

## Transfers

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### Overview

This section will discuss voluntary and involuntary transfers. The following table depicts the topics covered in this section.

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## Voluntary Transfer

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### Policy

The DGS encourages its staff to consider voluntary transfers within the appropriate legal and policy requirements. Voluntary transfers:

- Provide an essential and useful element of flexibility within the civil service process
  - Provide DGS management the mechanism to utilize effectively, employees in a variety of settings
  - Provide employees with significant opportunities to develop and diversify their skills, obtain the type or location of position they prefer
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### Explanation

- Voluntary transfers are **permissive** situations that allow an employee to elect to move to a new job or classification within the same or a different department.
  - Employees do not need to meet the minimum qualifications of the “to” classification in order to transfer.
  - The employee may be required to serve a new probationary period.
  - All transfers must be based on a permanent appointment, either probationary or permanent status (typically the employee’s highest permanent list appointment.)
  - A limited-term or temporary appointment cannot be used for transfer purposes.
  - An employee who has only been appointed on a permanent-intermittent basis can only transfer to a classification on an intermittent basis unless s/he meets the criteria to increase their time based or receives a list appointment to another time base.
  - Consecutive transfers shall not be permitted when their combined result would provide the employee with a promotion (salary of two steps or more) as this is contrary to the Constitution of the State of California.
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### DGS discretion

DGS has the discretion to set departmental policy to impose a “transfer restriction as long as the restriction ties back to the minimum qualifications of the “to” classification. Therefore, DGS can require an employee to meet certain restrictions prior to transferring to the classification, such as meet the minimum educational requirements, pass a written test, etc.

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## Voluntary Transfer, Continued

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**Rule 425** State Personnel Board Rule 425 allows the “losing” department to “hold” an employee up to 30 calendar days before starting the new job. If the transfer is within DGS, the “losing” employer can “hold” the employee indefinitely. However, it is recommended that the impacted supervisors negotiate a reasonable start date.

**NOTE:** promotional transfers can only be held for a two-week period.

**Process** The following table depicts the transfer process.

Stage	Description
1	DGS office or client agency determines need for transfer to fill a position
2	Classification and Pay (C&P) Analyst evaluates appropriateness of transfer using established laws, rules and policies
3	All voluntary transfers are with the consent of both the DGS or client agency and the employee

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**Procedure** **The Personnel Management Policy and Procedures Manual (PMPPM) Section 315 MUST be referred to by the Classification and Pay (C&P) Analyst for an in-depth discussion for application of the SPB Rules. Failure to do so may result in an illegal appointment.**

The following table depicts the transfer procedure.

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## Voluntary Transfer, Continued

**Procedure**  
 continued

Step	Action
1	The Personnel Liaison (PL) submits a completed Request for Personnel Action (RPA) to the C&P Analyst
2	Upon employee selection, the PL provides the C&P Analyst via email or the <a href="#">Employment Eligibility Verification Request and Worksheet</a> : <ul style="list-style-type: none"> <li>• Employee's name</li> <li>• Employee's social security number (not by email or fax)</li> <li>• Classification to which employee is potentially moving, if different from class identified on RPA</li> </ul>
3	The C&P Analyst determines employee's highest list appointment (A01) by accessing employee's employment history in/by: <ul style="list-style-type: none"> <li>• Activity Based Management System (ABMS) (if DGS employee), and/or</li> <li>• Personnel Identification Management System (PIMS) (State Controllers' Office (SCO) data base), and/or</li> <li>• SPB (list eligibility) and/or</li> <li>• Department of Personnel Administration (DPA) (computation of salary movement)</li> <li>• Contacting employee's current employer (DGS office or other department)</li> </ul>
4	C&P Analyst computes class movement salary either <ul style="list-style-type: none"> <li>• Manually (see Attachment 2)</li> <li>• Using the "Compute Class Movement Salaries" on HR Net - formerly Personnel Information Exchange (PIE) - located at <a href="http://www.calhr.ca.gov/Pages/home.aspx">http://www.calhr.ca.gov/Pages/home.aspx</a> (see Attachments 3-5) (must be authorized to use this system)</li> </ul>
5	C&P Analyst determines if the transfer is appropriate by applying SPB Transfer Rules.
6	C&P Analyst forwards RPA to Personnel Specialist (PS) for processing, if approved or notifies PL individual ineligible to transfer

