated study
5. All other proposals
  - Priority is in date order as received by CCD

DPA and SPB are in the early stages of HR modernization efforts. As the HR modernization efforts move forward, different classification and bargaining units may be impacted. DPA will make assessments on class proposals that may be better addressed in the HR modernization process.

### Delegation Requirements

Important Reminder: All departments are required to submit a complete set of organization charts annually on July 1<sup>st</sup> and prior to any major reorganization.

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For a complete list of the delegated functions, please refer to the attached revised chart. Changes to the [Classification and Pay Guide](#) are in progress. It is anticipated the updates to the guide will be online in the very near future. Please call your CCD analyst or PSB representative if you have any questions.

/s/Debbie Endsley

Debbie Endsley,  
Chief Deputy Director

Attachment

## Personnel Management Delegation Program Parameters

Topic	Delegation Provided	DPA Approval Required	Relevant References	DPA Contact for Exceptions or Questions
<b>Delegation Requirements</b>	All departments are required to submit a complete set of organization charts annually on July 1, and prior to any major reorganization. All departments are required to keep proper documentation of all delegated decisions according to the requirements outlined in the C&P Guide sections for the above topics.		Various Section 320 (Organization Chart format)	C&P Analyst or PSB
<b>Position Allocation</b>	All departments have delegated authority to approve position allocation decisions that meet the guidelines for most all classifications. The following departments have delegated authority to approve position allocations to the Attorney IV level: DOJ/AG, CDE, DFEH, DIR (Office of the Director & DLSE only), DPA, CalTrans, FTB, Office of the Legislative Counsel, CalPERS, PUC, and State Public Defenders. See Pay Scale Section 13 for MCR and departmental exceptions.	The following classes are MCR II: Staff Services Manager I (Specialist), Staff Services Manager II (Specialist). The following classes are MCR None: Data Processing Manager IV, Staff Counsel IV (see departmental exceptions), Labor Relations Specialist, Labor Relations Manager I, and Labor Relations Manager II. Departments must check with their C&P analyst to clarify delegation for approving headquarters peace officer positions. All exceptions to established criteria must continue to come to DPA for review and approval, including use of another department-specific class.	C&P Guide Sections 300, 320, and 335	C&P Analyst
<b>Career Executive Assignment (CEA)</b>	All departments may directly submit requests to establish new CEA positions to SPB with a concurrent copy (that includes a 625 cover sheet) sent to DPA for processing.	All exceptions to established CEA levels criteria must continue to come to DPA for review and approval. All requests for CEA salary exceptions must be submitted to DPA for review and approval.	C&P Guide Sections 400 to 499 PML 06-06 PML 06-37 Pay Scale Section 8	C&P Analyst
<b>Class Modification</b>		Non-hearing and Hearing Board Items must be submitted through DPA. DPA will handle all contact with the unions on all staff Board items.	C&P Guide Sections 100 to 199	C&P Analyst
<b>Class Establishment</b>		All Non-hearing and Hearing Board Items either establishing new classes or revising existing classes will be submitted through DPA.	C&P Guide Sections 100 to 199 Section 200	C&P Analyst

## ***Personnel Management Delegation Program Parameters***

<b>Topic</b>	<b>Delegation Provided</b>	<b>DPA Approval Required</b>	<b>Relevant References</b>	<b>DPA Contact for Exceptions or Questions</b>
<b>Staff Reductions/ Layoffs</b>		All delegated functions are subject to cancellation during a staff reduction or layoff per discussions with departmental C&P representative and/or the Department of Finance (DOF) budget instructions.	Various	C&P Analyst or DOF Instructions
<b>Hire Above Minimum (HAM)</b>	All departments have delegated authority to approve HAM for extraordinary qualifications (including exceptions), former legislative employees, and former exempt employees.	HAM approval for current State employees must be approved by DPA.	C&P Guide Section 250 Government Code (GC) 19836	PSB
<b>Red Circle Rate</b>	All departments have delegated authority to approve red circle rates for general Civil Service employees and Career Executive Assignment (CEA) positions (90 days).		C & P Guide Sections 260 and 440 GC 19837	PSB
<b>Exception to the Salary Rules</b>	All departments have delegated authority to approve an exception to the salary rules under the following circumstances: when there is a salary loss upon transfer to a deep class; when there is a reappointment or reinstatement without a break in service.		DPA Rules 599.674-599.676	PSB
<b>Date of Entitlements (Backdating)</b>	All departments have delegated authority to backdate mandatory transactions beyond three years that update or change employee salaries or pay history to their date of entitlement.		DPA Rule 599.668	PSB
<b>Merit Salary Adjustments</b>	All departments have delegated authority to approve movement to the maximum of the salary range when the salary is \$25.00 or less from the maximum rate.		GC 19836	PSB
<b>Administrative Time Off (ATO)</b>	All departments have delegated authority to approve up to 30 days of ATO.	DPA must review ATO that exceeds 30 days.	GC 19991.10	PSB
<b>Backdating Allocations</b>	All departments have delegated authority to backdate position allocations.	SPB approval is required on backdated appointments for over 60 workdays.	C&P Guide Section 320	C&P Analyst

## Personnel Management Delegation Program Parameters

Topic	Delegation Provided	DPA Approval Required	Relevant References	DPA Contact for Exceptions or Questions
<b>Out-of-Class (OOC)</b>	All departments have delegated authority to approve OOC assignments as provided in the Bargaining Unit Contracts. For confidential, supervisory, managerial, and other excluded employees, departments may approve OOC for up to one year.	OOC assignments to exempt positions must come to DPA for preapproval. <b>Note: There are no exceptions to request extensions of OOC assignments beyond the MOU provisions.</b>	C&P Guide Section 375 MOU (various)	C&P Analyst
<b>Special Consultant</b>	All departments have delegated authority to approve Special Consultants for situations that meet the guidelines.	DPA must review all exceptions, including salaries that exceed the maximum specified in the C&P Guide. Departments need to coordinate with the State Personnel Board (SPB). Any special consultant used pending exempt appointments must be approved by the DPA Exempt Unit.	C&P Guide Section 340	C&P Analyst or Exempt Unit