

 Processing of Appointment and Personnel Transactions		Document Owner:	Limaris Flores Human Resources
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APPROVAL			
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1. Objective

This document is issued in order to establish the standards and procedures applicable to the preparation of the appointments, promotions, transfers, demotions and other personnel transactions pursuant to the applicable regulation in effect.


2. Legal Authority

For the execution of this proceeding the following laws or regulations must be complied:

- Act No. 184 of August 3, 2004, as amended, known as the Human Resources Administration Act of the Commonwealth of Puerto Rico
- Personnel Regulation adopted for the Career Service of the Environmental Quality Board
- Appointments Manual
- Vertical Mobility Plan of the Environmental Quality Board
- Standards Letter No. 3-2005 of August 2, 2005
- Regulation No. 5428 of March 17, 2006 known as the Habilitation in Public Service Regulation
- Special Memorandum No. 2-2007 of January 4, 2007

3. Applicability

This procedure is applicable to all appointments generated to cover positions within the career and confidence service of the Environmental Quality Board as well as for transitory and/or by day positions. Likewise, it applies to all personnel transactions related to promotions, transfers, demotions, probationary periods and other personnel transactions to be performed in the Environmental Quality Board.

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4. Organizational Roles and Responsibilities

Human Resources Department is responsible for the execution of the activities described in compliance with all the requirements established in this procedure.

5. Definitions and Abbreviations

5.1. Definitions

Term	Definition

5.2. Abbreviations

Abbreviation	Term
EQB	Environmental Quality Board
EPA	Environmental Protection Agency

6. Procedure Description - Appointments


Appointments are processed to cover regular, probationary, confidence positions or fixed term with transitory status. The selection of the candidate to cover regular positions with probationary status may arise from an ordinary proceeding or from a special proceeding of recruitment and selection. The selection of candidates to cover regular positions or positions of fixed term with transitory status arises from a special proceeding of recruitment and selection.

6.1. Appointments to Regular Positions

6.1.1. Appointments and Changes Technician will verify that the position has been duly approved to be covered.


6.1.2. The Technician assigned to formalize the Appointments and Changes of the Human Resources Office in the Environmental Quality Board will require the person selected to complete or provide the following documents before making the appointment process official:

- a. Birth Certificate (Original): Or an equivalent legally valid document, such as the Certificate of Baptism or Certificate from the State Elections Committee which shows the age on the date of registry. The substitute document must include a negative certification of the birth certificate. In case of returns, this document will not be required since it must be in the person's file. The Appointments and Changes Technician will verify that this document does not have alterations and that it has the Internal Revenue Stamp, likewise it will review if it is a negative birth certificate. If substitute documents are received, it will

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review that these are original or authenticated copies, without alterations and duly issued by the institution or corresponding agency. If there is a difference between the name, which appears on the documents, and the one given by the employee, the employee will be required to submit a Sworn Statement before Notary Public confirming that both names correspond to the same person and establishing which of the names is the one it will officially use. The name with which the person will be officially recognized will be that which it uses in all the documents of its public life.

- b. Good Conduct Certificate (original): Required to verify that the person has not committed any felony.
- c. Picture: Two (2) pictures 2x2 will be required; one of them for the preparation of the Identification Card and the other must remain in the file.
- d. Social Security Card (original): In order to take note of the number and the name that appears on the same. A copy will be made and certified that it is a true and exact copy of the original.
- e. Drivers License: in order to evidence the content of forms I-9. A copy will be made and certified that it is a true and exact copy of the original.
- f. Evidence of Academic Preparation: Original documents or authenticated copies will be required.
- g. Evidence of Experience: A certification of work experience will be requested to be issued by prior employment when said experience is a requisite of the position. (This evidence must have been provided at the time of filing the Application for Test).
- h. License to exercise the profession or occupation: Copy authenticated by the Technician when it is a requirement to occupy the position.
- i. Evidence of Professional Association and fees paid - When it is a requirement to occupy the position.
- j. Medical Examination: The agency will complete the information regarding the position to be occupied by the person before providing the form to be completed by the doctor. In the event of appointments, which arise from eligible returning employees, and in the event of transitory appointments in regular positions or of fixed term for six (6) months or less, this document may be obviated. Thereafter, the Technician will review that all the spaces of the form are duly completed and that it shows that the person selected is capable of performing the functions of the position. In the event of doubts it will proceed to contact the doctor who issues the certificate.

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- k. The Department of the Treasury Certification: also represents that it does not have outstanding Tax Debt.
- l. Minor Permits: All persons younger than eighteen (18) years of age must present this document issued by the Department of Labor and Human Resources. It will be verified that the Department of Labor and Human Resources have issued the Minor Permit and that the person is authorized to work in the functions and during the shift of the position it is going to occupy.
- m. Documents of the Immigration Service: Naturalized American citizens must present evidence to such effect; foreigners must present evidence that they are authorized by the pertinent authorities to reside and work in the country.
- n. Habilitation: this document is necessary in those cases of persons considered ineligible for public service; see Section 3.4 of the Personnel Act and Personnel Regulation: Habilitation for Public Service. The habilitation must have been effected prior to the acceptance of the Request for Test.

6.1.3. The Technician assigned to formalize the Appointments and Changes of the Human Resources Office in the Environmental Quality Board will deliver to the person selected, the following documents to be completed:

- a. **Personal History:** The Technician will review that the form is completed in all its parts and duly signed and dated. If the person is a foreigner or a naturalized American citizen the documents submitted, as evidence of this will be reviewed. If the person is ineligible for public service confirmation will be made that the Director of the Central Office of Labor Counseling and Human Resources Administration has habilitated it.
- b. **Individual Statement:** It will only be required of persons who are eligible to participate in the Retirement System of the Employees of the Commonwealth of Puerto Rico. In cases of returning employees, this form does not need to be completed if the person had previously selected the plan of complete supplementation. This requirement does not apply in cases of transitory or irregular appointments. The Technician will review that the form is completed in all its spaces. It will advise the person that the decision to opt for any of the plans offered by Retirement System 2000 is irreversible.
- c. **Certificate of Exemption for Withholding:** (499 R-4) Document in which the employee establishes the personal exemption, which the employer must take.



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- d. **Designation of Beneficiaries:** Retirement Systems Administration insurance.
 - e. Verification of Eligibility to Employment (I-9)
 - f. **Double Compensation Certification:** Certification indicates that the employee receives no additional pay or compensation from another agency, public corporation or municipality of Puerto Rico, personal and official services of any kind, and that is not on leave with or without pay.
 - g. **Application for Direct Deposit** primary method of payment under the Act No. 268 of September 11, 1998
 - h. **Request for authorization for Income and discount Savings Fund and Loan of the Association of Commonwealth Employees:** All employees occupying permanent positions, regular or trust shall be entitled to join the Association. The revenue will result in a discount no less than three percent (3%) of the employee's monthly salary, discount paid into the Fund Savings and Loan Association.
- 6.1.4. The Technician of Processing of Appointments and Personnel Transactions proceeds with the processing of the appointment and swearing in of the candidate selected.
- 6.1.5. The Technician of Processing of Appointments and Personnel Transactions provide the following documents to persons who are eligible with delivery confirmation:
- a. Drug-Free Workplace Policy Statement
 - b. Affirmative Action for Employment of Women Policy Statement
 - c. Administrative Order I-87 (Internal Standards on Work Shift)
 - d. Administrative Order I-85 (Standards and Procedures on Corrective Measures)
 - e. Circular Letter 1-82 (Standards on Probationary Period)
 - f. Government Ethics Act
 - g. Act No. 45 (of February 25, 1998) Labor Relations Act for the Public Servant.
 - h. Duties and Obligations of public employees
 - i. Orientation Letter on the responsibility of the employee to notify the cancellation of license or professional association: to the immediate supervisor, when the possession is a requirement to occupy the position, and the effect such cancellation entails.

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6.1.6. The Technician responsible for processing the appointment will prepare and deliver to the candidate selected the following documents:

- a. Notification of Appointment and Oath (OP 11): This form consists of two parts: the Appointment and Oath of Loyalty. The Appointment Form will be fully completed. The date of effectiveness will correspond to the day on which the candidate starts to work and takes possession of the position. The Oath of Loyalty will be prepared in the Human Resources Division and later delivered to the Legal Affairs Office so that the candidate swears before the Notary Public authorized by law assigned to said area. This oath cannot be given fifteen (15) days after the date of taking possession of the position pursuant to 3 L.P.R.A. '601.
- b. Appointment Letter: This communication will inform the person appointed: the salary, classification title, location of the position, type of appointment (regular or fixed term), date of effectiveness of the appointment; number of the certification of eligible persons from which selected, status, the minimum of periodic evaluations that will be formalized during the probationary period, if it is an appointment of that nature, if any time served is credited to the probationary period, date of expiration of the probationary period or of the transitory appointment and work shift. If the appointment is for a returning employee, the probationary period will be subject to the corresponding probationary period, however, the Nominating Authority may assign regular status to such employees when as a result of the return they are appointed to a position within the term of one (1) year from the date of the separation from service.
- c. Description of Positions (OP 16): Document which specifies the duties of the position to be occupied by the person selected.
- d. Certification of Verification of Requirements (OP 29): It is prepared after verifying that the person selected meets all the requirements to occupy the position. The Appointments and Changes Technician will study and analyze the documents submitted by the candidate selected, to verify and determine whether the candidate selected meets the requirements of preparation and experience to occupy the position. These documents will be originals or authenticated copies. The requirements of the positions are contained in the Announcement of Test. In the absence of the announcement, the recruitment standard will be used, and in its absence, the specifications of the corresponding class. After ensuring that the requirements are met, the Certification and Verification of Requirements Form will be completed (OP 29).

6.1.7. The person in charge of the files assigned to the Human Resources Division will organize the documents in a file identified with the employees name and social security number. This file will be the official agency file of the employee.

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When the employee has a file because it previously rendered services in the agency, proceed to verify that the file contains the identification with the employee's name and social security number.

6.1.8. Login to FIMAS system the data required appointment.

- a. Enter new hire information.
- b. Enroll the time reported data.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 4.

6.2. Processing of Probationary and Transitory Appointments in Regular Positions


The Appointments and Changes Technician will proceed as follows:

- 6.2.1. It will prepare personnel file of the candidate selected to include the documents generated by the Appointment to Regular Position process.
- 6.2.2. It will notify the candidate that it was selected, in writing, by telephone and will request it to complete, present and return the documents necessary to process the appointment.
- 6.2.3. Upon receiving the documents it will confirm that they are duly completed and verify that the requirements to occupy the position are met.
- 6.2.4. It will prepare the documents necessary to make the appointment effective. On the day of taking possession of the position it will require the employee to sign the original and the copies of the Appointment (OP 11) and of the Job Description form (OP 16).
- 6.2.5. Enter in the Positions and Employees Roster, the name of the employee, Social Security number, salary, and date of effectiveness in the corresponding columns.
- 6.2.6. Login to FIMAS system the data required.
 - a. Update the Employee data if applicable.
 - b. Update the Time Reporter data if applicable.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 4.

- 6.2.7. Within the term of fifteen (15) working days as of the date of effectiveness of the appointment in the career service, it will detail the documents and send copies to the Budget and Finance Division, Payroll Section and copy to the employee.

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- 6.2.8. It will send copy to the Payroll Section of the Certificate of Exemption for the withholding.
- 6.2.9. Classification is responsible for keeping the OP-16 files updated.
- 6.2.10. It will file in the employee's personnel file, copy of the Certification of Eligible persons and the original will be sent to the Recruitment Technician.
- 6.2.11. The person in charge of the files assigned to the Human Resources Division will organize the documents in a file identified with the employees name and social security number. This file will be the official agency file of the employee. When the employee has a file because it previously rendered services in the agency, proceed to verify that the file contains the identification with the employee's name and social security number.

6.3. Process of Transitory Appointments in Fixed Term Positions

The Appointments and Changes Technician will proceed in a manner similar to the procedure of probationary and transitory appointments in regular positions with the following exceptions:


- 6.3.1. In the preceding paragraph 6.2.5 - the information will be included in the Roster of Positions and Transitory Employees.

