

MAINE STATE LEGISLATURE

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DEPARTMENT OF ADMINISTRATION

Bureau of Human Resources
Telephone (207) 289-3761

M E M O R A N D U M

July 5, 1990

TO: Agency/Department Heads, Personnel Officers

FROM: Donald A. Wills, Acting Director
Bureau of Human Resources

SUBJECT: Attached Human Resources Memorandum 16-90

The attached Human Resources Memorandum 16-90 addresses changes in the hiring freeze in effect pursuant to Executive Order #1 FY 1990/91.

To summarize, this amended memorandum:

1. Extends the provisions of the hiring freeze to all funding sources except highway funds;
2. Removes the exemption to the freeze previously in effect for positions filled through promotion of permanent employees within the agency or department; restricts the use and exemptions of all forms of temporary appointments, including acting capacity, and project appointments, and advises agencies to assign duties to higher paid positions in lieu of acting capacity;
3. Provides instructions where special restrictions apply for the filling of any vacancy that is a result of the Retirement Incentive Program, and the temporary replacement of an employee out on voluntary unpaid leave or sabbatical; and
4. Provides a standard format for requesting exceptions to the freeze.

Please read the attached memorandum carefully. Any questions should be directed to this Bureau, Attn: Laura Boyett, Tel. 289-4422.

DAW:mg

Attachment

STATE OF MAINE
DEPARTMENT OF ADMINISTRATION
Bureau of Human Resources

July 5, 1990

HUMAN RESOURCES MEMORANDUM 16-90

TO: Agency/Department Heads, Personnel Officers

SUBJECT: Filling of Positions

PURPOSE: This memorandum consolidates policy and procedural instructions that will control the filling of positions for FY 1990/91. This memorandum replaces and supersedes Human Resources Memoranda 10-89, 19-89 and 11-90.

EFFECTIVE DATE: This memorandum is effective immediately. The filling of all vacancies must comply with its provisions. This memorandum does not void any approvals to fill vacancies or employment commitments already made under previous policies.

GENERAL PROVISIONS

Coverage

No vacancy may be filled for positions funded by all funding sources except highway funds regardless of type (permanent, seasonal, intermittent, project, acting capacity, etc.); unless one of the following exceptions apply:

- (a) Department of Mental Health and Mental Retardation institutional direct care classifications or positions;
- (b) State Police Trooper and Officer classifications or positions;
- (c) Classifications or positions responsible for the care and custody of inmates of the State's correctional facilities;
- (d) Teaching and direct care classifications or positions at educational facilities operated by the State;
- (e) Other classifications or positions required to protect the well-being of the public or wards of the State;
- (f) Classifications or positions that would cause significant loss of revenue to the State if left vacant;

Requests to extend acting capacity or project appointments need to be submitted well in advance of end date with a "Request for Hiring Freeze Exception" form describing the impact the vacancy will have on the well-being of either the public or a ward of the State, or on the critical operations of the department. **No employee may be employed beyond the current end date unless approval for extension is received in advance.**

Recruitment to Establish Employment Registers

The Bureau of Human Resources will continue to accept applications for employment for the purpose of placing people on employment registers for classifications currently open for recruitment. **No classification will be opened for recruitment or advertised until approval to fill the position has been granted.**

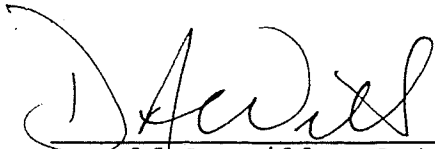
SPECIAL RESTRICTIONS

Retirement Incentive Program

The following procedures must be followed for all positions vacated through the Retirement Incentive Program.

1. Process all retirements under this program in accordance with Human Resources Memorandum 7-90. Submit a Position Add/Change Form and a PDR to freeze the position in all cases, pursuant to those instructions. The Bureau of the Budget will freeze the position for the duration of FY 90/91, and will include a position end date of 6/30/91. Any request to continue funding of the terminated position must be made as a new request in the Part II budget submitted to the 115th Legislature.
2. Positions are not available to be filled unless authorization is obtained through the hiring freeze exception request process **and** comparable savings are identified per Executive Order 8 89/90. Submit to this Bureau a "Request for Hiring Freeze Exception" form clearly stating that the vacancy is created by the Retirement Incentive Program, and PDR to remove the position from frozen status. The request must either:
 - Justify that leaving the position vacant will pose a direct threat to the health or safety of the public and identify savings that closely approximate the savings that would have been realized by leaving the position vacant, or

Questions concerning this memorandum should be directed to Laura Boyett at 289-4422.

A handwritten signature in cursive script, appearing to read "D. Wills", is written over a horizontal line.

Donald A. Wills, Acting Director
BUREAU OF HUMAN RESOURCES