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## Voluntary Transfer, Continued

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### SPB Rule application

Using the PMPPM, the C&P Analyst complies with the following rules:

- Rule 425 - Transfer to Another Agency
- Rule 426 – Temporary Assignments or Loans
- Rule 427 – Inter-jurisdictional Employee Exchange
- Rule 430 – General
- Rule 431 – Measuring Salary Level Difference
- Rule 432 – Definition of Class Series
- Rule 433 – Voluntary Transfer Between Classes
- Rule 433.1 – Voluntary Transfers Between Classes – Bargaining Unit 10 Employees
- Rule 434 – Involuntary Transfer Between classes
- Rule 435 – Consecutive Transfer
- Rule 438 – Temporary Assignments for Training and Development
- Rule 439 – Status Requirement
- Rule 440 – Promotions
- Rule 441 – Consecutive Temporary Assignments
- Rule 442 – Temporary Assignment to Meet Compelling Management Needs
- Rule 443 – Temporary Assignments for Injured Employees
- Rule 444 – Publication and Screening Standards

**Note:** Some classifications require that they meet minimum qualifications when transferring (e.g., accounting classifications requiring educational course work).

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## Involuntary Transfer

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**Policy** The DGS, with regard to involuntary transfer, **must** meet the general transfer criteria and protect the employee's career advancement opportunities, status, rights, and salary. The DGS endeavors to strike an appropriate balance between the interests of management and the employee.

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**Definition** An involuntary transfer is:

- Movement of an employee **without** his/her consent to a different classification or work location

**Note:** when the transfer between classifications is not voluntary on the part of the employee, the classification to which the employee is transferred **must** have prior SPB Executive Officer approval (SPB Rule 434)

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**Explanation** Involuntary transfers are normally done with job changes that are impacted by situations such as budget or staff reductions. These may require a department to move an employee into a new job, classification, and/or location because of layoff, reassignment of position, reorganization, etc.

Involuntary transfers must be made to a classification that has substantially the same level of duties, responsibilities, and salary as the classification from which the employee is being involuntarily transferred. The involuntary transfer cannot result in a promotion.

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**Procedure** The following table depicts the involuntary transfer procedure.

Step	Description
1	DGS office or client agency determines, in collaboration with the Office of Human Resources (OHR) and the Director, the need for involuntary transfer and which employee(s) shall be transferred (employees are selected based on location, classification, and seniority). <b>Prior SPB Executive Officer approval is needed only when a change of classification is involved.</b>
2	C&P Analyst evaluates appropriateness of transfer using established laws, rules, and policies
3	Employee(s) is notified, in writing, of transfer
4	Employee(s) report to new location and/or classification

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## Consecutive Transfers Involving Deep Classifications

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### Rule 435

In general, Rule 435 prohibits single or consecutive transfers that result in classification-level increases equivalent to two or more salary steps. This is to ensure adherence to the basic principle that promotions in civil service must occur through competitive examinations. However, when an employee transfers to a deep classification, subsequent range advancements within the deep classification may move the employee to a salary level that is two steps or more higher than the pay level of the last classification in which the employee held a list appointment. Even though this occurs the employee should still be allowed to transfer out of the deep classification to other classifications that **are exactly at or below the pay level reached in the deep classification**, since by providing a deep classification the SPB has sanctioned movement to that level by meeting alternate range criteria, rather than by examination. However, further advancement cannot be allowed without a list appointment, except that the employee may transfer to a classification to which s/he could have transferred directly from his/her last or highest list appointment classification.