7. Probationary Period

7.1. Accreditation of Probationary Period

The Nominating Authority may accredit to the probationary period of an employee, previously rendered services in the same position class, in the following circumstances:


- If the employee interrupted the probationary period for no more than one (1) year for any justified reason among others, granting of any type of leave, dismissal, promotion, transfer or demotion;
- If the person was satisfactorily performing the duties of the position through a transitory appointment;
- If the person was satisfactorily performing the duties of the position on temporarily, was appointed by the nominating authority to perform the mentioned position temporarily, at all times performed all the normal duties of the position and at the time of such appointment met the minimum requirements for the position it performed temporarily;
- If the employee is selected from a Returning Employee Roster and one (1) year has not passed between the date of separation from service and the date of effectiveness of the personnel action taken.

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- 7.1.1. The Human Resources Division will receive the recommendation of the employee's supervisor requesting and justifying the accreditation.
- 7.1.2. It will study the recommendation and proceed to verify that the certification indicating satisfactory performance of the duties and other certifications regarding the official appointment of the temporary has been received, such as performance of all the duties of the position and verification of requisites on the date of the appointment of the temporary, as corresponds.
- 7.1.3. The Human Resources Division will inform the part of the services rendered which are accredited in the following manner:
 - a. To the employee, in the notification on personnel action taken: appointments, promotions, transfers or demotions.
 - b. In the appointment (OP-11) or in the Change Report (OP-15) prepared to formalize the personnel action taken.

7.2. Evaluation of Probationary Period

- 7.2.1. The Human Resources Division will notify the employee's supervisor through the Appointment (or Promotion) Report and Duration of Probationary Period form, the minimum of periodic evaluations it will perform, the dates on which they will be made and the deadline to remit the final evaluation. It will maintain control and follow-up on the expiration date of the period and final evaluations of the employees in probationary period.
- 7.2.2. The supervisor will orient, train and evaluate the employee; discuss the results of the evaluations with the employee so that it is aware of its performance in the development of the probationary period and stimulate its improvement. It will use the forms designed for the periodic evaluations and Report on Work of Probationary Employees (OP-35-Revised). This final report will be a final, exhaustive and encompassing evaluating judgment of the performance of the employee in relation to the duties of the position and the compliance with the criteria of order and discipline.
- 7.2.3. The supervisor will deliver copy of the periodic evaluations to the employee and send copy for the employee file which is kept in the Human Resources Division.
- 7.2.4. When the supervisor recommends to the Human Resources Division that the employee is removed from the post, during or at the end of the probationary period, will clearly indicate whether the decision is due to the services or habits or attitudes. In these cases the Human Resources Division will initiate the procedures provided in Section 6.6, Item 10 of Act No. 184 of 3 August 2004, as amended.

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7.3. Approval of Probationary Period

7.3.1. The Appointments and Changes Technician will receive the final evaluation of the employee prior to the expiration date of the probationary period. For this final report form OP-35-Revised will be used. Thereafter, it will study the recommendation and if favorable will proceed as follows:

- a. Prepare and send a communication to the employee informing the approval of the probationary period and that it will go on to occupy the position with a regular nature. Enclose the final OP-35-Revised evaluation, signed by the immediate supervisor and the nominating authority or its authorized representative.
- b. Complete in the OP-15 report all blanks prior to the change, the status blank of the employee after the change will read regular. The date of effectiveness before the change will correspond to the date of expiration of the probationary period, and after the change it will correspond to the day following the expiration.
- c. Detail and distribute the Change Report (OP-15) to the Employee File (must always be the original), Finance Division, Payroll and Attendance Section and to the employee.
- d. Register in FiMaS the effective date of the change to regular employee status. At the same time the payroll deduction for the savings account at AEELA shall begin.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for changing Employee status from Temporary to Regular into FiMaS begin on page 15 and Page 33.

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8. Promotions, Transfers and Demotions

As part of the personnel actions that correspond to the Human Resources Division, it will verify and determine if the person selected is an employee in the career service with probationary or regular status, in an agency covered by the Personnel Act.

The Human Resources Division will determine whether the change constitutes a promotion, transfer or demotion pursuant to the establishment of equivalency performed by the Classification and Retribution Technician.

To determine whether the change constitutes a promotion, transfer or demotion, the result of the equivalency will be submitted to the Appointments and Changes Technician or will verify in the equivalency tables issued by the Labor Counseling and Human Resources Administration Main Office (ORHELA), the equivalency between the class of position occupied by the employee and the one it is going to occupy in the agency. If the equivalency has not been established between both classes, the Job Description (OP-16) the position held by the employee and the position he is going to occupy, will be submitted to the Classification Technician to establish the equivalency. In the absence of Job Descriptions, it will send the specifications of both classes and a resume of the employee's preparation and experience.

After the equivalency is established, the procedure established for promotions, transfers or demotions, as corresponds will be followed.

8.1. Promotions by Certification of Eligible Persons

This arises from the selection of a candidate by virtue of a regular procedure or from a special recruitment and selection procedure, to occupy a regular position with a probationary nature.

8.2. Promotions of Employees of Other Agencies

8.2.1. The Appointments and Changes Technician will prepare a provisional file of the candidate selected to include the Certification of Eligible persons, employment application and all documents and communications generated by the promotion process. This file will be kept until the promotion is made and the documents are transferred to the employee's permanent file.

8.2.2. The candidate will be notified it has been selected, in writing or by telephone and it will be requested to complete, submit and return by mail or personally the following documents:

- a. Personnel History
- b. Social Security Card
- c. Evidence of Academic Preparation



- d. Evidence of Experience
- e. Drivers License or Voter Card
- f. License to practice the profession (if applicable)
- g. Evidence of professional association and fees paid (if applicable)
- h. Picture
- i. Medical examination
- j. Job Description (OP-16) of the position it occupies when the agency has not established an equivalency between both classes.

8.2.3. Verification that the documents are duly completed and confirmation that the candidate meets all the requirements to occupy the position.


8.2.4. If it is an employee of an Individual Administrator, it will be verified that the equivalency established constitutes a promotion.

8.2.5. A communication will be prepared for the signature of the nominating authority addressed to the agency in which the candidate works:

- a. It will indicate that the candidate was selected through Certification of Eligible persons; that the change constitutes a promotion; the classification, salary and location of the position for which it was selected.
- b. Request the sending of the Change Report (OP-15), employee file, and balances of accumulated leaves, certification of time worked and salaries earned in order to determine eligibility for the Christmas Bonus. The certification for the Christmas Bonus is not necessary when the promotion is effective on December 1st.
- c. Notify the date on which the promotion is to be effective, within the term of thirty (30) natural days as of the date of expiration of the Certification of Eligible Persons from which the candidate was selected.

8.2.6. When the employee file and the Change Report (OP-15) is received the following will proceed:

- a. Verify that the employee file contains all the documents indicated in the Certification of the Registry of the File Content; it will be certified with the signing of the receipt of such documents; verification that the file contains the Birth Certificate and confirm that the birth date corresponds to the one informed by the employee in the Personnel History (OP-1); verification that the employee's name and social security number correspond to the candidate selected.


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- b. Change Report: The nominating authority in which the candidate works sign verification that all blanks are completed before the change and that it; verification that the name and social security number correspond to the candidate selected. Review that the title of the position class that the employee occupies in the other agency corresponds to the one the candidate originally informed and verifies that effectively the employee's change constitutes a promotion.

8.2.7. Prepare the following documents to make the change effective:

- a. Notification of promotion to the employee, informing: title of classification, function title (if applicable), position number, location of the position, salary, status, date of expiration of the probationary period, minimum of periodic evaluations to be made while in this probationary period, number of the Certification of Eligible persons from which it was selected.
- b. Job Description (OP-16)
- c. Complete all corresponding blank spaces after the change in the Change Report (OP-15).
- d. Orientation letter on the employee's responsibility to notify the expiration or the cancellation of the license or professional membership, when it is a requirement to occupy the position and the effect such action entails.
- e. Certification of Verification of Requirements (OP-29).
- f. The employee will be given to complete and deliver other internal documents of the agency, mentioned in the Appointments Section of this Manual.


8.2.8. Login to FIMAS system the data required.

 See *Personnel Administration Users Manual* for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 4.

8.2.9. On the day of the taking of possession of the position, the employee will be required to sign the original of the Change Report (OP-15) and the Job Description Sheet (OP-16).

8.2.10. The employee will be provided a copy of both forms duly signed and the original of the other documents mentioned in the preceding paragraph, except for the Certification of Verification of Requirements (OP-29).

8.2.11. Annotation will be made in the Positions and Career Employees Roster, in the columns corresponding to the position, the employees name, Social Security number, salary and date of effectiveness.

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8.2.12. Detail the documents and send copies to the Finance Division, Payroll and Attendance Section and the former agency within the term of thirty (30) working days following the date of effectiveness of the change.

8.2.13. The Payroll and Attendance Section will be sent copy of the following documents: Certificate of Exemption for Withholding, Certification for Christmas Bonus, Certification of Balances of Leaves Accumulated (if applicable).

8.2.14. The person in charge of the File Room will be sent the Job Description (OP-16) and the Certification of Eligible persons (OP-8) to the Recruitment Technician.

8.2.15. All documents related to the promotion process will be filed in the employees file, such as: Change Report, Copy of the Notification of Promotion; Personnel History, Copy of the Original document presented by the candidate and by virtue of which it was verified that it met the requirements for the position, copy of the certification for the Christmas Bonus, Employee file sent by the other agency, Certification of Requirements, etc.


The person in charge of files will verify that the file contains the documents which appear on the files Certification of Contents, will proceed to add to such registry the documents relative to the promotion process and organize and file them in the file and verify that the employees file is identified with the employees name and Social Security number.

8.3. Promotions of Employees of the Same Agency

8.3.1. Notification will be made by letter or telephone to the supervisor when Certification of Eligible Persons has selected the employee under its supervision and there is a change of area.

8.3.2. If the promotion is to another work unit, notice will be given by memorandum of telephone call to the work unit head in the which the candidate works, notifying it that the employee was selected from a certification of eligible persons; that the change constitutes a promotion; classification and location of the position for which it was selected; date on which the promotion will be effective, which will be within the term of fifteen (15) natural days as of the date of the expiration of the Certification of Eligible persons and the employee will be requested to deliver the property it has in its charge. Copy of this memorandum will be sent to the candidate selected requested that it complete, return and present the following documents:

- a. Personnel History
- b. Documents necessary to verify the requirements when they are not in the employee's file in the agency such as: evidence of academic preparation, evidence of experience; driver's license (if applicable), license to practice the profession and evidence of membership in

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professional association and fees paid if this is a requirement to perform the functions of the position.


If the promotion is within the same work unit in which the employee works, the procedure is the following:

8.3.3. A memorandum will be sent to the employee through the work unit head, requesting it to complete, return and present the documents indicated in the preceding paragraph.

8.3.4. Verification that the documents are duly completed and verification that the candidate meets all the requisites to occupy the position.

8.3.5. An annotation will be made in the Position and Employees Roster of the agency, of the selected employee=s information in the columns corresponding to the position Covered and eliminate the information in the columns corresponding to the position which becomes vacant.

8.3.6. Login to FIMAS system the data required.

 See *Personnel Administration Users Manual* for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 29.

8.3.7. Within the term of 15 working days as of the date of effectiveness of the change, the documents will be detailed.

8.3.8. The following documents: Change Report, Personnel History, Certification of Requirements, Copy of the Notification of Promotion, Copy of the Certification of Eligible persons, Copy of the original documents presented by the employee and by virtue of which it was verified that it met the requirements for the position, will be sent to the File Room.

The person in charge of the personnel files will organize and file the documents in the employee's file.


8.3.9. Tabular Summary of Procedure

Proceed pursuant to Tabular Summary of Appointments.

