

STATE OF MAINE
DEPARTMENT OF ADMINISTRATION
Bureau of Human Resources

May 17, 1990

HUMAN RESOURCES MEMORANDUM 11-90

TO: Agency/Department Heads, Personnel Officers

SUBJECT: Filling Positions Vacated Through the Retirement Incentive Program

REFERENCE: PL 1989, C. 702, §F-8 and Executive Order 8 FY1989-90

The purpose of this memorandum is to provide information and procedural guidelines for the filling of vacancies created by employee participation in the Retirement Incentive Program.

GENERAL INFORMATION

The referenced Executive Order and legislation combine to place special restrictions on the filling of vacancies created under this program. The following summarizes these restrictions:

Executive Order 8 FY1989-90

Executive Order 8 FY1989-90 requires that agencies identify alternative savings that closely approximate the savings that would have been generated by the employee's vacant position, in the event that the position is to be filled.

PL 1989, C. 702

The legislation outlines conditions under which positions that have been vacated by the Retirement Incentive Program can be filled. The following provisions apply to all such vacancies, regardless of funding source:

1. In the event that the position initially vacated by retirement is filled, another vacancy must be created. The vacancy finally created cannot be filled without legislative approval, except where failure to fill the position will "pose a direct threat to the health or safety of the public." Legislative approval may be requested in the next so-called new and expanded services budget.
2. The Department of Administration must provide a list of all vacancies to be filled pursuant to the provisions of the law to the Appropriations Committee by August 1, 1990.

PROCEDURAL INSTRUCTIONS

The following procedures must be followed for all positions vacated through the Retirement Incentive Program.

1. Process all retirements under this program in accordance with Human Resources Memorandum 7-90. Submit a Position Add/Change Form to freeze the position in all cases, pursuant to those instructions. The Bureau of the Budget will freeze the position for the duration of FY 90/91.
2. Positions are not available to be filled unless authorization is obtained through the hiring freeze exception request process. Submit to this Bureau an exception request and PDR to remove the position from frozen status. The request must either:
 - * Justify that leaving the position vacant will pose a direct threat to the health or safety of the public and identify savings that closely approximates the savings that would have been realized by leaving the position vacant, or
 - * Ensure that a vacancy will be created by the filling of the position. Note that savings must be identified that closely approximates the savings that would have been realized by leaving the position vacant. As soon as a specific position can be identified, submit a PDR to freeze this alternative position in lieu of the position vacated by the Retirement Incentive Program, and a PDR to remove the freeze from the position to be filled.

Approval to fill the position is contingent upon approvals from the Bureau of the Budget as to funding and the Governor's Office as to exemption from the hiring freeze.



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BUREAU OF HUMAN RESOURCES