

**Subject:** TRANSFER OF FUNCTION/POSITION "TO"/"FROM" ANOTHER DEPARTMENT

REFERENCES	SECTIONS
Law & Regulation <a href="http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9">http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9</a>	G.C. 19050.9
Personnel Management Policy and Procedures Manual (PMPPM)	315.24 (Transfers)
Responsible Control Agency and Program <a href="http://www.spb.ca.gov/">http://www.spb.ca.gov/</a>	State Personnel Board

**Subject:** Transfer of Function/Position "to/from" Another Department

**Definition/Explanation:**

Whenever a function or the administration of law is transferred from one state agency to another state agency, all persons serving in the state civil service and engaged in the performance of the function or the administration of the law shall be employed by the new or receiving agency. A State agency is not required to retain any unnecessary officers or employees.

NOTE: "State agency" includes all departments, boards, offices, authorities, commissions, and other agencies of state government.

**Policy:** None

**Process:**

If a function of a department is transferred to another department, the employees are transferred to the new department, and the employees maintain their same status. Any employees who are absent due to a temporary separation, which gives the employee mandatory right of return, must be included in the transfer. This is because; an employee's status affects his/her promotional eligibility and the placement of his/her name on the proper eligibility list. It is the appointing power's responsibility to promptly report such change in function to the State Personnel Board (SPB).

In addition, staff should check any specific statutory or budget control language pertaining to the functional transfer in question to see if it provides additional direction on how employees will be affected. Any conflicts between such specific provisions and the general transfer laws should typically be resolved through consultation with legal staff and SPB management.

**Attachments:** None