8.4. Promotion without Opposition

To process a promotion without opposition the following steps will be followed:

8.4.1. The Program Director or Supervisor will evaluate the qualified candidates so that the most ideal and capable is selected. For the evaluation objective parameters will be used, such as: results of the evaluations corresponding to the Employees Evaluation System adopted by the agency, attendance record, training related to the functions of the position to be covered, additional academic preparation, etc.

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- 8.4.2. After this evaluative judgment, it will submit its recommendations through a proposed promotion to the Human Resources Division of the candidate selected.
- 8.4.3. The Appointments and Changes Technician will prepare a provisional file to include all the documents and maintain a control of the promotion process.
- 8.4.4. It will notify the candidate of its selection and will request it to complete, return and present the documents required for the processing of the promotion, such as: Request for Test, Copy of the Training Certificates (if applicable), original evidence of academic preparation (if not on file) and submit it to the Recruitment Technician for its evaluation.
- 8.4.5. It will confirm that the documents are correctly completed and verify that the candidate meets the minimum requirements of the position.
- 8.4.6. If the employee is from another agency, the nominating authority of the agency where the employee works will be notified that the employee has been selected for a promotion without opposition, classification title and location of the position. It will request it to send the Proposition of Promotion without Opposition (OP-17), copy of the Job Description Form occupied by the employee, when the change is of an employee where the agency is excluded from Appointments and Changes Technician No. 5.
- 8.4.7. If the promotion is within the agency, from one work unit to another, it will notify the unit head in which the employee renders services that it was selected for a promotion without opposition, title of the classification and location of the position.
- 8.4.8. When the Appointments and Changes Technician receives the Proposition of the Promotion without Opposition, it will complete the form in the columns corresponding after the change. If the change is within the agency, it will complete the information before and after the change in the Proposition of Promotion without Opposition.
- 8.4.9. It will prepare the Documents Submission Sheet including the Proposition of Promotion without Opposition (OP-17), Certification of Verification of Requirements (OP-29); when the equivalency between both classes is not established the Job Description Forms will be sent of the position occupied and the position to be covered, or instead the specifications of the classes and resume of preparation and experience.
- If the promotion without opposition is within the agency the Appointments and Changes Technician will proceed as follows:
- 8.4.10. If the employee works in another agency, it will prepare a communication for the President's signature (a) notifying the nominating authority of the other



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agency about the Proposition of Promotion without Opposition where the transaction is made with the full information prior to the change. This communication will request the submission of the Change Report (OP-15), the employee's file and the certification of time worked and salaries earned, in order to determine eligibility for the Christmas Bonus, balance of accumulated vacation and sick leave.

- 8.4.11. If the employee works in the same agency and the promotion is to another work unit, it will notify the work unit head in which the employee renders services about the approval of Proposition of Promotion without Opposition, the date the promotion is effective and will request it to obtain the delivery of the property which the employee has in its charge.
- 8.4.12. If the promotion is between agencies, it will proceed to review the documents sent by the other agency.
- 8.4.13. It will prepare the documents necessary to make the change, require the employee's signature and will provide copy of the documents to the employee.
- 8.4.14. Annotate in the Position and Employee Roster of the agency in the columns corresponding to the position covered. If the change is within the agency, it will eliminate the information of the employee in the vacant position.
- 8.4.15. It will detail and distribute the copies of the Change Report to the different corresponding areas.

The aforementioned procedure established for promotions by certification of eligible persons will be followed.

8.5. Transitory Promotions

When the person selected occupies a regular position in career service with regular or probationary status and the position is one of a transitory nature with higher-level functions, the change will be processed as a transitory promotion.

8.6. Transitory Promotions of Employees from other Agencies

In these cases, the following will proceed:

- 8.6.1. The Appointments and Changes Technician will orient the candidate to request a leave without pay in the agency it works, to render transitory services for the term of the duration of the promotion, which will not exceed in its origin one (1) year.
- 8.6.2. Communicate in writing to the nominating authority in which the candidate works the following:
 - a. Notify that the employee was selected to occupy a position with transitory nature and that the change constitutes a transitory promotion,



- b. Its duration,
- c. The class of position (regular or fixed term);
- d. Classification and location of the position for which it was selected;
- e. Indicate that the candidate was advised to request a leave without pay.

8.6.3. It will request the submission of the Change Report (OP-15) granting the license and authorizing the change. When the promotion covers or extends over November 30, a certification of time worked and salaries earned will be requested in order to determine the eligibility for the Christmas bonus.

8.6.4. It will inform the date on which the transitory promotion will be effective, thirty (30) natural days prior to the date of effectiveness of the change.

8.6.5. Remit to the employee copy of the communication sent to the agency.

8.6.6. Upon receiving the Change Report it will proceed to verify that all the blanks before the change regarding the granting of leave are completed; that the report is signed by the nominating authority in which the candidate works; that the name and Social Security number correspond to the candidate selected; that the letter requesting the leave without pay of the employee is enclosed and that the title of the class of position occupied in the other agency corresponds to the one indicated by the candidate.

8.6.7. It will complete the Change Report in the blanks after the change, indicating in the comments or explanations section, the type of position covered (regular or fixed duration), and will also inform the date on which the transitory promotion expires.

8.6.8. If the employee is a participant in the Commonwealth of Puerto Rico Employee's Retirement System, it will inform that during the transitory promotion it will not contribute to say System.

8.6.9. On the day of taking possession of the position, the employee will be required to sign the Job Description Form (OP-16). It will provide the employee a copy of forms OP-15 and OP-16 and the original of the other documents.

8.6.10. Login to FIMAS system the data required.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 4.

8.6.11. It will make a notation of the information in the Transitory Positions Roster.



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8.6.12. The person in charge of the Personnel Files will prepare a file for the employee and will identify it with the employee's name and Social Security number. It will include the documents and prepare the certification as to the contents of the file. This file will be sent to the other agency when the transitory promotion expires and the employee is reinstated in his position and the provisional file prepared when the process began will be destroyed. Thereafter, when the supervisor returns the original of the taking of possession, it will send the file to the employee and eliminate the copy.

8.6.13. Prepare the documents to effect the change.

8.6.14. Follow the same aforementioned procedure established for promotion by certification of eligible persons or appointments.

8.7. Transitory Promotions of Employees in the same Agency

The transitory promotion within the same agency will be processed in a manner similar to the procedure for promotion by certification of eligible persons of employees of the same agency established above, but with the following exceptions:

8.7.1. The work unit head will be informed the date on which the transitory promotion will expire and that the employee was advised to request a leave without pay for the duration of the transitory promotion pursuant to regulation in effect.

8.7.2. The employee will be oriented to request a leave without pay for the duration of the transitory promotion.

8.7.3. In addition to the above, it will be confirmed that the employee has requested the leave without pay.


8.7.4. In the notification of transitory promotion, the probationary period is not applicable. If the employee participates in the Commonwealth of Puerto Rico Employee's Retirement System, it will be advised that it will not participate in the System for the duration of the transitory promotion. In the Change Report, the before and after blanks will be completed regarding the transitory promotion, as well as those corresponding to the granting of leave without pay.

8.7.5. Login to FIMAS system the data required.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 29.

8.7.6. No information is eliminated. The information will be included in the Roster corresponding to the position covered, Regular Positions Roster or in the Fixed Term Positions Roster; and will include the approval of the leave without pay in the columns corresponding to the regular position occupied with a probationary or regular nature.

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8.8. Transitory Promotions Without Opposition

The agency will proceed with the transitory promotion without opposition when it does not have a roster of eligible persons, established to cover a position of fixed term or a regular position, which must be covered with a transitory nature, and it cannot establish it in a term of not more than thirty (30) working days. The Appointments and Changes Technician will process the transitory promotion as follows:

- 8.8.1. It will notify the Program Chief that there is roster of eligible persons and it cannot establish it in thirty working days and will request that it identify an available employee who meets the requirements established for the class of positions to be covered.
- 8.8.2. Follow the procedure established for promotions without opposition.
- 8.8.3. The picture will not be required nor with the card be completed for the control of the obligatory retirement age. The employee will be requested the Job Description, when the change is from one agency to another.
- 8.8.4. It will advise the employee to request in the agency it renders services a leave without pay, to render transitory services for the term of the duration of the promotion.
- 8.8.5. The communication sent to the other agency, will indicate that the change is a transitory promotion without opposition, its duration and that the candidate was advised to request a leave without pay. OP-16 will not be requested. In addition to the Proposition of Promotion without Opposition (OP-17), the Change Report will be requested and the certification of time worked and salaries earned, for the Christmas Bonus.

If the transitory promotion without opposition is within the agency, proceed as indicated below:

- 8.8.6. Inform the work unit head the date on which the promotion will expire, that the change is a transitory promotion without opposition, and that the employee was advised to request a leave without pay.
- 8.8.7. Upon receiving the documents from the other agency, it will review that all the spaces in the Change Report (OP/15) prior to the change, those regarding the leave without pay are completed, and that the nominating authority signs them. It will verify that the name and Social Security number and classification of the position corresponds to the information offered by the candidate and that it encloses copy of the letter requesting the leave without pay.

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8.8.8. The notification of transitory promotion without opposition will indicate the date of expiration. The probationary period will not be applicable. If the employee is a participant in the Commonwealth of Puerto Rico Employees Retirement System, it will be informed that it will not participate of the System during the time of the transitory promotion. When the change is within the agency, the blanks regarding Change Report will be completed regarding the granting of the leave without pay. A form of Proposition of Promotion without Opposition will also be prepared. If the change is from one agency to another, the blanks after the change will be completed; if it is within the agency the blanks before and after the change will be completed. Thereafter, the blanks regarding the approval of the transitory promotion without opposition will be completed and referred to the official of the agency authorized to approve these cases.

8.8.9. If the change is within the agency, the information of the regular position occupied with a probationary or regular status will not be eliminated, but that the granting of the leave will be noted, and in the Positions and Employees Roster corresponding to the position covered the employees information will be included.

8.8.10. If the change is from one agency to another, the procedure established in this Chapter will be followed for transitory promotion of employees from other agencies. If the change is within the agency, the procedure established for promotion of employees of the same agency is followed.

8.8.11. Tabular Summary of the Proceeding

Proceed pursuant to the Tabular Summary of Appointments

8.9. Transfers

When the agency is going to cover a regular position it may opt to select an employee who has requested to be considered for transfer or select from a certification of eligible persons. Once the employee who is going to occupy the position is selected and a determination is made that said action constitutes a transfer pursuant to the regulation in effect.




See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 4 and page 29.

8.10. Transfers at the Employees Request

8.10.1. Prepare a provisional file, require the documents from the employee and verify that it meets the requirements as previously established.

8.10.2. When the transfer is to a position of another class, the employee will complete an employment application; the Recruitment Technician will evaluate the case and prepare the Certification of Verification of Requirements (OP 29).

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- 8.10.3. When the equivalency between the classes has not been established, it will proceed to submit the documents necessary so that the classification analyst makes the corresponding equivalency study.
- 8.10.4. If the employee works in another agency it will prepare a communication in writing for the signature of the nominating authority stating the following:
- It will notify the name of the employee selected, that the change constitutes a transfer, if it is by certification of eligible persons, it will indicate the number of the same and the classification, location of the position and salary.
 - It will inform of the effectiveness proposed for the transfer, within the term of thirty (30) natural days as of the date of the expiration of the certification. If the transfer is at the employee's request and that it was administered the corresponding test.
 - It will request the submittal of the Change Report, the employee's file and the Service Sheet of the tie worked in the agency and salaries earned to determine eligibility for the Christmas Bonus. This certification for the bonus is not necessary if the change is effective on December 1st.
 - Copy of this communication will be sent to the employee.
- 8.10.5. If the transfer is within the agency, from one work unit to another, a memorandum will be sent to the unit head in which the employee renders services, notifying about the employee's selection, that the change constitutes a transfer. If selected by a certification of eligible persons, it will inform the number of the same, classification and location of the position, date of effectiveness and will request it to have the employee return the property he has in his charge. Copy of this communication will be sent to the employee. If the change is in the same work unit in which the employee renders services, the unit head will be informed the date on which the transfer will be effective. Copy of the communication will be sent to the employee.
- 8.10.6. When the change is from one agency to another, it will proceed to review the documents sent by the other agency as soon as they are received.
- 8.10.7. It will prepare the documents to make the change effective as established with the following exception: where it indicates a promotion it will indicate a transfer; when the transfer is from one agency to another the blanks after the change will be completed: title of classification, number and location of the position, status and salary; if the status is probationary, it will indicate the duration of the same within parenthesis and in the observations section it will inform the date on which the probationary period concludes; if the transfer is in the same class and the employee is in a probationary period on the date of the change, and the agency decides to accredit that part served in the other position, this will be



informed in this section; if the selection was made from a certification of eligible persons, it will inform the number of such certification of eligible persons in the corresponding section; the section of the prior incumbent will be completed and those of the accounting symbols; the date of the change will be indicated in date section indicated prior to the change. When the change is within the agency, the sections, which appear before the change, will also be completed.

