

Promulgated Rules

The provisions of this rule continue to apply to employees in the state civil service:

Rule 3. The Classification Plan

31 IAC 2-3-1 Revision of classes

Authority: IC 4-15-2-5

Affected: IC 4-15-2-9

Sec. 1. Whenever the creation, abolition, subdivision, or consolidation of classes appears necessary due to the creation of a new position, change in organization, or change in functions or duties of an individual position, the Director, after conferring with the appointing authority or authorities, shall prepare class specifications for the classes affected. Affected agencies and institutions shall be notified of the proposed revision. The State Personnel Department shall afford these agencies and institutions an opportunity to express their viewpoints concerning such revisions before action is taken. (*State Personnel Department; Rule 3, Sec 3-1; filed Apr 27, 1950, 4:28 pm: Rules and Regs. 1951, p. 193; filed Aug 17, 1967, 8:40 am: Rules and Regs. 1968, p. 111; filed Apr 19, 1972, 9:10 am: Rules and Regs. 1973, p. 502; filed Aug 17, 1982, 3:45 pm: 5 IR 2086; readopted filed May 4, 2001, 4:29 p.m.: 24 IR 2895; readopted filed Nov 15, 2007, 3:58 p.m.: 20071212-IR-031070660RFA*) NOTE: Transferred from the State Personnel Board (30 IAC 1) to the State Personnel Department (31 IAC 2) by Acts 1982, P.L.23, SECTION 41. Effective July 1, 1982.

31 IAC 2-3-2 Allocation of new position

Authority: IC 4-15-2-5

Affected: IC 4-15-2-9; IC 4-15-2-10

Sec. 2. Position Allocation. When a new position is contemplated, the appointing authority shall request establishment of the position before it may be filled and, except as otherwise provided by these rules, no person shall be appointed to or employed in a position until the position has been allocated to a class and approved by the Personnel Director or until the classification plan has been amended to provide therefor. (*State Personnel Department; Rule 3, Sec 3-2; filed Apr 27, 1950, 4:28 pm: Rules and Regs. 1951, p. 194; filed Aug 17, 1967, 8:40 am: Rules and Regs. 1968, p. 111; filed Apr 19, 1972, 9:10 am: Rules and Regs. 1973, p. 503; readopted filed May 4, 2001, 4:29 p.m.: 24 IR 2895; readopted filed Nov 15, 2007, 3:58 p.m.: 20071212-IR-031070660RFA*) NOTE: Transferred from the State Personnel Board (30 IAC 1) to the State Personnel Department (31 IAC 2) by Acts 1982, P.L.23, SECTION 41. Effective July 1, 1982.

31 IAC 2-3-3 Reallocation of positions

Authority: IC 4-15-2-5

Affected: IC 4-15-2-5; IC 4-15-2-9

Sec. 3. Position Reallocation. When the duties of a position or positions are changed substantially, the Director may order a review of the position or positions involved. Upon completing the review, he may order that the position or positions be allocated to a more appropriate established class. Reallocations shall not be used to avoid restrictions pertaining to lay-offs, suspensions, dismissals, demotions, and promotions. (*State Personnel Department; Rule 3, Sec 3-3; filed Apr 27, 1950, 4:28 pm: Rules and Regs. 1951, p. 194; filed Aug 17, 1967, 8:40 am: Rules and Regs. 1968, p. 111; filed Apr 19, 1972, 9:10 am: Rules and Regs. 1973, p. 503; readopted filed May 4, 2001, 4:29 p.m.: 24 IR 2895; readopted filed Nov 15, 2007, 3:58 p.m.: 20071212-IR-031070660RFA*) NOTE: Transferred from the State Personnel Board (30 IAC 1) to the State Personnel Department (31 IAC 2) by Acts 1982, P.L.23, SECTION 41. Effective July 1, 1982.

31 IAC 2-3-4 Effect of reallocation

Authority: IC 4-15-2-5

Affected: IC 4-15-2-9; IC 4-15-2-10

Sec. 4. Effect of Reallocation. The incumbent shall not be continued in the position unless he is eligible for and actually receives an appointment to a position in the new class. If a position is reallocated to a class having a higher salary range, eligibility shall be determined by use of the procedure outlined in Rule 7, Section 7-5 [31 IAC 2-7-5]. If reallocation is to another class at the same salary level, eligibility shall be measured by possession of minimum qualifications for the new class. If a position is reallocated to a lower class, the incumbent's name shall be placed on the appropriate employment list for the class to which the position was previously allocated, and the individual shall be eligible for transfer, demotion, or return to status as provided in these rules. Further, whenever a position is

reallocated to a class in a lower pay grade, the employee holding the position at the time of the reallocation shall be paid within the established salary range for the class to which the position is reallocated provided said employee is eligible to fill the position in the new class. (*State Personnel Department; Rule 3, Sec 3-4; filed Apr 27, 1950, 4:28 pm; Rules and Regs. 1951, p. 194; filed Aug 17, 1967, 8:40 am; Rules and Regs. 1968, p. 112; filed Apr 19, 1972, 9:10 am; Rules and Regs. 1973, p. 503; filed Nov 14, 1977, 4:15 pm; Rules and Regs. 1978, p. 645; readopted filed May 4, 2001, 4:29 p.m.: 24 IR 2895; readopted filed Nov 15, 2007, 3:58 p.m.: 20071212-IR-031070660RFA*)
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