

CHAPTER 603a. EMPLOYEES IN THE CLASSIFIED SERVICE

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Authority

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Subchapter A. PROBATIONARY PERIODS AFTER APPOINTMENT OR PROMOTION

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§ 603a.1. Probationary periods required.

Except as otherwise provided by the act and this subpart, an employee in the classified service shall serve a probationary period after an appointment or promotion.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.2. Duration and extension of probationary periods.

(a) *Duration of probationary period.* The length of the probationary period required for appointments and promotions for a full-time position is a minimum of 6 months, defined as 180 calendar days, and will be determined by the Office

of Administration for each job classification. The probationary period for part-time positions shall be prorated according to the number of hours in the work week.

(b) *Extension of probationary period.* The probationary period, except for a trainee job classification, may be extended up to a maximum of 18 months (defined as 545 calendar days—365 calendar days plus 6 months at 30 days per month), at the discretion of the appointing authority. If the appointing authority extends an employee's probationary period, it must notify the employee in writing at least 1 workday prior to the effective date of the extension.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.3. Probationary period following reassignment or transfer.

(a) *Regular employees.* An employee who has achieved regular status and who is appointed to a position through reassignment or transfer shall retain regular status.

(b) *Probationary employees.* The unexpired portion of the probationary period of an employee who never achieved regular status and who is appointed to a position through a reassignment or transfer shall continue to be served in the position, unless the employee accepted the appointment after being notified in writing that the appointing authority having jurisdiction over the position requires a full probationary period in the position as a condition of appointment.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.4. Probationary period following demotion.

(a) *Regular employee.* An employee who has achieved regular status and who is demoted shall retain regular status.

(b) *Probationary employee.* The unexpired portion of the probationary period of an employee who never achieved regular status and who is demoted shall continue to be served in the position, unless the employee accepted the demotion after being notified in writing that the appointing authority having jurisdiction over the position requires a full probationary period in the position as a condition of appointment. An employee who held regular status in a lower-level job classification shall be assigned regular status in the job classification to which the employee is demoted, unless the employee had not previously held the job classification to which they are demoted.

(c) *Subsequent promotion.* When a regular employee has voluntarily demoted to a lower-level job classification and is subsequently promoted to the higher-level job classification held prior to demotion, the appointing authority may waive all or part of the probationary period for the higher-level job classification.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.5. Probationary period following reinstatement.

An appointing authority may waive the probationary period for a position if the former employee is reinstated within 2 years after resignation. If more than 2 years have expired since the former employee's resignation, the former employee shall serve the probationary period prescribed for the job classification to which reinstated.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.6. Probationary period following promotion.

(a) *Generally.* A regular status employee who is promoted shall serve the duration of the probationary period that is specified for the job classification to which promoted, subject to the following conditions:

(1) During the first 3 months of the probationary period, the employee has the option to return to the regular status position held immediately prior to the employee's promotion.

(2) At any time after the first 3 months of the probationary period, an employee in probationary status may return to the previous regular status position or job classification held immediately prior to the employee's promotion, with written consent of the appointing authorities.

(3) If the performance of the employee is found to be unsatisfactory by the appointing authority, the employee shall be returned to the previous regular status position or job classification held immediately prior to the employee's promotion.

(b) *Status after return.* Employees returned under subsection (a) shall be assigned regular status in the job classification to which the employee is returned, provided the employee achieved regular status in that classification.

(c) *Employees without regular status.* A promoted employee who has never held regular status in the classified service does not have a right to return to a probationary status position previously held.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.7. Probationary period of trainees.

(a) *Status as trainee.* A trainee shall maintain the status of a probationary employee while employed in the trainee job classification.

(b) *Duration of probationary period.* The probationary period for the trainee job classification and working level job classification will be combined and may

be set by the Office of Administration at a minimum of 6 months, defined as 180 calendar days, and a maximum of 24 months, defined as 730 calendar days, to coincide with the length of the designated training period.

(c) *Extension of probationary period.* The probationary period of a trainee may be extended up to a maximum of 24 months, defined as 730 calendar days, at the discretion of the appointing authority. If the appointing authority extends an employee's probationary period, it must notify the employee in writing at least 1 workday prior to the effective date of the extension.

(d) *Promotion to working level job classification.* A trainee shall be promoted to the working level job classification, with regular status, if the trainee successfully completes the designated probationary period. Notice of successful completion of the probationary period shall be given in accordance with § 603a.12 (relating to conferment of regular status and removal of probationary employees).

