

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
Bureau of Human Resources

September 21, 1992

HUMAN RESOURCES MEMORANDUM 22-92

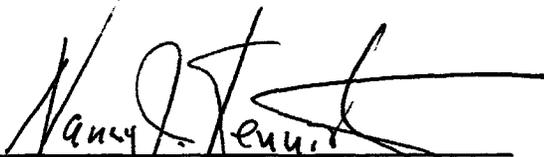
TO: All Department/Agency Heads/Personnel Officers

SUBJECT: Rule Change Proposal To Establish Special
Appointment and Supported Employment Programs For
Severely Handicapped Persons

The Bureau of Human Resources, with the approval of the Policy Review Board, is initiating changes to the Civil Service Rules to establish the Special Appointment and Supported Employment Programs on a permanent basis.

The Special Appointment and Supported Employment Programs provide an alternative process for the qualification and employment of severely handicapped candidates, and have been offered on a trial basis with very positive results.

A copy of the proposed changes is attached. Please review these proposed changes and submit any comments that you may have by October 30, 1992.



Nancy J. Kenniston, Director
BUREAU OF HUMAN RESOURCES

Attachment

1. Chapter 6, Section 1, subsection E is added as follows:

E. Alternative Examination Procedure.

The Director of Human Resources may waive the established examination process to enable persons with severe disabilities to participate in the State of Maine's Special Appointment and Supported Employment Programs. In place of the established examination process, participants in the Special Appointment and Supported Employment Programs will be appointed to positions on an acting capacity basis for a trial employment period in accordance with the provisions and requirements of Chapter 8, Section 6 of the Civil Service Rules.

2. Chapter 8, Section 3.A.2., first paragraph, is amended as follows:

2. Register Appointment (duration of more than three months)

Except for acting appointments that are made under the Special Appointment and Supported Employment Programs, established ~~Established~~ register and certification procedures shall apply, but all persons certified need not be contacted for interview. In the absence of a suitable register, an open appointment may be made as in "1" above; however, during the three-month period a register will be established and the register appointment procedures will be followed to fill the position for the remainder of time necessary. Acting appointments made under the Special Appointment and Supported Employment Programs are subject to the provisions of Section 6 of this Chapter.

3. Chapter 8, Section 6 is enacted as follows:

6. SPECIAL APPOINTMENT AND SUPPORTED EMPLOYMENT PROGRAMS

A. Purpose and Objective

The purpose of the Special Appointment and Supported Employment Programs is to provide persons with severe disabilities increased access to positions in the classified service. Persons who are selected for these programs will be matched to job classifications that they have the potential to learn and appointed to these classifications on an acting capacity basis for a trial employment period. The trial employment period will be in lieu of the established examination. Participants will be provided support services and training on an as needed basis during the trial employment period, and those who satisfactorily complete this alternative examination will be transferred from acting appointment to Civil Service appointment status.

B. Definition of Programs

1. Special Appointment

Participants in the Special Appointment Program will be appointed to standard State of Maine job classifications and will be required to meet the minimum qualification requirements for these classifications. Participants must be certified by a qualified vocational rehabilitation professional to have the capability to attain or exceed the entrance-level productivity requirement of the classification used for their employment. Participants in the Special Appointment Program will require less support and training during the trial employment period than participants in the Supported Employment Program and, with only few exceptions, support services will not be needed once the trial employment period is completed.

2. Supported Employment

Participants in the Supported Employment Program will be appointed to special job classifications that will be established for the specific purpose of this program. A special pay scale will be established for each Supported Employment classification. Participants must be certified by a qualified vocational rehabilitation professional to have the capability to attain an acceptable level of productivity for the special classification used for their employment. Participants in the Supported Employment Program will require more support, and support for a longer period, than is needed for participants in the Special Appointment Program. Some participants may require support and/or training throughout their employment.

C. Acting Capacity Appointment

Persons who are selected to participate in the Special Appointment and Supported Employment Programs will be appointed on an acting capacity basis for a trial employment period. Normally, the trial employment period will not exceed one year.

D. Extensions to Acting Capacity Appointment

Acting Capacity appointments for the Special Appointment and Supported Employment Programs may be extended beyond the normal one-year period when the final evaluation indicates that the participant has not quite attained a level of job productivity that is acceptable by the appointing authority but is expected to reach this level of productivity within a reasonable extension period. The length of the extension will be the joint decision of those providing support services, the appointing authority and the Director of Human Resources.