- 8.10.8. The procedure established for promotions by certification of eligible persons from one agency to another are followed.


8.11. Transfers Due to Service Needs

This transfer arises as a result of a meticulous study performed by the agency. The result of these studies must show clearly and precisely that a real need exists of the service, and that the best reasonable alternative to resolve such need is through the transfer of the employee.

8.12. Transfers Due to the Elimination of Positions for Lack of Funds or Work

These will have the purpose of relocating employees to avoid dismissals. After the determination is made, the Appointments and Changes Section will proceed as follows:

- 8.12.1. It will verify that the employee meets the minimum requirements to occupy the position to which it is to be transferred. If necessary, the employee will be required to submit evidence to determine it meets such requirements.
- 8.12.2. It will verify in the equivalencies list issued by the Labor Counseling and Human Resources Administration Office that the class of position to which the employee is to be transferred corresponds to the same or similar level as the one he occupies. If the transfer is to an agency, which is an Individual Administrator, the Individual Administrator will perform the equivalency study.
- 8.12.3. Prepare thirty (30) days in advance a written notification to the employee informing it, about the decision to transfer it due to service needs, the date of effectiveness, salary, class title, location of the position, status and right to appeal to the Personnel Administration Appeals Board within the term of thirty (30) days, if it considers its rights have been violated. If the employee has probationary status, the period of the services rendered will be accredited and the notification will inform of such accreditation. The nominating authority of the agency in which the employee renders services will sign the notification. If the transfer is interagency, it will inform the employee the place and the official to whom he must report to take possession of the position. When due to emergency situations or unforeseen circumstances, the transfer cannot be notified thirty (30) days in advance, the reasons for such exception to the general rule will be indicated in the notification to the employee. The agency

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transferring the employee will provide the communication and require it to sign and indicate the date of receipt on the copies, as evidence of receipt.

8.12.4. If the change is interagency, it will proceed to prepare and send to the agency to which the employee was transferred the following documents:

- a. Report of Change with the sections before the change and regarding the accumulation and use of leave and compensatory time accumulated duly completed.
- b. Employee file, including the documents regarding the transfer, together with a certification of the documents included in the file.
- c. Certification of time worked and salaries earned, in order to determine eligibility to the Christmas Bonus. It will not be sent if the change is effective on December 1st.

8.12.5. Require that the employee sign the Job Description Form and provide the employee on the day of taking possession the following documents:

- a. Report of Change, if the change is interagency the sections before the change will be completed. If it is within the same agency it will complete the sections before and after the change. The employee must sign it.
- b. Job Description Form.
- c. Other internal documents of the agency.

8.12.6. It will prepare the Certification of Verification of Requirements; the Leaves History if the transfer is from one agency to another, or notification of amendment to the Leaves History if it is within the agency and the Certificate of Exemption for Withholding when it is an interagency change.

8.12.7. Eliminate the employee information and of the position in the Positions and Employees Roster of the agency and after the change it will add the information of the employee in the columns corresponding to the position being occupied in transfer.

8.13. Transfers due to the need of additional human resources

Transfers due to service needs, due to the need of additional human resources in an agency, to address new functions and programs or for the broadening of the programs it develops

8.13.1. The following will be identified and determined:

- a. Titles of the classes of positions and location of the positions to be covered.



- b. Nature of the functions of the positions.
- c. Knowledge, special abilities, skills and experience required to perform the functions of the position.
- d. In what agencies or programs within the agency is the personnel needed for the development of its programs, rendering services.
- e. If the personnel it needs meets the requirements.
- f. If the functions of the position occupied by the employee and the position to be covered are similar or the same in functions.
- g. Compensation being received, and fringe benefits and incentives being enjoyed by the employees, to avoid substantial economic problems without their being provided adequate compensation.

8.13.2. If the employee works in another agency, the nominating authority will communicate in writing with the other nominating authority expressing the need of additional human resources, the name of the employee or employees it wishes to recruit, the reasons to conclude that said employees are the ones needed to address the new functions or programs or to broadening the programs under development, title of the classification and location of the position to be covered. Both agencies will reach a formal agreement and ensure that the transfer is not onerous to the employee.

8.13.3. The Human Resources Division of the agency in which the employee works will prepare a written notification to the employee informing him thirty (30) days in advance of the decision to transfer it due to service needs, the date of effectiveness, class title, location of the position, status and right to appeal to the Personnel Administration System Board of Appeals in the term of thirty (30) days, if it considers that its rights have been violated. If the employee has probationary status, it will be accredited the period of services rendered and in the notification it will be informed of the accreditation. The nominating authority of the agency in which the employee renders services will sign the notification. If the transfer is interagency, the employee will be informed the place and official to whom he must report to take possession of the position. When due to emergency situations or unforeseen circumstances, the transfer cannot be notified thirty (30) days in advance, the reasons for such exception to the general rule will be indicated in the notification to the employee. The agency transferring the employee will provide the communication and require it to sign and indicate the date of receipt on the copies, as evidence of receipt.



8.14. Transfers due to an employee used in another dependency


Transfers due to service needs when it is determined that the services of an employee may be used more advantageously in another dependency of the same agency or in another agency due to its knowledge, experience, skills or special qualifications, particularly in cases where it has acquired more knowledge and developed greater abilities as a result of training. The above-mentioned process will be followed with the following exceptions:

- 8.14.1. The agencies must concretely establish what is the knowledge, experience, skills or special qualifications which the employee has and which is the basis to establish with reasonable certainty that the services will be more advantageously used in the other position, and that said qualifications of the employee are related to the functions of the position to which it is going to be transferred. The results of the periodic evaluations which are formally made of the employees based on the Evaluation System adopted by the agencies may be used as basis to show the development of the employee to perform other positions, which although the same or similar in functions, require special or particular knowledge, skill and experience.
- 8.14.2. The notification of transfer will specify to the employee what are the special or particular qualifications it is going to use more advantageously and the relation these hold to the functions of the position to which it is being transferred.

8.15. Transfers when it is necessary to rotate the personnel to train in other areas


The agency will decide to rotate employees to train in other areas based on the Training Plan approved to satisfy the specific needs of the agency.

- 8.15.1. The employee's supervisor will determine in what areas it must be trained and will notify the Human Resources Division.
- 8.15.2. The Human Resources Division will identify where the same position or one similar in functions to that occupied by the employee is located, and where the activities in which it needs the employee to be trained are developed.
- 8.15.3. If the position is located in another agency, the nominating authority of the agency where the employee works will contact in writing the other nominating authority informing it of its need to train its personnel in other areas; the specific area in which it needs they be trained, employee name, salary earned, fringe benefits and incentives enjoyed, title of the class and location of the position occupied.

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8.15.4. Both agencies will reach a formal agreement. And the agency where the employee works will ensure that the transfer is not onerous to the employee. In this agreement, everything regarding the position to which the employee will be transfer will be decided such as salary, fringe benefits, incentives, classification title and location. Thereafter the Appointments and Changes Technician will proceed as follows:

- a. It will notify the employee's supervisor of the need to transfer the employee to train in other areas specifying the particular training area.
- b. It will establish the equivalency between the classes, if necessary, and verify that the employee meets the requirements of the new position prior to the effectiveness of the transfer.
- c. It will prepare a written notification to the employee informing it thirty (30) days in advance, the date of effectiveness of the transfer, and the expiration date, the granting of a leave without pay for the duration of the transitory appointment, the reasons for the transfer, title of the class to which it is transferred, location of the position, status and its right to appeal before the Personnel Administration System Appeals Board, within the term of thirty (30) days if it considers that its rights have been violated. If the employee has probationary status, the period of services rendered will be accredited and the notification will inform the accreditation and the period evaluations to be made. The nominating authority of the agency in which the employee works will sign the notification. If the transfer is interagency, it will inform the employee the place and the official to whom it must report to take possession of the position. When due to emergency situations or unforeseen circumstances, the transfer cannot be notified thirty (30) days in advance, the reasons for such exception to the general rule will be indicated in the notification to the employee. The agency transferring the employee will provide the communication and require it to sign and indicate the date of receipt on the copies, as evidence of receipt.

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Thereafter it will continue with the aforementioned steps with the following exceptions:

- d. Change Report, the agency in which the employee works will complete the section of granting of leave without pay prior to the change.
- e. The transfer will be effective on the date the leave without pay is granted.
- f. If the transfer is interagency, the file will not be sent to the other agency.
- g. The information regarding the position will not be eliminated from the Positions and Employees Roster and the granting of the leave without pay will be indicated.
- h. The person in charge of training of the agency transferring the employee will follow-up the development of the personnel training.

8.16. Transitory Transfers

The transitory transfer arises when the agency issues a certification of eligible persons by virtue of a special recruitment and selection procedure to cover with a transitory nature a regular position or of fixed term. When the person selected in said certification occupies a regular position with the same or similar functions in the career service with regular or probationary status, the change will be processed as a transitory transfer. The agency may opt to consider and select employees who hold regular positions with the same or similar functions in the career service with regular or probationary status, in its agency, or in other agencies which are Individual Administrators, with the consent of the other agency to cover positions of fixed term or regular positions with a transitory nature and it will also be considered as a transitory transfer. After selecting the employee who is going to temporarily occupy the position, the Appointments and Changes Technician of the agency will proceed as follows:

- 8.16.1. Follow the aforementioned steps
- 8.16.2. Advise the candidate to request a leave without pay in the agency where it works, to render temporary services for the term of the duration of the transfer.
- 8.16.3. If the employee worked in another agency it will send a communication to the nominating authority indicating the following:
 - a. Notification that the employee was selected, that the change is a transitory transfer, its duration and the class of position (fixed term or regular position), if selected from a certification of eligible persons it will inform the number of the certification, classification and location of the position for which selected and indicate that the employee was advised to request a leave without pay.



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- b. Inform the date on which the transitory transfer will be effective, within the term of thirty (30) natural days as of the date of expiration of the certification of eligible persons.
 - c. Request the submittal of the Change Report granting the leave and authorizing the change. It will also request a certification of time worked and salaries earned in order to determine the eligibility to the Christmas Bonus.
- 8.16.4. If the change is within the agency, from work unit to another, it will send a memorandum to the head of the unit in which the employee renders services, notifying that the employee was selected, that the change is a transitory transfer, its duration, and the class of position (fixed term or regular position), if selected from a certification of eligible persons, it will inform the number of the certification, classification and location of the position for which selected and will indicate that it advised the employee to request a leave without pay. If the change is in the same work unit in which the employee renders services, it will inform the head of the unit the date on which the transitory transfer will be effective. Copy of this communication will be sent to the employee.
- 8.16.5. Upon receiving the Change Report sent by the other agency, it will proceed to verify that all the sections before the change are completed, those regarding the granting of leave, that it is signed by the nominating authority in which the employee works, verify that the name and Social Security number corresponds to the employee selected, that the letter requesting the leave without pay of the employee is received and review that the title of the class of position it occupies in the other agency corresponds to the one indicated by the employee. If the change is within the agency, it will confirm that the employee has requested the leave without pay.
- 8.16.6. It will prepare a notification of transitory transfer to the employee informing the title of the classification, functional title, number and location of the position, class of position (regular or fixed term), status, date of effectiveness and termination. If the employee is a participant of the Commonwealth of Puerto Rico Employees Retirement System, it will inform that while it is occupying the position with transitory nature it will not participate in said System.
- 8.16.7. If the transitory transfer is from one agency to another it will follow the procedure established for promotion by certification of eligible persons from one agency to another.

