

BACKDATING (APPOINTMENTS/ENTITLEMENTS)

Resource	Section
Department of Personnel Administration Personnel Management Liaison Memorandum http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx	PML 2007-026

Backdating (Appointments/Entitlements)

Definition

The California Department of Human Resources (CalHR) delegates authority to department Personnel Officers to backdate mandatory appointments and correct an employee's pay or employment history. (State Personnel Board approval is still required for backdated appointments beyond 60 workdays.)

Backdating requires a justification for the correction. e.g., promotional appointments require substantiating the employee performed duties at the higher level as of the retroactive effective date.

Reasons for backdating transactions may include:

- Adverse actions
- Appointments
- Merit salary adjustment (MSA)/ Special in-grade salary adjustment (SISA)
- Permissive reinstatements
- Position number changes
- Probation periods
- Service retirement
- Voluntary resignation
- Industrial (IDL)/ Non-Industrial (NDI)/State (SDI) Disability Leave
- Overtime, Regular, or Lump Sum pay
- Maternity or Military leave
- Out of Class

Policy

It is the policy of the DGS' Office of Human Resources (OHR) to authorize backdated appointments and/or make corrections to an individual's employment history. However, on a case-by-case basis, OHR will review requests for backdated appointments and/or corrections to an individual's employment history up to a maximum of three years. All backdated transactions must adhere to criteria outlined in this section.

Supervisors should obtain Office of Human Resources (OHR) Classification and Pay (C & P) analyst approval **before** assigning higher-level duties to an employee. Failure to do so may create an Out of Class situation and subsequent grievances.

Personnel Liaison (PL) Role

Program Personnel Liaisons must submit requests to their C & P analyst via a Request for Personnel Action (RPA). The package must include the duties, effective date, justification for the correction, and reason for the delayed correction.

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C & P Analyst Role

The C & P analyst will assess how an employee was notified of the assignment (i.e., Was the employee given specific information in writing?), their eligibility, duties, effective date for compliance with applicable laws, rules, and labor agreements.

Backdated appointments must meet all of the following criteria on their effective date:

The duties existed and were consistent with the requested classification; and
The individual was eligible for the classification, tenure, and time base on the appointment date; and

The individual performed the duties of the requested classification and was reachable on the eligibility list or had other eligibility for appointment to the classification; and

The Department of Finance (DOF) approved funding for the position; and
The State Personnel Board (SPB) adopted the requested classification.

After reviewing the RPA package, the C & P analyst will:

If...	Then...
Approved	Process the RPA.
Denied	Return the RPA to the PL in order to cancel or to request additional information.

Personnel Specialist Role

After receiving the approved RPA, the Personnel Specialist will document the Personnel Action Request (PAR) according to the Personnel Action Manual (PAM) "Date of Entitlement" instructions.

Questions

Contact your assigned C & P analyst if you have additional questions regarding backdating. A current list of C & P assignments can be found at: <http://www.dgs.ca.gov/ohr/AboutUs.aspx> under the "Classification and Pay Unit" tab.