(e) *Removal of trainee.* An appointing authority must immediately remove, or, if appropriate, return a trainee who fails to successfully complete the designated probationary period in accordance with § 603a.12(d).

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.8. Probationary period of interns.

(a) *Status as intern.* An intern shall maintain the status of a probationary employee while employed in the intern job classification.

(b) *Duration of probationary period.* The probationary period for an intern job classification shall coincide with the duration of the internship.

(1) *Minimum duration.* The minimum duration of a probationary period for an intern job classification shall be 6 months, defined as 180 calendar days or 975 hours if the internship is completed over a noncontiguous period.

(2) *Maximum duration.* The maximum duration of a probationary period for an intern job classification shall be 18 months, defined as 545 calendar days (365 calendar days plus 6 months at 30 days per month) or 2,925 hours if the internship is completed over a noncontiguous period.

(c) *Promotion after internship.* An intern who has successfully completed the duration of the internship may be promoted in the manner set forth in § 602a.33(b)(2) (relating to promotion). Notice of successful completion of the probationary period shall be given in accordance with § 603a.12(a) (relating to conferment of regular status and removal of probationary employees).

(d) *Removal of intern.* An appointing authority must immediately remove or, if appropriate, return an intern who fails to successfully complete the internship in accordance with § 603a.12(d).

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.9. Credit towards probationary period.

(a) *Temporary assignment of higher-level duties.* A probationary employee who is temporarily assigned the duties of a higher-level position shall have the period during which they are performing the higher-level duties credited toward the lower-level probationary period.

(b) *Service in same level position.* If an appointing authority reassigns a probationary employee to another position in the same or a similar job classification within the appointing authority, the employee shall be credited with time served in the previous position toward the completion of the probationary period required for the present position.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.10. Effect of leave of absence on probationary period.

(a) *Generally.* A leave of absence shall not count toward the completion of a probationary employee's probationary period. Upon return from a leave of absence, a probationary employee shall complete the unserved portion of the probationary period.

(b) *Extended leave.* When a leave of absence exceeds 30 consecutive work-days, the appointing authority may require that a new, full probationary period be served by the returning probationary employee.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.11. Effect of a leave of absence for military duty on probationary period.

A leave of absence for military duty shall not count toward the completion of a probationary employee's probationary period. Upon return from a leave of absence for military duty, a probationary employee shall complete the unserved portion of the probationary period.

Cross References

This section cited in 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

§ 603a.12. Conferment of regular status and removal of probationary employees.

(a) *Evaluation of performance.* Prior to the expiration of an employee's probationary period, the appointing authority shall evaluate the employee's performance and provide the employee with the results of the evaluation.

(b) *Form of evaluation.* Performance evaluations of probationary employees shall be made using the same form developed in accordance with § 603a.13(c) (relating to performance evaluations generally).

(c) *Conferment of regular status.* If an employee's overall performance during the probationary period has been rated satisfactory or higher, the appointing authority shall confer regular status upon the employee at the expiration of the probationary period.

(d) *Removal of probationary employee.*

(1) If at any time during the probationary period the appointing authority determines that an employee is failing to perform satisfactorily, the appointing authority may promptly remove or, if appropriate, return, the employee in accordance with the act and this subchapter.

(2) If at the completion of the probationary period the appointing authority determines that an employee failed to perform satisfactorily, the appointing authority will immediately remove or, if appropriate, return, the employee in accordance with the act and this subchapter.

Cross References

This section cited in 4 Pa. Code § 603a.7 (relating to probationary period of trainees); 4 Pa. Code § 603a.8 (relating to probationary period of interns); and 4 Pa. Code § 603a.21 (relating to status after involuntary movement).

Subchapter B. EMPLOYEE PERFORMANCE EVALUATIONS

Sec.

- 603a.13. Performance evaluations generally.
- 603a.14. Completion of performance evaluations.
- 603a.15. Retention of performance evaluations.
- 603a.16. Review of performance evaluations.
- 603a.17. Use of performance evaluations.

§ 603a.13. Performance evaluations generally.

(a) *Generally.* Subject to the review and approval of the Office of Administration, appointing authorities shall establish and maintain a job-related system of performance evaluations for employees in the classified service.

(b) *Basis of performance evaluations.* Performance evaluations must be based upon job-related factors appropriate for determining the manner in which the employee performs the duties and carries out the responsibilities of the position occupied.

(c) *Forms and procedures.* Performance evaluation forms and procedures shall be reviewed and approved by the Office of Administration prior to utilization.

