

STATE OF MAINE  
DEPARTMENT OF PERSONNEL

March 22, 1979

PERSONNEL MEMORANDUM 8-79

TO: All State Departments/Agencies  
SUBJECT: New Edition of Personnel Rules

A new edition of Personnel Rules is now available. Effective the date of this memorandum, all previous rule publications are to be replaced with this latest edition.

One copy of the new edition is being forwarded to each agency/departmental personnel representative with this notice. Additional copies may be purchased at cost through Central Warehouse (stock #F-139A).

The new edition contains several changes in format and some changes in content. Changes in format were made in accordance with guidelines published by the Office of Secretary of State under direction and authority of Subchapter II, Maine Administrative Procedure Act. Changes in content are as summarized below:

1. Chapter 1 (Rule 1 in former publication) - modifications were made to meet notice and filing requirements of Subchapter II, Maine Administrative Procedure Act; a provision for advisory ruling was added under requirement of this same Act; and definitions added for terms used in the revision to Chapter 4, Classification Plan (see 3 below).
2. Chapter 2 (new chapter) - presents rules governing intermittent employment under requirement of § 559 as enacted by Chapter 677, Public Law, 1978.

Note 1: Former Rule 2 - Organization for Personnel Administration is no longer in effect. Information formerly provided by this section concerning the organization and/or authority of the Commissioner and State Personnel Board is considered to be fully addressed by 5 M.R.S.A., §§ 591-593 and § 631.

Note 2: Emergency legislation, effective March 2, 1979, has changed the statutory definition of intermittent employment. On basis of this legislation, please change Section 1B of the new Chapter 2 to read as follows: "Any one intermittent position shall not be occupied for more than 500 hours in any one calendar year."

Note 3: Further changes to Chapter 2 may be made, pending passage of legislative proposals concerning vacation and holiday benefits for intermittent employees. Should these proposed changes be realized, a new version of Chapter 2 will be issued.

3. Chapter 4 (Rule 4 in former publications) - this entire rule has been rewritten to reflect present-day concepts of job analysis, job evaluation and position management. A change to the examination procedure previously followed in the reallocation of an occupied position is of particular importance to both employees and appointing authorities. Please reference the new edition, Chapter 4, Section 7, Page 15 for complete details of this new examination procedure.
4. Chapter 6 (Rule 6.4 in former publications) - Chapter 6, Section 4, Paragraph C, "Cause for Disqualification," is a new rule which replaces former Rule 6.4.

Certain rules, or sections thereof, included in earlier publications were intentionally "not filed" in the new edition. This action was taken in all cases where a former rule was in clear conflict with present statute(s). In the absence of such statutory authority, the "old" rule was retained, but annotated to explain any difference between it and actual practice or application. Aside from the changes in format and content referenced by this memorandum, the body of Personnel Rules has remained unchanged.

The new edition includes a table of contents (by chapter title and chapter summary) and a subject index. It is hoped these features will make the transition a little easier. In any event, questions concerning the new rules publication may be directed to this department, atten: Freeman Wood or David Cote (289-2821).

JADINE O'BRIEN  
COMMISSIONER

MAY BE REPRODUCED LOCALLY TO MEET DISTRIBUTION NEEDS