

MARYLAND MILITARY DEPARTMENT
State Personnel Office
Reclassification and Acting Capacity Requests

This is an updated version of the classification and salary procedures originally distributed in July 2009 and to new program staff since then. Please ensure you are using the most recent forms.

Routine reclassification requests may be processed by the State Personnel Office (SPO). However, situations that involve a material change to a position must be approved by the State Chief of Staff and, in some cases, the Department of Budget and Management (DBM) before the duties are assigned. Examples of material changes include a change from one job category to another, such as a change from a paraprofessional to professional classification, creation of additional supervisory and managerial positions or realignment of existing supervisory and managerial positions. Where feasible, these changes should be planned in advance and included in the program's joint federal/state spending plan.

Budgetary approval of the organizational change does not equate to approval of the classification requested. Our classification supervisor at DBM has final authority for all classification decisions.

Please remember that classification and salary actions are warranted only when there are significant changes to the duties and responsibilities of the position that are compensated at a higher rate than the employee's current classification. Generally, an increased workload due to downsizing or inability to fill positions is not, by itself, sufficient justification for a reclassification request.

DBM has also requested we address reclassification grievances in our internal communications. If an employee disagrees with their current classification, it is appropriate to submit a reclassification request if you believe the employee's opinion may have some merit. It is also appropriate for supervisors and personnel staff to inform employees about the grievance process, such as where to find the form and the timeframes for appeals. It is not appropriate to advise or coach an employee on how to proceed in a grievance or act as the employee's representative.

Listed below are the documents required for each type of action. If you have any doubt where your request falls, please call 410-234-3832 for clarification. Although we will work with you, incomplete requests and those that do not include the program manager's endorsement will be returned without action. Routine requests from designees may be accepted, but such designation must be in writing and on file with SPO. Requests involving a material change to a position must be signed by a program manager in charge of our major budgetary programs, who typically report directly to the Adjutant General, an Assistant Adjutant General, or the State Chief of Staff. We cannot accept any requests from middle managers (even though they may have "program manager" in their classification title).

Material Change to a Position:

1. Cover memorandum signed by the State program manager addressed to the State Chief of Staff but routed through SPO. The memorandum must include funding certification, the types and percentages of each, justification for the change (i.e., the business necessity of the change and the intended benefits), why the duties cannot be performed by other positions in the same job category as the one requested, and certification the employee satisfies the minimum

2. Approved and proposed organizational charts, endorsed by the program manager. We cannot accept charts signed by designees.
3. All other requirements of a routine request as listed below.

Routine Reclassification Requests:

1. Transmittal memorandum from the program manager or designee certifying funds are available, the types and percentages of each, a brief explanation for the request, and certification the employee satisfies the minimum qualifications of the requested classification (to be verified by SPO). If federal funds are involved, the request must also be signed by the applicable federal program manager.
2. Reclassification Request (MS-2024) to be completed by the program but to be signed by SPO.
3. Reclassification Questionnaire (MS-44) to be completed by supervisor or manager initiating the request (optional but will expedite request and may be required if additional information is necessary).
4. Signed current and previous Position Description Forms (MS-22), which clearly demonstrate how the duties have changed; submission of the previous MS-22 is also optional but may be required in certain cases.
5. Signed and dated organizational chart (by the program manager).
6. Signed, updated State application (MS-100) from the employee.
7. Rule .02 certification with listing of qualified employees attached, where applicable. Please see Code of Maryland Regulations (COMAR) 17.04.02.02 for more information. Electronic copies of COMAR are available at <http://www.dsd.state.md.us/comar/comar.aspx>. SPO maintains hard copies of COMAR for use within our office suite.

Acting Capacity Requests:

1. Transmittal memo from the program manager or designee containing certification of funds, the types and percentages of each and certification the selected employee satisfies the minimum qualifications of the acting classification. If the employee does not satisfy the minimum qualifications of the acting classification, the memorandum should include the justification for an exception. DBM must approve all acting capacity requests involving employees who do not satisfy the minimum qualifications. Please submit these for approval before assigning the duties. If federal funds are involved, the request must also be signed by the applicable federal program manager.
2. Acting capacity request completed by the program but signed by SPO. Please ensure the form contains the justification for selecting the employee. Attach a separate sheet if necessary.
3. Signed State application (MS-100) from the employee selected to perform acting duties.
4. If temporary assignment of higher level duties, a signed and dated Position Description Form (MS-22) and proposed organizational chart signed and dated by the program manager. This action requires approval from the State Chief of Staff, our classification supervisor at DBM and, if new supervisory or managerial duties are involved, our budget analyst.

All classification and salary requests should be submitted to the State Personnel Officer where it will be logged and reviewed within five workdays. Processing times vary depending on the type of request, whether the employee satisfies the minimum qualifications, and whether the request is non-routine and

requires additional approvals. After the request is complete, you can expect the request to be processed internally within ten workdays. However, requests that must be approved by our budget analyst and our classification supervisor at DBM typically take about eight to ten weeks.

Programs are responsible for notifying the Payroll Office and the State Personnel Office if acting capacity designations should be terminated before the approved ending date. Occasionally, there may be a brief overlap period for training purposes or sufficient shift coverage. Therefore, acting capacity designations are not necessarily terminated automatically when an employee is hired or promoted to fill a vacancy.