Cross References

This section cited in 4 Pa. Code § 603a.12 (relating to conferment of regular status and removal of probationary employees).

§ 603a.14. Completion of performance evaluations.

Performance evaluations of regular employees shall be completed at least once each year, unless a different schedule is approved by the Office of Administration.

§ 603a.15. Retention of performance evaluations.

(a) *Generally.* Appointing authorities shall retain copies of a regular employee's performance evaluation for a period of 3 years.

(b) *Review by Office of Administration.* Upon request by the Office of Administration, performance evaluations shall promptly be made available by an appointing authority to the Office of Administration.

§ 603a.16. Review of performance evaluations.

An appointing authority shall provide the employee with the results of the performance evaluation as soon as practicable after the evaluation is completed. The employee will be given an opportunity to review the performance evaluation with the rater and the reviewing officer. The appointing authority shall inform the employee of the standards used in determining the evaluation.

§ 603a.17. Use of performance evaluations.

Performance evaluations may be utilized for purposes of determining eligibility for promotion, to assist in establishing priority for promotion, or for determining order of furlough as provided in this subpart.

Subchapter C. MOVEMENT OF EMPLOYEES BY APPOINTING AUTHORITIES

Sec.

603a.18. Reassignment by appointing authority.

603a.19. Transfer by appointing authority.

603a.20. Involuntary demotions.

603a.21. Status after involuntary movement.

§ 603a.18. Reassignment by appointing authority.

(a) *Generally.* An appointing authority may reassign an employee from one position to another in the same job classification or in a similar job classification for which the employee qualifies.

(b) *Similar job classification.* Whether a job classification constitutes a similar job classification for purposes of subsection (a) will be determined by the

Office of Administration on a case by case basis. In determining whether job classifications are similar, the Office of Administration will consider whether the job classifications have the same maximum hourly salary rate in the compensation plan, and whether the job classifications require comparable minimum qualifications.

(c) *Disapproval.* The Office of Administration may disapprove a reassignment that is not in compliance with the act and this subpart, or that otherwise violates merit principles.

§ 603a.19. Transfer by appointing authority.

(a) *Generally.* Upon agreement between appointing authorities, an appointing authority may transfer an employee from one position to another position in the same job classification within a different appointing authority.

(b) *Initiation of transfer.* A transfer shall be initiated by the appointing authority having jurisdiction over the position to which the transfer is sought and must be approved by the Office of Administration.

(c) *Disapproval.* The Office of Administration may disapprove a transfer that is not in compliance with the act and this subpart, or that otherwise violates merit principles.

§ 603a.20. Involuntary demotions.

An appointing authority may demote an employee who does not satisfactorily perform the duties of the position that they currently hold to a position in any job classification that the employee previously had the status of a regular employee or to any position for which the employee is qualified.

§ 603a.21. Status after involuntary movement.

The corresponding provisions of §§ 603a.1—603a.12 shall apply to appointments made in accordance with this subchapter.

Subchapter D. RECLASSIFICATIONS BY THE OFFICE OF ADMINISTRATION

Sec.

603a.22. Reclassifications.

603a.23. Effect of reclassification on status.

§ 603a.22. Reclassifications.

(a) *Reclassifications required.* When an employee's job duties change or the Board changes a job classification and a reallocation of the position becomes necessary, the employee shall be reclassified to the new job classification if the employee meets the established requirements. If the reclassification is to a lower-

level job classification, it will not be construed as a demotion and the reclassified employee shall be credited with seniority acquired in the higher-level job classification.

(b) *Request for classification review.* When an appointing authority believes that a reclassification is necessary, the appointing authority shall submit a written request for a classification review to the Office of Administration, which shall include justification as to why reclassification of the position is necessary.

(c) *Approval.* The Office of Administration will approve requests for reclassification in accordance with the act and this subchapter.

(d) *Denial.* The Office of Administration may deny an appointing authority's request for reclassification if it appears the request is designed to circumvent merit system principles as set forth in the act and this subpart, or is otherwise unnecessary.

§ 603a.23. Effect of reclassification on status.

An employee reclassified laterally or to a lower-level job classification under this subchapter shall retain their current status.

Subchapter E. COMPENSATION

Sec.
603a.24. Effect of change in compensation schedules.

§ 603a.24. Effect of change in compensation schedules.

Revisions to the established schedule of compensation for a job classification, with no significant change in job specifications as determined by the Office of Administration, will have no effect upon the status and seniority of employees. Changes in compensation may not be construed as promotions or demotions.

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