



State Personnel Board Rules

Georgia Department of Administrative Services

478-1-.02 Terms and Definitions.

The following are definitions of key terms used throughout these Rules. However, some Rules may contain unique key terms. Please consult individual Rules for additional applicable terms.

- (a) "Act" or "The Act" or "Merit System Act" or "Law" or "The Law" or "Merit System Law" means the Act which completely and exhaustively revises, supersedes and consolidates the laws relating to the State Personnel Board and state personnel administration as set forth in O.C.G.A. Chapter 45-20.
- (b) "Agency Head" means the chief executive officer of a department or any person properly designated by the agency head to perform any duty of the Agency Head.
- (c) An "allocation" is the official creation of a position by the Commissioner or Agency head in placing it in an appropriate job in accordance with the applicable provisions of the classification plan.
- (d) "Applicant" means any person who has filed an application for employment with the state.
- (e) "Appointing authority" means the person or groups of persons authorized by law or delegated authority to make appointments to fill positions. The term also includes any person properly designated by the appointing authority to perform any duty of the appointing authority under these rules. For the purposes of these policies the term is used interchangeably with "Agency Head".
- (f) "Board" and "State Personnel Board" are synonymous and mean the body authorized by Article IV, Section III of the Constitution of the State of Georgia.
- (g) "Classified employee" means an employee who was in the classified service as of June 30, 1996, and who has remained in a classified position without a break in service since that date.
- (h) "Classified position" means a position that was classified on June 30, 1996, and that subsequent to June 30, 1996, has not been held by an unclassified employee.
- (i) "Classified service" means that employment status conferring rights of appeal, as set forth in O.C.G.A. Sections 45-20-8 and 45-20-9. Classified service includes only those employees who were in the classified service as of June 30, 1996, and who have remained in classified positions without a break in service since that date.



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- (j) "Commissioner of Personnel Administration" and "Commissioner" means the chief executive officer of the Department of Administrative Services who is responsible for administering the state personnel program in accordance with applicable state and federal laws and the policies of the State Personnel Board. The terms also include any person properly designated by the Commissioner to perform any duty of the Commissioner under these rules.
- (k) A "demotion" is the movement by the agency head of an employee to a position in a lower pay grade from a position in a higher pay grade in accordance with the rules on demotion. A lower pay grade is one with a lower minimum salary.
- (l) "Department" and "agency" shall be synonymous and mean all separate and distinct divisions and subdivisions of state government whose heads are legally authorized to appoint employees to positions, but shall not include authorities and public corporations. "Department" and "agency" shall include an agency assigned to a department for administrative purposes and shall also include local departments of Public Health, County Departments of Family and Children Services and community service boards.
- (m) "Department head" means the chief executive officer of a department or any person properly designated by the department head to perform any duty of the department head.
- (n) "Employee" means an occupant of a "position" as hereinafter defined.
- (o) "Employment-at-Will" means an employment relationship in which either party to the relationship may sever the relationship at any time for any reason other than an unlawful reason.
- (p) "Human Resources" or "Personnel Office" means the unit designated as having primary responsibility for human resources activities in an agency.
- (q) "Human Resources" or "Personnel Officer" means an employee of any one of the state departments under the Rules of the State Personnel Board who administers its internal human resource or personnel policies.
- (r) "In pay status" means the work days (hours) during a pay period for which an employee is entitled to pay. It shall include holidays and all forms of leave with pay and suspension with pay.
- (s) An "interdepartmental transfer" is the movement of an employee from a position in one department to a position in another department. The movement may include a



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simultaneous transfer to a different job, promotion, or demotion in accordance with the applicable provision of 478-1-.15. The movement of an employee between units of the Department of Human Services, including County Departments of Family and Children Services, shall not be deemed to be an interdepartmental transfer.

- (t) "Job" or "class" means a cluster of positions that include sufficiently similar work responsibilities, minimum requirements of training, experience and other competencies, that the same job title, same job code and pay grade may be assigned. This definition shall not preclude a single position job.
- (u) "Job Minimum" means the minimum salary rate which may be paid to an employee in a given job.
- (v) "Market pay grade midpoint" and "midpoint" mean that increment on a pay grade generally associated with a fully proficient performer in the labor market for similar kinds of work. The Commissioner, on an annual basis, shall analyze relevant market data and shall determine and publish appropriate midpoints for each pay grade on the compensation plan adopted by the Board.
- (w) "Pay grade" means a range of salaries to which a job may be assigned.
- (x) "Period of armed conflict" means any period of armed military intervention beyond the limits of the United States as well as any confrontation of the armed forces of the United States with foreign nationals in which actual hostilities erupt. (Reference: O.C.G.A. § 45-2-20)
- (y) "Permanent employee," "permanent status employee," or "employee on permanent status" means an employee in the classified service who has successfully completed a working test period in the class of positions in which employed.
- (z) "Position" means a set of duties and responsibilities assigned or delegated by competent authority for performance by one person.
- (aa) "Position level reduction" is the reallocation, by the appointing authority, of a position to a job on a lower pay range as a result of a reduction in the responsibilities assigned to the position. A lower pay range is one with a lower maximum salary.
- (bb) A "promotion" is the movement by the Agency Head of a qualified employee to a position on a higher pay grade from a position on a lower pay grade in accordance with the rules on promotions. A higher pay grade is one with a higher minimum salary.



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- (cc) "Public notice," unless otherwise expressly stated, means a written notice on a bulletin board accessible to the public during business hours and other publicity as may be deemed necessary to assure reasonable notice to those concerned.
- (dd) A "reallocation" is the official change of a position from one job to another by the Commissioner or Agency head in accordance with the applicable provisions of 478-1-.15.
- (ee) A "reassignment" is the change of a job from one pay grade to another as a result of action by the State Personnel Board, the Commissioner, or an Agency Head in accordance with the applicable provisions of 478-1-15.
- (ff) "Rules or Policies" mean the governing provisions of state personnel administration as adopted by the State Personnel Board and approved by the Governor.
- (gg) "State Personnel Board policies" mean those policies adopted by the Board and approved by the Governor which describe the goals and objectives of the state personnel program and serve as a basis for the formulation and administration of state personnel administration rules and regulations.
- (hh) A "Temporary employee" is an employee assigned to a non-permanent position established usually to be abolished within 9 months.
- (ii) A "transfer" is the change of an employee from one position to another position on the same pay grade in accordance with the applicable provision of 478-1-.15.
- (jj) "Unclassified service" means employment-at-will and includes all employees except those in the classified service.
- (kk) "Working test" or "working test period" means a probationary period of employment in a class of classified positions during which the employee must demonstrate to the satisfaction of the appointing authority the knowledge, ability, aptitude, and other necessary qualities to perform satisfactorily the duties of the position in which employed. The working test period shall apply to each classified promotion and interdepartmental transfer. The Commissioner may fix the length of the working test period for any class at not less than three (3) months or more than twelve months exclusive of any time in non-pay status. "Working test employee" or "employee on working test" means a classified employee serving a working test period in the class of positions in which employed. Provided, however, that:



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1. an employee serving a working test period following promotion in the same department from a lower class in which the employee held permanent status shall retain permanent status rights in the lower class until attaining permanent status in the class to which the employee is promoted; and
2. an employee with five (5) years or more of continuous state service who is serving a working test period following an interdepartmental transfer shall retain permanent status rights in the new department as provided in Rule 478-1-.15.

Authority O.C.G.A. Secs. 45-20-1, 45-20-3, 45-20-3.1, 45-20-4, 45-20-5, 50-14-1.