E. Program Selection and Placement Requirements

The following conditions shall be required for each acting appointment to the Special Appointment and Supported Employment Programs:

1. The person to be appointed has been determined by a qualified professional to have a severe disability.

2. The person to be appointed has been evaluated by a qualified professional and the professional has certified that the person to be appointed has the capability to learn or achieve the knowledges and skills required to perform the work required at a level of productivity that is acceptable for the type of program involved.

3. The environment where the work will be performed has been evaluated by a qualified professional and the professional has certified that the person to be appointed can, with proper support and training, learn to perform the required work in this environment without injury to self or others.

4. The person to be appointed has been interviewed by the employing agency and found to be acceptable.

F. On-the-Job Support Services

Participants in the Special Appointment and Supported Employment Programs will be provided ongoing or as-needed support services during the trial employment period to guide them toward their maximum productivity level. The need and extent of support services that are provided during the trial employment period will be decided by a qualified professional or a team of qualified professionals. Examples of support services include counselling, job coaching and on-the-job instruction. Decisions with respect to the support services that are needed will be made at time of appointment and at regular intervals during the trial employment period. Support services for participants in the Supported Employment Program will be continued after transfer to Civil Service status for as long as these services are needed.

G. Evaluation Requirements for Participants

The performance of participants shall be evaluated 30 days after the initial acting capacity appointment, with additional evaluations at 90 days, 180 days, 270 days and the end of the appointment year. If participants are appointed to their positions with Civil Service Status prior to any of these review dates, the remaining review dates will be voided and the standard probationary review process will apply.

H. Transition From Acting Appointment to Civil Service

Participants who attain the level of productivity that is acceptable for their program type will be transferred from acting appointment to Civil Service appointment status as soon as this level of productivity is reached. The transfer to Civil Service appointment status may occur at any time during the trial

employment period. Each transition to Civil Service appointment status must be supported by a written performance evaluation that states that the level of productivity that has been attained is acceptable by the appointing authority. Participants who are transferred to Civil Service appointment status will be required to serve a six-month probationary period, starting with the date that the Civil Service appointment is made. This six-month probationary period may be extended up to a maximum of one year.

I. Termination of Acting Appointment and Trial Employment

The participant's acting appointment will be terminated and a Civil Service appointment will not be made if the participant is unable to attain a level of productivity that is acceptable by the appointing authority.

J. Compensation

1. Special Appointment Program

a. Trial Employment Period. During the trial employment period, participants will be compensated at the minimum step rate of the Civil Service Pay Grade and Salary Schedule in effect for their job classification.

b. Civil Service Appointment. Participants who are granted Civil Service appointment status will continue to be compensated at the minimum step rate of the Civil Service Pay Grade and Salary Schedule unless the level of productivity attained warrants the next higher rate. Evaluations of productivity at time of Civil Service appointment will be made by a qualified professional and the starting rate of pay will be jointly determined by the professional and the Director of Human Resources. Subsequent annual step increases will be the responsibility of the appointing authority.

2. Supported Employment Program

a. During the trial employment period, participants will be appointed to a special job classification and compensated from a special pay scale that is established for that classification. The special pay scale will have minimum, maximum and intermediate step rates. Participants will be paid the step rate that is commensurate with their capability in relation to the job to be learned. Evaluations of capability will be made by a qualified professional, and the step rate of pay for the trial employment period will be jointly determined by the professional and the Director of Human Resources. The determined rate of pay will remain in effect for the duration of the trial employment period.

b. Participants who transfer to Civil Service status will continue to be compensated from the special pay scale established for their trial employment period. The step rate of pay selected for Civil Service appointment will be commensur-

ate with the level of productivity attained. Evaluations of productivity will be made by a qualified professional and the starting rate of pay will be jointly determined by the professional and the Director of Human Resources. The special pay scale will continue to be used for subsequent annual step increases as long as the employee's productivity level remains below the entrance-level productivity requirement of a standard State of Maine job classification. Annual step increases will be the responsibility of the appointing authority. If an employee in the Supported Employment Program attains the entrance-level productivity requirement of a standard State of Maine job classification after Civil Service appointment, the employee must be transferred to the Special Appointment Program and compensated accordingly.