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8.17. Demotions



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for entering Employee Data into FiMaS begin on page 4 and page 29.

8.18. Demotions at the Request of the Employee


Employees who occupy positions in career service with probationary or regular status who wish to move to other positions with functions of a lower level with directly request the agency in which they wish the demotion. When the agency is going to cover a position it may opt to select an employee who has requested a demotion. In this case it must obtain the consent of the agency where the employee works. The demotion at the employees request is also that which arises from the selection of a candidate from a certification of eligible persons. Once the employee who is going to occupy the position is selected, the Appointments and Changes Technician of the agency will proceed as follows:

- 8.18.1. When the equivalency between both classes is not established the Job Description Forms will be sent of the position occupied and the position to be covered, or instead the specifications of the classes and resume of preparation and experience.
- 8.18.2. If the employee works in another agency it will send a communication to the nominating authority:
 - a. Indicating demotion instead of promotion
 - b. If the demotion is not by certification of eligible persons it will notify the selection and reason for the same.
- 8.18.3. If the demotion is within the agency, the steps discussed in the transfer or promotion transactions will be followed.
- 8.18.4. It will continue with the procedure established for promotion by certification of eligible persons from one agency to another.

8.19. Demotions Due to Elimination of Positions


These arise when in the process of decreeing dismissals it is determined that the only alternative to avoid them is to demote the employees. The Appointments and Changes Technician of the Agency will proceed as follows:

- 8.19.1. Before offering the employees the vacant positions at a lower level, it will make sure that they meet the minimum requirements to occupy them. If necessary,

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it will require the employee to submit evidence to determine it meets the requirements.

- 8.19.2. Submit to the Classification Analyst the documentation necessary to establish the equivalency.
- 8.19.3. Prepare written notification to the employee offering the position, informing the reasons for offering the demotion, and all the conditions regarding the demotion, the title of the class, location of the position, salary and status. If the employee has probationary status the period of service rendered may be accredited and it will be informed in the notification of the accreditation and the periodic evaluations to be formalized. This notification will be signed by the nominating authority and the employee will be required to notify in writing the acceptance or rejection of the demotion offer.
- 8.19.4. If the employee accepts the demotion in writing, and the change is interagency, the employee will be informed the place and official to whom it must report to take possession of the position. The agency demoting the employee will provide the communication and require it to sign and date the copies as evidence of receipt and will prepare and send to the agency to which it demotes the employee the following:
 - a. Change Report with the sections prior to the change and those regarding the communication and the use of the leave, and overtime accumulated sections duly completed.
 - b. Employee file including the documents regarding the offer and acceptance of the demotion, together with a certification of the documents included in the file.
 - c. Certification of time worked and salaries earned in order to determine the eligibility for the Christmas Bonus. This is unnecessary if the change is effective on December 1st.
- 8.19.5. The steps discussed in transfer, etc., transactions will be followed.
- 8.19.6. It will eliminate the employee and the position information in the Position and Employees Roster and will include in the columns corresponding to the position it will occupy in demotion.
- 8.19.7. Thereafter, it will continue with the procedure established in the promotion by certification of eligible persons from one agency to another or for promotion by certification of eligible persons within the agency.

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9. Procedure Description - Suspension, Removal, Resignation, Separation And Dismissals

9.1. Suspension from Employment and Salary

When an employee infringes the rules of conduct or its duties or obligations or does not comply with the productivity, efficiency, order and discipline criteria established, the Work Unit Head in which the employee works may proceed to put in writing the prevailing situation it understands justifies taking disciplinary measures, which could result in a suspension from employment and salary. If documents exist which sustain the issue, such as evidence of verbal or written warnings, they will be included with the report.

- 9.1.1. The supervisor will send this communication to the official, designated officially by the nominating authority to investigate and determine whether there proceeds to take any disciplinary measure in the case.
- 9.1.2. Said official will carefully investigate all the circumstances of the case, will delve in the motivations and considerations which may have influenced the employee, examine and evaluate all the evidence objectively and make a decision within the term of ten (10) working days as of the date it received the aforementioned communication.
- 9.1.3. If it is determined that the facts and evidence presented justify taking a disciplinary measure, it will proceed to file the charges in writing and the applicable disciplinary measure. This notification of filing of charges will relate clearly and precisely the details, causes or specific ground the determine that a disciplinary measure must be applied; the employee will be advised of its right to request an informal administrative hearing within the term of fifteen (15) working days from the date of receipt of the notification; it will be informed that after the hearing or after the term of fifteen (15) working days has passed, without having requested it, the disciplinary measure will be applied.
- 9.1.4. The person designated by the agency will deliver the notification of filing of charges, duly signed by the nominating authority; require the employee to sign the copies and indicate the date of receipt as evidence that it was notified.
- 9.1.5. When the filing of charges is grounded on the misuse of public funds or establishes that there are reasonable motives to believe that a real hazard exists to the health, life or morals of the employee or of the people in general, the employee may be suspended prior to the informal administrative hearing. In this event, the notification of filing of charges will, in addition to the above, inform the employee that it will be suspended from employment and salary for the time determined, the specific reason which justifies taking this disciplinary measure prior to the hearing and it will be advised of its right to appeal before



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the Appeals Board of the Personnel System within the term of thirty (30) calendar days from the receipt of the notification.

- 9.1.6. After the informal administrative hearing or if the fifteen (15) working have expired without the employee having requested the hearing, and in the shortest term possible, the nominating authority will confirm in writing to the employee the disciplinary measure applicable. This notification will inform the employee that the disciplinary measure consists of a suspension from employment and salary; the number of working days it will be suspended; that the effectiveness will be as of the date on which it receives the notification; that the decision is grounded on the charges previously filed and should there be additional, eliminated or amended charges, it will also be advised of its right to appeal before the Board of Appeals of the Personnel Administrative System within the term of thirty (30) calendar days from the receipt of the notification and that it must return to its position on the working day following the expiration of the suspension.
- 9.1.7. The supervisor or official designated by the nominating authority will deliver the notification of the disciplinary measure, duly signed by the nominating authority; require the employee to sign the copies and indicate the date of receipt as evidence that it was notified.
- 9.1.8. In the event that the employee has been suspended from employment and salary prior to the administrative hearing, the employee will be notified the disciplinary measure to be finally applied. If it consists of a suspension from employment and salary, the notification informing the employee must clearly state, in addition to the above, if the period of time it is going to be suspended is in addition the one originally informed him in the notification of the formulation of charges. In this event, the final decision of the disciplinary measure to be applied will not be after the date on which the original suspension expires.
- 9.1.9. If for any reason the agency cannot personally deliver to the employee the notification of formulation of charges and of the disciplinary measure, it will send it by certified mail return receipt requested, or use any other means that may evidence without any doubt, the fact that the employee was notified.
- 9.1.10. The notification of charges and of the disciplinary measure signed and dated by the employee will be filed in the personnel file together with the Change Report.
- 9.1.11. The action taken will be included in the Positions and Employees Roster.
- 9.1.12. In the Change Report there will be completed the sections corresponding to the name of the employee, title of classification, number and location of the position, salary and status of the employee prior to the change; in the section of salary after the change will be written the phrase "without pay"; the section

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of the date of effectiveness will not be completed, in the section of suspension from employment and salary there will be indicated the date of effectiveness and expiration and the number of working days of the suspension. In the section of observations will be informed the date of the working day (that the employee will return, which will correspond to the working day immediately following the expiration of the suspension; the work shift, when it does not comprise the days from Monday to Friday as working days and Saturdays and Sundays as days of rest.

9.1.13. Detail and distribute the Change Report.

9.2. Removal

In cases of removal, the same procedure as in suspensions from employment and salary will be followed with the following exceptions:

- 9.2.1. It will indicate as disciplinary action removal instead of suspension.
- 9.2.2. The date of termination will not be indicated and therefore there is no right to reinstatement.
- 9.2.3. In the notification of the disciplinary measure, the employee will be informed that the removal has the effect of declaring it ineligible to take tests to occupy public charges. The Human Resources Director will orient it on the process of habilitation in order to return to public service.
- 9.2.4. In the Change Report only the sections prior to the change will be completed; in the section of removal it will indicate the date of the last day of work, state the annual leave granted, if any, date of separation (last day of pay) and in the section of observations it will inform the date of effectiveness of the removal when it is not the same as the date of separation (last day of pay).

9.3. Resignations

Any employee may resign from its position freely through written notification to the Nominating Authority. This communication will be made no less than fifteen (15) days prior to its last day of work. The Nominating Authority must notify the employee within the term of fifteen (15) days of having submitted the resignation, whether it accepts or rejects the same. The procedure is the following:

- 9.3.1. The employee will write a letter of resignation in original and copy addressed to the nominating authority.
- 9.3.2. If the resignation is accepted, it must be submitted to the Appointments and Changes Technician.



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- 9.3.3. The Technician will receive the letter of resignation; study the employees file and the reasons for the resignation to determine the possibilities that it may be eligible for a pension from the Commonwealth of Puerto Rico Employees Retirement System.
- 9.3.4. The Technician will deliver to the employee the certification of delivery of the property, thereafter the Payroll and Attendance Supervisor and the Fringe Benefits Technician, will advise him about the documents to be processed and the possible rights and benefits it may be eligible to and about the process to follow, if it resigns without opting for the benefits of the Retirement System or if the file shows that it could have them.
- 9.3.5. Send the letter of resignation to the person in charge of leaves and to the Payroll Unit.
- 9.3.6. Include in the Positions and Employees Roster the date of effectiveness of the resignation and eliminate the name, Social Security number, salary of the employee in the columns corresponding to the position.
- 9.3.7. Prepare a communication to the employee notifying him of the official acceptance of the resignation.
- 9.3.8. If the employee has regular status, it will advise it of the right to return, except in cases in which the resignation is to receive the Retirement System benefits.
- 9.3.9. Prepare the Change Report, notifying the employee=s resignation, detail and distribute the copies of the Change Report.

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9.4. Separation

9.5. Separation of Probationary Employees

- 9.5.1. Notify in advance the work unit head in which the employee works, the date on which the probationary period expires and request that the Final Report on Performance of Probationary Employees- OP-35-Revised be provided.
- 9.5.2. If the employee does not pass the probationary period, the supervisor will send the Final Report on Performance of Probationary Employees OP-35-Revised, together with a certificate of delivery of property. This final report may be received because the probationary period is about to expire or because the supervisor determines, at some time during the probationary period, that the employee must be separated due to the fact that its services, habits or attitudes are not satisfactory.
- 9.5.3. The Appointment and Changes Unit will analyze the recommendations made and determine if the separation proceeds. The decision to separate the employee must clearly state if the reasons are due to the services it renders or due to its habits or attitudes. If the recommendation is based on habits or attitudes of the employee, it will be decided if there proceeds to separate the employee by removal.
- 9.5.4. If the recommendation to separate the employee on probationary period is due to its services being unsatisfactory, and not due to its habits and attitudes, the Appointments and Changes Technician will proceed to examine the file to determine if the employee has a right to reinstatement. If the employee occupied a position in the career service with regular status immediately before, the Personnel Section will commence efforts to reinstate it in a position in the same class or in a similar class to the class of position it occupied with regular status. The date of effectiveness of the reinstatement will be the day following the date of effectiveness of the separation.
- 9.5.5. If the employee rendered services in another agency with regular status an equivalency study will be made.
 - a. After the determination is made of the class of position in which the reinstatement will be processed, it must be ensured that there is a vacant position in said class, which geographical location is not onerous to the employee, except that the employee accepts it in writing; verification that the employee meets the minimum requirements for the class when the reinstatement is of a similar class and verify the requirements of driver=s license or license to exercise the profession or membership in professional association, including when the reinstatement is to the same class (if applicable).