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### Summary

In summary, a consecutive transfer involving a deep classification is appropriate when:

1. the employee could have transferred into the “to” classification from the classification of his/her last or highest list appointment.

For example: An employee with a list appointment to Management Services Technician who progresses to Range B of that classification, transfers to Staff Services Analyst, Range A, then progresses through Range B, to Range C, could later transfer to Range B of Park and Recreation Specialist, even though Range C of that classification is three steps higher than the maximum range of Staff Services Analyst. This is permissible because the employee could have transferred to the Park and Recreation Specialist, Range B from the last or highest list appointment classification, Management Services Technician.

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## Consecutive Transfers Involving Deep Classifications, Continued

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**Summary**  
**Rule 425**  
(continued)

2. The highest range of the “from” classification is equal to or higher than the highest range of the “to” classification in which the employee gains permanent status (has passed probation).

For example: An employee who transfers to Staff Services Analyst Range A, progresses through Range B, to Range C, could later transfer to any classification with a maximum salary range of Staff Services Analyst, Range C **or lower**.

It is important to note that these special controls apply **only to** subsequent transfers of employees who have transferred into a deep classification. Employees with list appointments to deep classifications may transfer out based on the regular standards outlined in SPB Rule 433.

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## Specific Transfer Situations

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### **Policy**

The DGS encourages its staff to consider voluntary transfers within the appropriate legal and policy requirements. However, specific transfer situations may require additional analysis on a case-by-case basis in collaboration with the Classification and Pay (C&P) Analyst.

### **Transfer of OA/OT to Program Technician (PT)/PT II**

If an appointment was a permanent list appointment to Office Technician (OT), then the employee can transfer to Program Technician II as both of these classifications are at the senior level.

Since Office Assistant and Program Technician are in different program areas, a transfer from Office Assistant (permanent list appointment) to Program Technician may be appropriate. However, the State Personnel Board has indicated that departments have discretion as to whether or not to mandate movement into the Program Technician classification from an Office Assistant classification. DGS requires that employees compete in a promotional examination (if given).

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### **SSM II Supervisory to SSM II Managerial**

Transfer between the SSM II Supervisory and SSM II Managerial classifications is allowed since the examination content for both classifications are identical.

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### **Transfer from journey level classification in one series to supervisory classification in another series**

Pursuant to the State Personnel Board (SPB) transfer from a journey level classification in one series to a supervisory classification in another series would be considered a promotion regardless of salary conditions. However, if an employee received a Staff Information Systems Analyst (Supervisory) vs. Specialist, these classifications are still considered to be the same level (same minimum qualifications, same level on the classification specification; only one is a super advanced specialist vs. first-line supervisor). If someone transferred into the specialist classification, you need to analyze if the supervisory classification would be beyond their transfer of eligibility (salary) and if there is a promotional relationship based on the employee's highest permanent appointment (A01). Therefore, DGS must look at how the two levels were established. If they were established as equivalent, then they continue to be equivalent even though the supervisor classification may make five percent or more.

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## Specific Transfer Situations, Continued

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**Transfer/  
appointment  
to accounting/  
auditing  
classifications**

The DGS Office of Human Resources (OHR) is currently in discussions with the SPB regarding a draft policy issued in June 1989, which prohibited the transfer/appointment to certain accounting/auditing classifications unless the employee had taken and passed a written examination. As stated earlier and with SPB's reiteration, DGS has the discretion to set departmental policy to impose a "transfer restriction as long as the restriction ties back to the minimum qualifications of the "to" classification. Therefore, DGS can require an employee to meet certain restrictions prior to transferring to the classification, such as meet the minimum educational requirements, pass a written test, etc.

