



WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION
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Charleston, West Virginia 25305-0440 • 304/558-0444

Joe Manchin III
Governor

January 22, 2008

M E M O R A N D U M

TO: DOT Agencies
C&H Levels
District Engineer/Managers
Division Directors

FROM: Jeff Black, Director 
Human Resources Division

SUBJECT: Reallocation Instructions

Attached is a procedure from the West Virginia Division of Personnel regarding that agency's new rule regarding posting of reallocated positions. The directive includes a list of classification movements that are not subject to posting requirements. Also attached is a sheet developed by this office that is to be used in the posting of additional duties, as required by Personnel.

The Division of Personnel's Administrative Rule requires that reallocations be based on the assignment of new duties to a position, and that the assignment of new duties only be made after the posting of those new duties within the unit where the work is performed. As you can see in the attached procedure, the Position Description Form (CS-579) is to be used in depicting the new duties and as a notice to interested employees. The Additional Duties Posting Notice Form is to accompany the position description when posting new duties.

To accomplish the reallocation of a position by the posting of new duties, organizations should complete the following steps:

1. Complete the CS-579 according to Item #1 in the DOP Procedure under New Duties.
2. Submit the CS-579 to Human Resources Division.
3. Upon receipt of approval from Human Resources Division, complete an Additional Duties Posting Notice form, identifying the section/unit to which the duties are confined, and the dates of the posting (ten working days); and then post the notice.
4. After the expiration of the ten day period, determine which employee will be assigned the new duties and complete a CS-579 according to Item #4 in the DOP procedure under New Duties.

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- 5. Submit both of the completed CS-579's to Human Resources Division.**
- 6. After review by Human Resources and DOP, submit a GL-5 and Application for Examination on the selected employee if the DOP review indicates a change in classification.**

To accomplish the reallocation of an employee based on a complete set of new duties, organizations should complete the following steps:

- 1. Complete the CS-579 according to Item #1 in the DOP procedure under Positions to be Filled by Reallocation.**
- 2. Submit the CS-579 to Human Resources Division.**
- 3. Upon receipt of approval from the Human Resources Division, submit a job posting vacancy request for the identified classification, including language that states: Please note: the position will be filled by reallocation of a current employee of organization XXXX. As such, and in accordance with section 9.5(a) of the DOP Administrative Rule (effective 7/1/07), only applicants who are current, permanent employees of organization XXXX will be eligible for consideration.**
- 4. Continue with the interviewing and selection process as with any normal posted vacancy.**

Thank you for your attention to this matter. Should you have any questions, please contact Human Resources Division

JB:r

Enclosure



West Virginia Division of Personnel

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Robert W. Ferguson, Jr., Cabinet Secretary

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POSTING PROCEDURE FOR NEW DUTIES OR POSITIONS TO BE FILLED BY REALLOCATION

The following procedure shall be used by all classified agencies when posting new job duties or positions to be filled by reallocation as required under 143CSR 1, subdivision 9.5.(a).

New Duties

1. The appointing authority should identify **new** job duties necessary for the successful completion of the agency mission. All pertinent information regarding the new duties should be provided to the Division of Personnel by completing items 6, 7, 8, 9, 10, 11, 14 (indicating estimated hours per week rather than % of time), 15, 16 (if applicable), 17 (if applicable), 18, 19, 20, 21, 22, 27, and 29 on a Position Description Form. Please note that the signature in item 29 should be that of the agency head or cabinet secretary. Delegation of this signature authority should be communicated to the Division of Personnel in writing.
2. The Division of Personnel will authorize posting of the new duties based on the information provided in the Position Description Form.
3. The appointing authority will post **only the new duties** and may limit the posting to the unit where the duties exist. The new duties should be posted for ten work days. A copy of the Position Description Form for the new duties may be used for the posting. At a minimum, the posting should include the agency and unit where the new duties exist and a description of the new duties. In addition, the appointing authority must include the following language on the posting.

These duties are posted to provide an opportunity for eligible employees to express their interest in assuming the new duties. However, the appointing authority is authorized to assign these duties as s/he sees fit, regardless of whether an employee has expressed interest in assuming these duties. The assignment of these duties to an employee's position may or may not result in a reallocation of the position to a different classification. Furthermore, if the position is reallocated to a different classification, it may or may not result in a change in the employee's pay, and the employee must meet the minimum qualifications for the job classification to which the position is reallocated. The determination of the appropriate classification for a position is the statutory responsibility of the Division of Personnel and is based on the predominant duties of the position, including significant changes in duties and responsibilities.