- 9.5.6. When the agency which separates the employee cannot reinstate it in one of its positions because it has not vacant positions in the same class or in a similar class or because the geographical location of the vacant positions is onerous to the employee and it refuses the same in writing, it will prepare a certification signed by the nominating authority indicating the situation.
- 9.5.7. If the employee worked before in another agency, the Nominating Authority will be notified in writing of the situation so that it commences the reinstatement process. If reinstatement in the agency in which the employee worked is not possible because the aforementioned situations exist, which prevent the reinstatement, the Appointments and Changes Technician will prepare a certification signed by the nominating authority indicating such situation and will remit it to the agency who made the request.
- 9.5.8. The agency which separates the employee will maintain a full record of the efforts made to reinstate the employee and of the certifications signed by the nominating authorities of the agencies in which the reinstatement could not be made and of the employee's written rejection of said offer.
- 9.5.9. It will notify the employee in writing the decision to separate it in the probationary period, the reasons, the date of effectiveness, the last day of work when both days do not concur. It will advise it of its right to appeal before the Appeals Board of the Personnel Administration System within the term of thirty (30) calendar days as of the date of the notification and will include copy of the last evaluation. This notification, duly signed by the nominating authority and enclosing the last evaluation will be delivered to the employee no less than ten (10) calendar days prior to the date of the effectiveness of the separation. It will be required to sign the copies retained by the agency as evidence that it received the notification and indicating the date of receipt. If the employee has the right to reinstatement and it is going to be made in the same agency from which separated, the notification will also indicate the date of effectiveness and taking of possession, title of the classification, salary, location of the position and will include the Job Description Form (OP-16) of the position it is going to occupy. It will deliver the notification to the employee together with the Job Description Form (OP-16) and will require it to sign it as well as the copies to be retained by the agency. If the employee has the right to reinstatement and it is going to be made in another agency, the notification will include the information mentioned above with the exception of the Job Description Form (OP-16).
- 9.5.10. It will notify the person in charge of the leave and the Payroll Unit the action to be taken with the employee.
- 9.5.11. It will enter in the Positions and Employees Roster the date of effectiveness, the reason for the separation, the agency or agency program in which the employee will be reinstated if it has the right to be reinstated and eliminate the



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information regarding the employee in the columns corresponding to the position. When the reinstatement is made in the same agency from which it is separated, it will enter the information of the employee in the columns corresponding to the position to which it is reinstated.

- 9.5.12. Prepare the Change Report (OP-15), complete the items prior to the change, those corresponding to the date of effectiveness of the separation in probationary period and in comments will indicate the reason for the separation (if it was for service, habits or attitudes).
- 9.5.13. If the employee has the right to reinstatement and it is processed in the same agency, it will proceed to complete the items after the change with the information corresponding to the position in which it is reinstated. It will indicate the date of effectiveness in the corresponding item in the column after the change; prior to the change it will not indicate any date. In the observations item it will indicate that the reinstatement is due to the separation in the probationary period.
- 9.5.14. Detail and distribute the Change Report (OP-15)
- 9.5.15. If the employee has the right to reinstatement and it is processed in another agency, it will proceed to send to the other agency the Change Report (OP-15), together with the employee's file and copy of the notification of separation indicating the date and containing the employee's signature.

9.6. Separation of Transitory Employees

- 9.6.1. The Personnel Section will previously determine the transitory appointments, which are soon to expire. In the cases of termination of transitory appointments in regular positions, because the incumbent was removed and has appealed the action before the System's Appeals Board, the date will be the most proximate within the period of time in which the agency learns of the final decision of said Board.
- 9.6.2. The Appointments and Changes Technician will inform the employee and the head of the work unit, the Payroll and Attendance Unit Supervisor where it works, the date on which the term of the appointment expires and the date of its last day of work, when said date does not concur with the date of effectiveness of the separation.
- 9.6.3. It will enter in the Job and Transitory Employees Roster the date of effectiveness of the separation and eliminate the information of the employee, in the columns corresponding to the position. It will also eliminate the information of the position when it is of a fixed term and expires on the same date as the employee's separation.
- 9.6.4. It will prepare the Change Report (OP-15), of separation and attach copy of the separation communication sent to the employee.



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9.6.5. When the employee=s separation is processed prior to the expiration of the appointment term, or if the circumstances for which it was appointed cease, or in cases in which an expiration date cannot be set, a written recommendation of the employee=s supervisor will be required in which it requests the separation and justifies its decision in concrete terms.

9.6.6. The Appointments and Changes Technician will prepare a communication for the signature of the Nominating Authority in which it will notify the employee the decision to separate him, inform the date on which the separation will be effective and the last day of work when both dates do not concur. If the employee occupied the position by virtue of a promotion or transitory transfer, it will notify the other agency about this action and will proceed to reinstate the employee in its permanent position as applicable. Thereafter, it will proceed with steps number 2 and 3 of this Section.

9.7. Separation for conviction of a felony or for any crime

Separation for conviction of a felony or for any crime, which implies moral depravation, or infraction of its official duties (Article 208 of the Political Code).

9.7.1. The unit head in which the employee works, or the Head of the Legal Division or the person corresponding within the organizational structure of the agency, will notify the Head of the Human Resources Division, that the employee was convicted of a felony or of a crime which implies moral depravation or infraction of its official duties, that for such reason the position is vacant and the employee separated from its position. It will include copy of the Judgment of the Court with the notification.


9.7.2. The Appointments and Changes Technician will review the documents received. If any doubts arise about this matter, it will consult with the Legal Division of the agency and will make sure that Article 208 of the Political Code is applicable to the case.

9.7.3. It will notify the Payroll and Attendance Supervisor.

9.7.4. When the documents received show that the employee's supervisor has no knowledge of the situation it will notify him in writing. It will enter in the Job and Employees Roster the reasons for the separation, its date of effectiveness and eliminate the information about the employee in the columns corresponding to the position.

9.7.5. It will indicate as date of effectiveness the date on which the Court convicted him.

9.7.6. It will notify the employee in writing the reasons for the separation, the date of effectiveness, and the scope of Article 208 of the Political Code and everything

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regarding the ineligibility and habilitation to occupy public positions. The nominating authority will sign the notification.

9.7.7. It will prepare the Change Report (OP-15) and proceed to detail and distribute it.

9.8. Separation Due to Obligatory Retirement

9.8.1. After the Fringe Benefits Technician determines that the employee is soon to reach the regulatory age and takes the steps established, the Appointments and Changes Technician will notify the Payroll and Attendance Supervisor about the action taken.

9.8.2. It will enter in the Job and Employees Roster the date of effectiveness, the reason for the separation and eliminate the information about the employee from the columns corresponding to the position.

9.8.3. Prepare a communication to the employee notifying him of its separation from the service, by reason of having reached the obligatory retirement age. The nominating authority will sign the communication.

9.8.4. It will prepare the Change Report (OP-15), indicating as date of effectiveness the date on which it reaches the regulatory age, it will detail and distribute it.

9.9. Separation Due to Occupational or Non Occupational Disability Annuity

9.9.1. After receiving the communication sent by the Retirement Systems Administrator notifying that the employee has been approved a pension for occupational or non-occupational disability, the Appointments and Changes Technician will inform the employee and its supervisor of the decision made.

9.9.2. It will refer the communication to the Payroll and Attendance Supervisor.

9.9.3. Will enter in the Job and Employees Roster the effectiveness of the separation and eliminate the employee=s information from the columns corresponding to the position.

9.9.4. Prepare the Change Report (OP-15). The date of effectiveness will be the date of the communication of the System Administrator, in cases in which the employee is enjoying any type of leave. If the employee is in active service the date of effectiveness will be as soon as possible. It will detail and distribute the Change Report OP-15.




9.10. Separation Due to Loss of License or Professional Association Membership

- 9.10.1. The Unit Head in which the employee works will notify the Personnel Section, as soon as it learns that the driver's license or the license to practice the profession or membership in professional association has been cancelled by the pertinent authorities, provided said license is required to occupy the position. Together with the notification it will send the official document which evidences the loss of such license or membership in professional association.
- 9.10.2. The Appointments and Changes Unit of the agency will review the documents received, will make sure that the license or professional association membership has been cancelled, that its possession is an indispensable requirement to occupy the position.
- 9.10.3. It will notify the Payroll and Attendance Supervisor of the separation.
- 9.10.4. It will enter in the Positions and Employees Roster the reasons for the separation, the date of effectiveness and eliminate the information about the employee from the columns corresponding to the position.
- 9.10.5. It will notify the employee in writing of the separation, the reasons and the date of effectiveness. The notification will be signed by the nominating authority and will refer to the written orientation provided when it took possession of the position regarding the license or membership in professional association.
- 9.10.6. It will prepare the Change Report OP-15. The date of effectiveness will be the date on which the license or professional association membership is cancelled or expires and it will proceed to detail and distribute it.

9.11. Separation by Death

- 9.11.1. When the Appointments and Changes Technician receives the notification of the death of an employee it will require a copy of the Death Certificate issued by the Registry of Vital Statistics.
- 9.11.2. After receiving the Death Certificate it will refer the notification to the Payroll and Attendance Supervisor.
- 9.11.3. It will enter in the Positions and Employees Roster the date of death and eliminate the information related to the deceased employee (name, Social Security number, salary) in the columns corresponding to the position.
- 9.11.4. It will organize the review the file of the deceased employee.
- 9.11.5. It will prepare the Change Report (OP-15) notifying the employee's death and detail and distribute the same.
- 9.11.6. The Fringe Benefits Technician will orient the deceased employee's relatives about matters such as the payment of a lump sum, Retirement System and

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Employee Association benefits, and debt contracted by the employee with the agency.

9.11.7. Tabular Summary of Procedure

Proceed in the same manner as the Tabular Summary of Procedure of resignations except the notification and advice of the right to appeal.


9.12. Dismissals

9.12.1. Establishment of the Plan

The Board maintains a Plan to the effect of decreeing dismissals in the event it is determined that an employee is physically disabled to perform the essential functions of the position or due to the elimination of positions due to lack of work or funds. This Plan includes all the steps, from the subdivision of the agency if necessary, order of priority, relocation of personnel through different actions up to the last step of dismissal of personnel.

9.12.2. Tabular Summary of the Procedure

Proceed with the same process as the resignations except the notification of the right to appeal and informal hearing.

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10. Procedure Description - Leaves

10.1. Leave Without Pay

The leave without pay is a leave granted to the employee to be absent from work during certain and determined period. The procedure to process these leaves is described below:

10.1.1. Family Medical Leave:

- a. The employee must request the leave thirty (30) days in advance together with the form (OP-13). Request for Vacation duly completed and the medical certification when its use is foreseeable.
- b. Notify the Payroll and Attendance Supervisor.
- c. After analyzing the case, a communication will be prepared addressed to the employee for the signature of the nominating authority, indicating the effectiveness of the leave, type of leave and day of reinstallation.
- d. Preparation of the Change Report, complete the items prior to the change, then after the change in the salary item it will enter the phrase Without Pay, enter the date of effectiveness, in item 29 types of leaves it will enter without pay and indicate its duration and will later proceed to complete the comments box.
- e. Detail and distribute the Change Report.

10.1.2. Military Leave:

This will be granted when said active military service is in excess of thirty (30) days. Nevertheless, at the employee's request said excess may be charged to the vacation leave it has accumulated.


- a. The employee must complete the Vacation Request (OP-13) together with the evidence from the National Guard.
- b. The same procedure of Family Medical Leave will be followed.
- c.

11. Reinstatements

11.1. Reinstatement of Leaves and/or Suspensions

11.1.1. The Work Unit Head in which the employee works will notify the Appointments and Changes Technician the date on which the employee returned to work.