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## Transfers

**Resources** The table below lists various resources related to voluntary and involuntary resources.

Resource	Section
<p>Law and Regulation  <a href="http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9">http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9</a>  <a href="http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&amp;Action=CollapseTree&amp;AP=IBD0282802FD611E08D0F9C215E074EDC&amp;ItemKey=IBD0282802FD611E08D0F9C215E074EDC&amp;RP=%2Ftoc%2Fdefault%2Ewl&amp;Service=TOC&amp;RS=WEBL13.04&amp;VR=2.0&amp;SPa=CCR-1000&amp;pbcc=DA010192&amp;fragment#IBD0282802FD611E08D0F9C215E074EDC">http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&amp;Action=CollapseTree&amp;AP=IBD0282802FD611E08D0F9C215E074EDC&amp;ItemKey=IBD0282802FD611E08D0F9C215E074EDC&amp;RP=%2Ftoc%2Fdefault%2Ewl&amp;Service=TOC&amp;RS=WEBL13.04&amp;VR=2.0&amp;SPa=CCR-1000&amp;pbcc=DA010192&amp;fragment#IBD0282802FD611E08D0F9C215E074EDC</a>  <a href="http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&amp;Action=CollapseTree&amp;AP=I9254F760D48E11DEBC02831C6D6C108E&amp;ItemKey=I9254F760D48E11DEBC02831C6D6C108E&amp;RP=%2Ftoc%2Fdefault%2Ewl&amp;Service=TOC&amp;RS=WEBL13.04&amp;VR=2.0&amp;SPa=CCR-1000&amp;pbcc=DA010192&amp;fragment#I9254F760D48E11DEBC02831C6D6C108E">http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&amp;Action=CollapseTree&amp;AP=I9254F760D48E11DEBC02831C6D6C108E&amp;ItemKey=I9254F760D48E11DEBC02831C6D6C108E&amp;RP=%2Ftoc%2Fdefault%2Ewl&amp;Service=TOC&amp;RS=WEBL13.04&amp;VR=2.0&amp;SPa=CCR-1000&amp;pbcc=DA010192&amp;fragment#I9254F760D48E11DEBC02831C6D6C108E</a></p>	<p>GC: 18525.3, 18804, 19050.2-.9, 19253.5, 19786, 19841, 19994.1-.4</p> <p>SPB Rule: 425-435, 444, 548.95-.96</p> <p>DPA Rule: 599.714</p>
<p>Memorandum of Understanding (MOU)  <a href="http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx">http://www.calhr.ca.gov/state-hr-professionals/Pages/bargaining-contracts.aspx</a></p>	Refer to applicable MOU
<p>Personnel Management Policy and Procedures Manual (PMPPM)</p>	315
<p>Responsible Control Agency and Program  <a href="http://www.spb.ca.gov/">http://www.spb.ca.gov/</a>  <a href="http://www.calhr.ca.gov/Pages/home.aspx">http://www.calhr.ca.gov/Pages/home.aspx</a></p>	SPB, CalHR
<p>SPB/DPA Policy Memos  <a href="http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx">http://www.calhr.ca.gov/state-hr-professionals/Pages/policy-memos.aspx</a></p>	PML: MM88-12, 5/1/88
<p><b>Other:</b></p>	
<p><a href="http://www.calhr.ca.gov/Training/Pages/index-training-for-state-hr-professionals.aspx">http://www.calhr.ca.gov/Training/Pages/index-training-for-state-hr-professionals.aspx</a>  <a href="http://www.calhr.ca.gov/state-hr-professionals/Pages/layoff-manual.aspx">http://www.calhr.ca.gov/state-hr-professionals/Pages/layoff-manual.aspx</a>  <a href="http://www.calhr.ca.gov/employees/pages/state-restriction-of-appointments.aspx">http://www.calhr.ca.gov/employees/pages/state-restriction-of-appointments.aspx</a>  Restricted to authorized PIE users</p>	<p>Training for C&amp;P Analysts</p> <p>DPA Layoff Manual</p> <p>State Restriction Of Appointment (SROA) Manual  Compute Class Movement Salaries</p>

### Attachments

- [Discretionary Transfers Chart](#)
- [Transferability/Salary Determination form](#)
- [Compute Class Movement Salaries - Step 1-3 sample](#)
- [Employment Eligibility Verification Request and Worksheet](#)