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RULE 8.10: METHOD OF QUALIFYING INCUMBENTS OF CLASSIFIED POSITIONS ALLOCATED TO NEW OR HIGHER LEVELS

Lately, we have received a number of questions and requests concerning Civil Service Rule 8.10. What is the purpose of Civil Service Rule 8.10 and how should it be applied? This Rule allows for the appointment of a classified employee into a new or higher leveled position without having to compete in the regular classified hiring process. It can be implemented when the following criterions are met:

- 1) *An occupied, classified position has been allocated to a new or different class, and*
- 2) *The incumbent has been performing the duties of the new or different class for at least two years*

What is meant by the term, ***“an occupied, classified position has been allocated to a new or different class”*** as indicated by the first criteria? Simply put, a department director must first request an ***audit*** of the position currently occupied by the employee (incumbent) and secondly, the audit must be conducted and approved by the Classification & Pay Division of the Department of Employee Relations for purposes of allocating the current position to a new or higher level position. For example, if the current position held by the employee is classified as an Administrative Assistant I, but the department feels that the duties performed by the incumbent fits the description of duties performed by an Administrative Assistant II, an audit can be requested by the department to evaluate the duties of the position.

Subsequent to the approval of the audit, at the request of the department director, Rule 8.10 ***can*** be applied if the incumbent qualifies for the new position in one of the following manners:

- (a) If the incumbent has been performing satisfactorily at the new or higher level for a period of four years or more and has held permanent status in the previous classification, he/she shall receive the new or higher classification with permanent status, without further examination.

“Without further examination” means that the incumbent would receive the new or higher position without having to compete for the position via the City’s interview process, and would not have to serve a probationary period in the new position.

- (b) If the incumbent has been performing satisfactorily at the new or higher level for a period of two years but less than four years, and has held permanent status in the previous classification, he/she shall be given a qualifying examination, the scope of which shall be at the level of difficulty as normally given for the same or like classification, and if successful therein, he/she shall receive the new or higher classification with permanent status.

“Shall be given a qualifying examination” means that the Department of Employee Relations would examine the incumbent’s qualifications to determine eligibility for the new or higher position. The “examination” can be a review of an application and supplemental documents, a written examination, a structured interview, etc., as determined by the Department of Employee Relations.

Please see Civil Service Rule 8.10 for more information.

PLEASE NOTE:

- 1. Rule 8.10 only applies to classified, managerial-confidential positions.*
- 2. Rule 8.10 cannot be applied if the incumbent has been performing the duties at the higher level for less than two years.*
- 3. Rule 8.10 does not apply to Working Out of Classification cases, which are addressed in the position-appropriate union contract.*



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