11.1.2. It will prepare the Reinstatement Change Report. It will complete the items before the change, with the difference that in salary it will write the phrase without pay@ before the change and after the change it will inform the monthly

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salary and write the date of effectiveness of the reinstatement after the change, which will correspond to the day following the expiration of the leave.

11.1.3. Detail and distribute the same.

11.2. Reinstatement of Confidence Employees

11.2.1. After it is determined that the employee has the absolute right to return to a career position proceed to process said reinstatement in a position of the same or similar classification to the last occupied with regular status in the career service. The Appointments and Changes Technician will prepare the Change Report completing the items before the change, and after the change it will enter the new salary, classification, status and category and location of the position. It will later include the comments in the observation section.

12. Procedure Description - Compensation Changes

One of the most common ways to update job data is by changing an employee's salary. Change an employee's pay rate in either the Pay Rate Change component or the Job Data pages. The information that is updated is the same in either component, but the Pay Rate Change component is particularly useful if you only want to change the salary amount (not a promotion or transfer), because this is a smaller component and is quicker to use. The three pages in the Pay Rate Change component, Employee Profile, Salary Plan and Compensation match related pages in the Job Data Table.

12.1. Individual Changes




See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for changing Employee Data into FiMaS begin on page 29.

12.1.1. HR Division receives and analyzes the request.

- a. The Program requests a salary increase for an employee. A request is formally send to the HR Division for analysis.
- b. • The HR Division receives the salary request. After analyzing the request, if approved, it is sent to the Budget Division for approval. If it is not approved, a written communication is sent to the Program supervisor.

12.1.2. Send request to Budget Division for approval.

- a. The HR Division sends the request to the Budget Division.

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12.1.3. Budget Division receives and analyze the request.

- a. Once the Budget Division receives the compensation change request, it is analyzed and if approved it is signed and sent back to HR. If the request is not approved a Recommended Action Notification is sent to the HR Division and routed to the Program supervisor.

12.1.4. Sends signed request to HR Division.

- a. After is signed, the request is sent back to HR Division.

12.1.5. OP-15 is filled and send out to the President's Office for signature.

- a. The HR fills an OP-15 form and routes it to the President's Office for signature. If the form is not approved it is sent back to HR for a written communication to be issued to the Program.

12.1.6. HR Division receives OP-15 and distributes copies.

- a. After approval, the document is sent to the HR division for distribution. A copy of the OP-15 is sent to the following areas: Payroll Section, Employee, Employee file and Employee Retirement file.

12.1.7. HR Analyst enters the transaction in Job Data Pages.

- a. The analyst enters the transaction in PeopleSoft Job Data component.

12.1.8. HR issues a written communication to Program.

12.1.9. Sends Recommended Action Notification to HR Division.

12.2. Mass Changes



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for mass changes on Employee Data into FiMaS begin on page 35.

12.2.1. Send a copy of new legislative salary increase.


- a. ORHELA sends a letter to the HR Division indicating a legislative salary increase, with a copy of the new law.

12.2.2. HR Director delegates the mass transaction to the HR Analyst.

- a. The HR Director delegates this process to an HR Analyst.

12.2.3. Specify the selection criteria for the Mass Salary Change and route necessary data to Support Team.

- a. The HR analyst identifies the selection criteria for the increase and sends the information to the Support Team.

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12.2.4. Support Team configures the Mass Change Tool for Salary Changes based on HR's selection criteria.

- a. The Support Team will configure the Mass Change Tool based on the data received.

12.2.5. Produce preliminary list of salary changes by employee.

- a. Run preliminary results until the HR analyst approve the results.
- b. After analyzing the request, if approved, it will run the process. If it is not approved, it will go back to configure the criteria.

12.2.6. Process Mass Change.

- a. Once HR approves the results, the Support Team will process the Mass Change. Job Data will be updated with the new effective date of the salary increase and the specified Action Reason.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for mass changes on Employee Data into FiMaS begin on page 35.

12.2.7. HR Analyst reviews and runs electronic OP-15.


- a. The HR analyst initializes the electronic OP-15 form after verifying the information in the system. The form is sent to the President's Office for signature.

12.2.8. OP-15 is sent to the President's Office for signature.

- a. The President signs the OP-15 and sends it back to HR Division.

12.2.9. HR Division receives OP-15 and distributes copies.

- a. After approval, the document is OP-15 is sent to the following areas:
- b. Payroll Section.
- c. Employee.
- d. Employee file.
- e. Employee Retirement file.

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13. Procedure Description - Personal Data

Use the Personal Data table to update a person's name, address, phone numbers, marital status, education, and other personal information. The Personal Data pages include two different types of personal data:

- **Effective-dated data.**
Name, address, marital status, and whether a person is a smoker or nonsmoker are all effective dated fields. Enter current, historical, or future information in these fields. When new information takes effect, the system stores the old data so that changes can be tracked over time.
- **No effective-dated data.**
Some personal data fields aren't linked to an effective date. Only current information is stored. In these fields, new entries overwrite and delete previous entries.

13.1. General Procedure

13.1.1. Employee submits a name or address change request to HR Division.

- a. An employee submits a change of name or address form to the Human Resource Area.

13.1.2. Receive the request and route it to the HR Analyst.

- a. The HR Division routes the data to an HR Analyst.


13.1.3. Enter changes in PeopleSoft with the specified effective date.

- a. The HR Analyst verifies the employee file and enters the transaction in PeopleSoft inserting a row with the effective date of the change in the Modify a Person Menu, Biographical Details page and Contact Information page, and updating the row with the corresponding, current employee data.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for change employee personal data into FiMaS begin on page 29.

13.1.4. HR Analyst initials the request once it is registered in the system, and files it in the employee's file.

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14. Position Management

EQB's HR division uses positions to track details of a particular job in a particular department or location that have a one-to-one relationship with employees. EQB's system is structured by position; data is attached to the positions and employees are moved in and out of these positions. The Position Management business process is the process of creating or updating positions. The "Clasificación y Retribución" Section is in charge of maintaining all of EQB's positions. To create a new position, the request must go through approvals by the President's and Budget's divisions. EQB has two kinds of positions: Regular Positions and Temporary Positions.

- Regular Positions are typically occupied for a long period of time and remain static unless the position is reclassified.
- Temporary Positions are occupied for short period of time and the majority are seasonal (e.g. Summer Openings).

14.1. General Procedure

14.1.1. Request a position creation or reclassification.

- a. A Program sends request to the HR Division. The HR Division delegates the transaction. The Classification y Retribution Division receives and analyzes the request.
- b. This Division analyzes the request. If is not approved, a written communication is sent to the Program with reasons of not approving.

14.1.2. Send request to the President's Office for approval.

- a. If the Classification y Retribution Division approves the request, it is sent to the President's office for approval.

14.1.3. Receive the approval from the President's Office and route the request to Budget Division.

14.1.4. The Budget Division receives and analyzes the request.

- a. They analyze the request and if is not approved a Recommended Action Notification is sent to the HR Division and forwarded to the Program's Supervisor.

14.1.5. Send approved request to HR Division.

- a. If the Budget Division approves the request, it is sent to the HR Division.

14.1.6. Enter the transaction in PeopleSoft Position Data Pages.

- a. The HR division enters the new position or changes in the Position Data table. If a change occurs to a currently occupied position and a



budgetary impact will take effect, the Update Incumbent field will be unchecked and the transaction will be done in the Job Data record. When a vacant position is updated and does not have a budgetary effect, the Update Incumbent field box will remain checked.

14.1.7. Send recommended action notification to HR.

- a. If the Budget Division rejects the request, a Recommended Action Notification is sent to the HR Division and forwarded to the Program's Supervisor.

14.1.8. Issue written communication to the Program.

- a. The program is notified in writing that the request has not been approved.

14.1.9. Verify position information and create an OP-15 for position changes that result in a Job Reclassification.

- a. The HR analyst verifies the position information. If the position change affects an employee's record; an OP-15 form is created and sent for signature to the President's Office.


14.1.10. Send OP-15 to the President's Office for signature.

14.1.11. Enter Job Reclassification transaction in Job Data.

- a. The job change is entered by the HR analyst in Job Data.

14.1.12. Receive OP-15 form and distribute copies.

- a. A copy of the OP-15 is distributed by the HR division to the following areas:
- b. Payroll Section.
- c. Employee.
- d. Employee file.
- e. Employee Retirement file.
- f.

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15. Procedure Description - Benefit Processing

15.1. Retirement Enrollment

When an employee is hired or rehired, Law 305 (Ley 305) requires enrollment in one of the government mandated retirement plans. During the new hire/rehire orientation, the employee is given form ASR-BE- 014 (Cambios al Programa de Cuentas de Ahorro para el Retiro) to complete. When the ASR-BE-014 form is returned to HR, the information is entered into the PeopleSoft system manually. During the manual retirement enrollment, the HR division determines if the employee is to receive any permanent differential pay as compensation. If differential pay is included, the employee is enrolled in GPR Differential Retirement.

15.2. General Procedure

15.2.1. Hire or re hire employee.


- a. Employee is hired or rehired and their record is entered into the PeopleSoft System.

15.2.2. Give employee form ASR-BE-014 "Cambios al Programa de Cuentas de Ahorro para el Retiro".

- a. The Retirement Coordinator provides the new hired or rehired employee the retirement enrollment form.

15.2.3. Complete form by choosing from the available plans.

- a. The rules for completing form ASR-BE-014 are as follows:
- b. If the employee is a new hire: The employee must elect one of the four plans offered under the Sistema 2000 Rtr Plan.
- c. If the employee is a rehire:
- d. Terminated from EQB with retirement benefits and is now returning to work. Employee may only choose from the Sistema 2000 Rtr Plans.
- e. Terminated but did not take the retirement benefits from EQB. Employee is eligible to choose to be enrolled in the plan that they had prior to termination.
- f. Terminated, did not take retirement benefits, and was enrolled in the Coordinated plan and wishes upon returning, to enroll in the C/Supplement plan. The employee has until the age of 65 to pay back the difference in the two plans (the amount that would have been deducted if they had always been enrolled in the C/Supplement plan). The amount owed is calculated at EQB, verified with the retirement office and set up as general deduction.

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15.2.4. Route the form to the HR Analyst.

- a. The form is completed and forwarded by the retirement coordinator to the HR Analyst.

15.2.5. Enter the retirement enrollment in PeopleSoft.

- a. The HR analyst enters the following information:
- b. Retirement Plan indicated on the Retirement Form, the Sistemas 2000 Rtr Plan or the GPR Retirement Plan.
- c. If the employee is in a position that includes permanent differential pay (DIP) as compensation, they must be enrolled in the GPR Differential Retirement – Differential Retirement. If not enrolled in this plan, no retirement will be taken based on the differential pay.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for enrolling in retirement plan in FIMaS begin on page 27.

15.2.6. Route completed retirement form to the Retirement Coordinator

- a. After the forms have been entered into the PeopleSoft system, they are given to the HR division Retirement Coordinator.

15.2.7. Deliver paperwork to the "Administración de los Sistemas de Retiro".

15.2.8. Take Retirement Deduction from paycheck.

- a. Deductions for government-mandated retirement are taken from the employees' paycheck each payday.

15.3. Termination by Retirement

When an employee terminates employment, all retirement benefits must be terminated. The termination is reported to the "Administración de los Sistemas de Retiro", so that when an employee claims a retirement benefit, the administration is aware that the employee is eligible.


15.4. General Procedure

15.4.1. Send letter to the President Office notifying of employee retirement.

- a. The employee submits a letter of resignation due to retirement to the President's Office.

15.4.2. Approve request.

- a. Once approved by President, the letter is routed to the HR Division.

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15.4.3. Prepare a Letter of Resignation Acceptance.

- a. The Human Resources division receives the communication and proceeds to prepare a Letter of Resignation Acceptance which is sent to the President's Office. A copy is sent to the employee and the employee's file.

15.4.4. Send official letter to the President's Office.

15.4.5. Send communication to Payroll.

- a. The HR division informs the Payroll Section of the employee's retirement.

