

	STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		POLICY AND PROCEDURE NUMBER 08.02.040	PAGE 1 of 5
	Policy and Procedure			EFFECTIVE DATE April 17, 2013
SUBJECT Acting in a Position at a Higher Range		SUPERSEDES 08.02.040	DATED June 1, 2006	
CHAPTER Personnel Administration	SECTION Personnel	APPROVED BY Signature on File		

PURPOSE

This formalizes the policy and procedure (P&P) of the department on assigning an employee to act in a position at a higher range.

POLICY

This P&P applies to members of the general government, supervisory, and confidential bargaining units. The position at the higher range must be in the classified service and vacant (including temporarily vacant, as when the incumbent is on leave).

An employee may be assigned to act in a position at a higher range only when necessary to meet a valid business reason. Before making such assignment, all reasonable alternatives, such as allowing a higher level employee to cover the responsibilities of the vacant position, must be considered and rejected for adequate reason.

Employees whose class specifications require them to act regularly for their supervisors are not subject to assignment to act in positions at a higher range.

Whether an assignment to act in a position at a higher range is made and to whom it is made are at the employer's discretion. An employee assigned to act in a position at a higher range must normally meet the minimum qualifications for the class of the position at the higher range. An employee may decline acting status without prejudice.

The bargaining agreements each limit the duration of acting status to 60 days and establish actions required to extend the duration. Regardless of bargaining unit, when there is more than one similarly situated employee¹ available to act at the higher range, and interested in acting, then acting status for one employee may not exceed 60 consecutive calendar days as a matter of department policy.

¹ A similarly situated employee is one who possesses all the qualifications to act at the higher range and is not already functioning as a deputy to the position.

The bargaining agreements each establish a period of time after which an employee acting in a position at a higher range will be paid, retroactive to the first day, at the step in the higher range that would be appropriate in the case of a promotion. The agreements also each establish the extent of the duties that the employee must perform in order to be paid at the higher range.

PROCEDURE

Two written documents are required to assign an employee to act in a position at a higher range: an approval document (normally a form) and a written delegation of authority to the employee (normally a memo). The former must be fully approved before the latter is issued.

Approval to act in a position at a higher range

An *Approval to Act in a Position at a Higher Range* form is included with this P&P. An exact replica of this form is not required. However, if another format is used, then the format must include all of the essential elements of this form. An approval made in the body of an email is acceptable. The form or its equivalent is required even when the requestor is the approving authority.

Assignments to act in a position at a higher range of 22 or above require the approval of the appropriate deputy commissioner.

Assignments to act in a position at a higher range of 21 or below may be made by the division or regional director, system director or manager, statewide M&O engineer, or chief contracts officer. This authority may not be further delegated.

Written delegation of authority to the employee

After an assignment is approved, it is made by a written delegation of authority from the division or regional director, system director or manager, statewide M&O engineer, or chief contracts officer (the assigning authority) to the employee. A sample delegation of authority memo is included with this P&P. The exact wording indicated in this memo is not required. However, if another format is used, then the format must include all of the essential elements in the sample memo. A delegation of authority made in the body of an email is acceptable.

The supervisory bargaining agreement notwithstanding, it is this department's expectation that the employee will receive the written delegation before the employee begins performing the duties of the higher range position.

Routing of documents

The assignment to act in a position at a higher range and the termination of the assignment each require a separate *Personnel Action Request Form* to be prepared

and submitted to the Division of Personnel, even when the ending date of the assignment is firmly set in advance.

Coordination with collective bargaining agreements

Before initiating an assignment to act in a position at a higher range, managers are cautioned to familiarize themselves with the provisions of the employee's collective bargaining agreement pertaining to acting in a position at a higher range and with Division of Personnel directives on the subject. All provisions of the applicable collective bargaining agreement will be followed. To the extent that the collective bargaining agreement and this P&P conflict, the collective bargaining agreement prevails.

ATTACHMENTS

Attachment A: Approval to Act in a Position at a Higher Range Form

Attachment B: Delegation of Authority Memo

AUTHORITY

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General government, supervisory, and confidential bargaining agreements

IMPLEMENTATION RESPONSIBILITY

Deputy commissioners, regional directors, division directors, system directors/managers, statewide M&O engineer, and chief contracts officer

DISTRIBUTION

All department employees via the DOT&PF website

MEMORANDUM

State of Alaska Department of Transportation & Public Facilities

TO: [Name of employee appointed to act]

DATE: [Today's date]

FAX NO: (907) XXX-XXXX

TELEPHONE NO: (907) XXX-XXXX

FROM: [Name and signature of director¹]
[Title]

SUBJECT: Delegation of authority
to act in PCN 25-XXXX

You are delegated the authority to act as a [job class title] in PCN [number] for [organizational unit] beginning [date] and ending [date]. [If either date is uncertain, explain as well as you can. Issue a written notification of exact ending date when it is known.] You are authorized to perform all duties of this position [except... (if applicable)]. While you are in acting status, you will report to [supervisor].

Since this assignment is for [GG and KK: 15 or more calendar days] [SU: more than 10 consecutive working days], you will be compensated in accordance with [GG: Article 21.06] [SU: Article 24.7] [KK: Article 13.09] of the [bargaining unit name] agreement retroactive to the first day of the assignment. You will be paid at the step in the higher range that would be appropriate in the case of a promotion. Accrued leave used or cashed out while in acting status will be paid at your regular rate of pay.

If you have technical questions about your acting status, please consult with DOT&PF Human Resources Section.

Thank you for assuming these additional duties. It is greatly appreciated.

cc: [Employee in higher PCN if it is only temporarily vacant]
[Acting employee's regular supervisor]
[Acting employee's supervisor while in higher range position]
[DOT&PF Human Resources Section]

**Sample Delegation of Authority Memo to an
Employee Acting in a Position at a Higher Range**

¹ Director means regional or division director, system director or manager, statewide M&O engineer, or chief contracts officer.