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DATE: May 8, 2023

TO: Heads of State Agencies and Human Resources Directors

SUBJECT: Approved Amendments to Chapter 18 of the Civil Service Rules

At its General Business meeting held on May 3, 2023, the State Civil Service Commission amended Chapter 18 of the Civil Service Rules, effective July 1, 2023.

In summary, Chapter 18 is to be in effect during a transition period from July 1, 2023 through December 31, 2023, as the department transitions from the current paper-based Performance Evaluation System (PES) to Continuous Performance Management (CPM) effective January 1, 2024.

The amended Chapter reads as follows:

[Chapter 18: Transition Rules](#)

18.1 Transition to New Performance Evaluation System

Repealed Effective July 1, 2023

18.2 Performance Adjustments during transition to Performance Evaluation System

Repealed Effective July 1, 2023

18.3 Repealed effective December 14, 2011

18.4 Repealed effective December 14, 2011

18.5 Telework Policy – Transition Period

Repealed Effective July 1, 2023

18.6 Transition from Performance Evaluation System to Continuous Performance Management

The Director shall establish and publish procedures to effect an orderly transition to Continuous Performance Management to be established in Chapter 10 of these rules.

18.7 Transition Period—Performance Evaluation System to Continuous Performance Management

The transition period shall be July 1, 2023 through December 31, 2023.

18.8 Transition Period Performance Planning Components

New performance planning documents and sessions shall not be required for any classified employee during the transition period. Agencies may opt to either:

- Continue to use the FY 22-23 performance plan
- Establish and conduct a new planning session in accordance with the provisions in Chapter 10

18.9 Transition Period Performance Evaluation Components

Classified employees, excluding WAEs, shall be rated December 1 through December 31, 2023. The rating effective date shall be recorded as January 1, 2024. The ratings available for use are:

- Successful
- Needs Improvement/Unsuccessful

Ratings that are not rendered by December 31, 2023, shall be considered untimely and result in a rating of “Unrated.” “Unrated” during this transition period has the same effect as “Successful.”

Employees hired on or after December 1, 2023, may be rated as “Not Evaluated.” “Not Evaluated” during this transition period has the same effect as “Successful.”

Second-level review and signature approval shall be required only for transition period performance evaluation ratings of “Needs Improvement/Unsuccessful.”

18.10 Effects of Transition Period Performance Ratings

An employee who is rated “Needs Improvement/Unsuccessful” shall be ineligible for attainment of permanent status. The Evaluating Supervisor shall provide documentation to support an evaluation of “Needs Improvement/Unsuccessful.”

Transition period performance ratings shall not be used for layoff purposes or determining eligibility for detail to a higher-level position, promotion, market adjustment, or eligibility for a

lump sum payment for exceptional performance under Rule 6.16.1. Official ratings effective July 1, 2023, for FY 22-23, shall be used for these purposes.

Employees shall not have a right to request a review of the transition period performance rating.

Sincerely,

s/Byron P. Decoteau
Director