15.4.6. Terminate all employee benefits and additional payments in PeopleSoft.

- a. A payroll analyst proceeds to terminate all applicable employee's benefits and fringe deductions:
- b. GPR Retirement.
- c. Sistema 2000 Rtr Plan.
- d. GPR Differential.
- e. GPR Savings Plan.
- f. FSE Disability.

15.4.7. Communicate transaction completion to HR Division.


15.4.8. Enter termination transaction in PeopleSoft and run electronic OP-15.

- a. Once Payroll terminates all benefits, HR enters the termination transaction in PeopleSoft with the appropriate Action/Reason for Retirement. An electronic OP-15 is processed.

15.4.9. Send OP-15 to the President's Office for signature.

15.4.10. Receive OP-15 and distribute copies.

- a. A copy of the OP-15 is distributed by the HR division to the following areas:
- b. Payroll Section.
- c. Employee.
- d. Employee file.
- e. Employee Retirement file.

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15.5. Saving and Disability Plan

When the employee's actual hire information is entered into the PeopleSoft system, the employee is enrolled in the FSE Disability Plan and the GPR Savings Plan as per government mandate.

15.5.1. Hire or rehire employee.

- a. Employee is hired or rehired and their record is entered into the PeopleSoft system. HR division notifies Payroll for enrollment purposes.

15.5.2. Notify Payroll Section.

- a. Employee is automatically enrolled in FSE Disability (an employer paid benefit with a cost basis dependent on the employee's agency). The employer contribution is 3.7%.

15.5.3. For Employees under Carrera classification a probation period is required.

- a. On a "Carrera" new hire, the enrollment happens after the probationary period. The HR Division notifies Payroll when to process both transactions.

15.5.4. Enroll employee in GPR Savings plan (government mandate).


- a. Payroll enrolls the employee on GPR Savings Plan - GPR Plan de Ahorros de AEELA, a 3% after tax deduction. This is a government-mandated savings plans. On a "Confianza" new hire, the enrollment happens immediately.



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for Savings Plan begin on page 25.

15.5.5. Take deductions from next Paycheck.

- a. Deductions for government-mandated retirement are taken from the employees' paycheck each payday. The deduction information and payments are sent to Accounts Payable via the following reports:
- b. GPR 137AE – AEELA Loans/Savings/Insurance Distribution of Payments for AEELA GPR 137NC;
- c. Dist de Pagos a DPA – AEELA
- d. Dist de Pagos a DPH – AEELA
- e. Dist de Pagos a FCRI – IRA AEELA
- f. Dist Ahorro y Seguro – AEELA

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16. Forms and Reports



See Personnel Administration Users Manual for steps, descriptions and illustrations. Instructions for Report List begin on page 47.

- a. Employee Turnover Analysis
- b. Pending Future Actions
- c. Primary Job Audit
- d. Department Action Notice
- e. Birthdays Report
- f. Home Address Report
- g. Mailing Labels Report
- h. Personnel Actions History
- i. Employees on Leave of Absence
- j. Temporary Employees
- k. Years of Service



17. Tabular Summary of Procedure

17.1. Appointments to Regular Positions

Step	Description	Unit in Charge	Expected Product	Time Required
1	Appointments and Changes Technician will verify that the position has been duly approved to be covered	Appointments and Changes Technician	Approval of Position	1 day
2	Require the person selected to complete or provide the documents before making the appointment process official	Appointments and Changes Technician	Compiling of documents	1 day
3	Delivery of documents to formalize appointment	Appointments and Changes Technician	Original appointment	1 day
4	Processing of the appointment and swearing in of the candidate selected	Appointments and Changes Technician	Taking possession of the position	1 day
5	Preparation and orientation and delivery to the candidate selected the rules and regulations of the agency	Appointments and Changes Technician	Orientation and delivery of documents	1 day
6	Introduction of the new employee	Appointments and Changes Technician	Meet the new employee	1 day
7	Notification to the immediate supervisor of the expiration of the employee's probationary period	Human Resources Office	Letter of Notification	1 day



17.2. Probationary and Transitory Appointments in Regular Positions

Step	Description	Unit in Charge	Expected Product	Time Required
1	Prepare a personnel file of the candidate selected to include the documents generated by the appointment process	Appointments and Changes Technician	Creation of Personnel File	1 day
2	Include in the Positions and Employees Roster the employee's name, social security number, salary, and date of effectiveness, in the corresponding columns.	Appointments and Changes Technician	Updating of Employee Roster	1 day
3	As of the date of effectiveness of the appointment in the career service, it will detail the documents and send copies to the Retirement System, Employees Association, Budget and Finance Division, Payroll Section and copy to the employee	Appointments and Changes Technician	Distribution of the documents	15 days
4	Update the OP-16 files (Job Description)	Appointments and Changes Technician	Updating of positions file	1 day
5	File a copy of the Certification of Eligible persons in the employees personnel file and the original will be sent to the Recruitment Technician	Appointments and Changes Technician	Filing and delivery of documents	1 day



17.3. Evaluation of Probationary Period

Step	Description	Unit in Charge	Expected Product	Time Required
1	The Human Resources Division will notify the employee's supervisor through the Appointment Report form (or Promotion) and Duration of Probationary Period, the minimum periodic evaluations it will perform, the dates on which they will be performed and the deadline to submit the final evaluation	Appointments and Changes Technician	Notification of Probationary Period	1 day
2	The supervisor will orient, train and evaluate the employee; discuss the results of the evaluations with the employee so that he is aware of his performance in the development of the probationary period and stimulate his improvement	Immediate Supervisor	Evaluation, orientation and training	90 days
3	The supervisor will provide copy of the periodic evaluations to the employee and send copy to the employee file kept in the Human Resources Division	Immediate Supervisor	Distribution of evaluation documents	1 day



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Step	Description	Unit in Charge	Expected Product	Time Required
4	The supervisor will recommend to the Human Resources Division that the employee be separated from the position, during or at the end of the probationary period.	Immediate supervisor	Separation in probationary period	1 day
5	The Appointments and Changes Technician will receive the final evaluation of the employee prior to the date of the expiration of the probationary period. For this Final report form OP-35-Revised will be used.	Appointments and Changes Technician	Final Evaluation Probationary Period	1 day
6	Prepare and send a communication to the employee informing of the approval of the probationary period and that it will go on to occupy the position regularly. Enclose the final evaluation OP-35-Revised, signed by the immediate supervisor and the nominating authority or its authorized representative. Complete the Report (OP-15) before the change, the status blanks of the employee after the change will read regular.	Appointments and Changes Technician	Notification of change of status	5 days

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Step	Description	Unit in Charge	Expected Product	Time Required
7	Detail and distribute the Change Report (OP-15) to the Employee File (must always be the original), Budget Division, Finance Division, Retirement Systems Association of Employees of the Commonwealth of Puerto Rico (AEELA); Payroll and Attendance Section, to the Administrative Assistance of the Program and to the employee.	Appointments and Changes Technician	Distribution and filing of documents	2 days

17.4. Promotions

Step	Description	Unit in Charge	Expected Product	Time Required
1	Prepare a personnel file of the candidate selected to include the documents generated during the promotion process	Appointments and Changes Technician	Creation of Personnel File	1 day
2	Notify the candidate it has been selected in writing or by telephone and request it to complete and return by mail or personally the pertinent documents	Appointments and Changes Technician	Notification of Selection	1 day
3	Verification that the documents are duly completed and verify that the candidate meets all the requisites to occupy the position in promotion	Appointments and Changes Technician	Distribution of the documents	1 day



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Step	Description	Unit in Charge	Expected Product	Time Required
4	Update the OP-16 (Job Description) files	Classification and Retribution Technician	Updating of position file	1 day
5	Prepare a communication for the signature of the nominating authority addressed to the agency in which the candidate works requesting the transfer of the file	Appointments and Changes Technician	Request and formalization of transfer	1 day
6	To make the appointment, the Appointments Technician will proceed as has been established in the Tabular Summary to perform appointments.	Appointments and Changes Technician	Make the appointment official	1 day

17.5. Transfer Process

Step	Description	Unit in Charge	Expected Product	Time Required
1	Prepare a personnel file of the candidate selected to include the documents generated by the transfer process	Appointments and Changes Technician	Creation of the Personnel File	1 day
2	Verify that the employee meets the minimum requirements to occupy the position to which it is to be transferred. If necessary the employee will be required to submit evidence to determine it meets such requirements.	Appointments and Changes Technician	Verification of requirements	1 day



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Step	Description	Unit in Charge	Expected Product	Time Required
3	The candidate will be notified of its selection, in writing or by telephone and it will be requested to complete, submit and return by mail or personally the pertinent documents	Appointments and Changes Technician	Notification of selection	1 day
4	Verification that the documents are duly completed and that the candidate meets all the requirements to occupy the position in promotion	Appointments and Changes Technician	Distribution of documents	1 day
5	Update the OP-16 files (Job Description)	Classification and Retribution Technician	Updating of positions file	1 day
6	A communication will be prepared for the signature of the nominating authority addressed to the agency in which the candidate works requesting the transfer of the file and notifying the transfer.	Appointments and Changes Technician	Request and formalizing of transfer	1 day
7	To make the transfer the Appointments Technician will proceed as established in the Tabular Summary for Appointments	Appointments and Changes Technician	Make Appointment Official	1 day



17.6. Demotions

Step	Description	Unit in Charge	Expected Product	Time Required
1	When the equivalency between the classes has not been established, it will be prepared, together with a Job Description of the position occupied by the employee and the one he is going to occupy, or instead the class specifications and a resume of preparation and experience.	Appointments and Changes Technician	Establishment of the class equivalency	2 days
2	Verify that the employee meet the minimum requirements to occupy the position to which it is going to be demoted. If necessary, it will require the employee to submit evidence to determine that it meets such requirements	Appointments and Changes Technician	Verification of requirements	1 day
3	The candidate will be notified of its selection in writing or by telephone and it will be requested to complete, submit and return by mail or personally the pertinent documents	Appointments and Changes Technician	Notification of Selection	1 day
4	Verification that the documents are duly completed and verification that the candidate meets all the requisites to occupy the position in demotion	Appointments and Changes Technician	Distribution of documents	1 day
5	Updating of OP-16 Files (Job Description)	Classification and Retribution Technician	Updating of positions file	1 day

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Step	Description	Unit in Charge	Expected Product	Time Required
6	A communication will be prepared for the signature of the nominating authority addressed to the agency in which the candidate requesting the transfer in demotion works, the file and notifying the transfer.	Appointments and Changes Technician	Request and formalizing of transfer	1 day
7	To effect the demotion the Appointments Technician will proceed as established in the Tabular Summary for appointments	Appointments and Changes Technician	Make appointment in demotion official	1 day

17.7. Resignations

Step	Description	Unit in Charge	Expected Product	Time Required
1	The employee proceeds to submit letter of resignation	Employee	Letter of Resignation	1 day
2	The Technician will provide to the employee the certification of delivery of property, then the Payroll and Attendance Technician and the Fringe Benefits Technician will advise it about the documents to be processed and the possible rights and benefits it may be eligible for.	Human Resources Office Technicians	Delivery of documents and orientation	1 day
3	Prepare communication to the employee notifying it of the official acceptance of the resignation and deliver copy to the Payroll and Leaves Section	Human Resources Technician	Letter of Acceptance	2 days

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Step	Description	Unit in Charge	Expected Product	Time Required
4	Prepares Change Report (OP/15)	Human Resources Technician	Change Report (OP/15)	1 day
5	Send Change Report to the Payroll Section for the lump payment of vacation	Human Resources Technician Payroll Section	Lump payment	30 days

17.8. Reinstatement

Step	Description	Unit in Charge	Expected Product	Time Required
1	The employee requests its reinstatement to the regular career position	Employee	Request Letter	1 day
2	The Technician evaluates the request and proceeds to prepare the corresponding change report	Human Resources Technician	Change Report	15 days
3	Detail and notify the same to the Payroll and Leaves Unit	Appointments Technician	Document Detail	1 day



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18. Document Revision Table

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