4. After employees have expressed their interest in assuming the new duties, and after the agency has determined the position to which the new duties will be assigned, the employee and the agency shall jointly complete a Position Description Form **including all duties, existing and**



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new, and submit it to the Division of Personnel along with a copy of the posting of the new duties.

5. The Division of Personnel Classification and Compensation Section will then evaluate the position with the new duties added to determine if a reallocation to a different classification is necessary. The Division of Personnel will communicate the determination to the agency.
6. The appointing authority and/or the employee shall have the right to a reconsideration of the classification decision by submitting a written request to the Director of Personnel within 10 working days of receipt of the notification. Also, the employee will have the right to challenge the classification of his or her position through the public employees grievance procedure.

Position to be Filled by Reallocation

1. The appointing authority should identify the job duties of the position to be filled by reallocation. Typically, this will involve a new position (i.e., an authorized and identified group of duties and responsibilities assigned by the proper authority requiring the full-time or part-time employment of at least one person) in a unit which does not have an existing budgeted vacancy, but which does have employees who may be eligible to fill the position (e.g., a new Data Entry Supervisor position in a unit employing Data Entry Operators). All pertinent information regarding the new position should be provided to the Division of Personnel by completing items 6, 7, 8, 9, 10, 11, 14, 15, 16 (if applicable), 17 (if applicable), 18, 19, 20, 21, 22, 27, and 29 on a Position Description Form. Please note that the signature in item 29 should be that of the agency head or cabinet secretary. Delegation of this signature authority should be communicated to the Division of Personnel in writing.
2. The Division of Personnel will authorize posting of the new position based on the information provided in the Position Description Form.
3. The appointing authority will post the new position in the same manner as postings for budgeted vacancies, and may limit the posting to the unit where the position exists.
4. After employees have bid on the new position and the agency has determined the employee who will be assigned to the new position, the agency shall process a reallocation of the employee to the new position and include the same documentation as is required for filling budgeted vacancies by promotion, demotion, or lateral class change. Note: the employee assigned to the new position must meet the minimum qualifications for the job classification.



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CLASSIFICATIONS EXEMPT FROM REALLOCATION POSTINGS

ABCA Enforcement Agent 1 to ABCA Enforcement Agent 2
Actuarial Analyst Trainee to Actuarial Analyst
Adult Protective Services Worker Trainee to Adult Protective Services Worker
Assistant Fire Marshal-In-Training to Assistant Fire Marshal 1
Child Protective Services Worker Trainee to Child Protective Services Worker
Child Support Specialist 1 to Child Support Specialist 2
Child Support Technician 1 to Child Support Technician 2
Correctional Officer 1 to Correctional Officer 2
Disability Evaluation Specialist, Trainee to Disability Evaluation Specialist
Engineer-in-Training 1 to Engineer-in-Training 2
Engineer-in-Training 2 to Engineer 1 / Highway Engineer 1
Environmental Inspector-in-Training to Environmental Inspector
Forester 1 to Forester 2
Financial Institution Examiner, Trainee to Financial Institution Examiner, Assistant
Firefighter Trainee to Firefighter
Health Service Worker Trainee to Health Service Worker
Highway Engineer Trainee to Engineer-in-Training 2
Sanitarian 1 to Sanitarian 2
Sanitarian 2 to Registered Sanitarian
Tax Audit Clerk Trainee to Tax Audit Clerk
Technical Analyst-in-Training 1 to Technical Analyst-in-Training 2
Technical Analyst-in-Training 2 to Technical Analyst 1
Transportation Engineering Technician-Trainee to Transportation Engineering Technician-Associate
Transportation Realty Trainee to Transportation Realty Agent 1

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
ADDITIONAL DUTIES POSTING NOTICE**

The duties listed on the attached position description form are posted to provide an opportunity for eligible employees to express their interest in assuming the new duties. However, the appointing authority is authorized to assign these duties as seen fit, regardless of whether an employee has expressed interest in assuming these duties. The assignment of these duties to an employee's position **may or may not** result in a reallocation of the position to a different classification. Furthermore, if the position is reallocated to a different classification, it **may or may not** result in a change in the employee's pay, and the employee must meet the minimum qualifications for the job classification to which the position is reallocated. The determination of the appropriate classification for a position is the statutory responsibility of the Division of Personnel and is based on the predominant duties of the position, including significant changes in duties and responsibilities.

Only Employees of the _____
division/section/unit are eligible for assignment of these duties. Interested employees
should sign their name below. This posting notice is valid from _____
through _____.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____