

Attachment B

DAS/HRSD Public Comments for Rules 105-040-0020 and 105-04-0040

April 28, 2003

AGENCY RESPONSE:

1. Michelle Jayna, Oregon Youth Authority:
 - a. OAR 105-040-0020, section 1(b)(D)

The proposed rule language is unclear as to whom it is intended to include. If the person is already employed in the class, why would they not apply under (C) statewide transfer lists?

Agency Response: This rule section pertains to the Open Competitive List. The list includes anyone who applies to an open competitive announcement. The language change automatically qualifies a state employee who has achieved regular status in a classification on the list if they apply. An agency chooses to use the list that is appropriate for a recruitment. If the agency recruits open competitively, the new language impacts the Open Competitive List. Therefore, the intent of the rule is to allow for those employees that apply to Open Competitive Lists to be deemed qualified if they have gained regular status in the classification they have applied to.
 - b. Also, the rule language does not state how this new group of eligible employees would get on the list. Do they take the exam/test (if there is one)? Do they apply like a transfer candidate, by make the request through the agency?

Agency Response: Allowing for someone to qualify for a list does not change the process. An employee would apply for the Open Competitive recruitment like any other applicant.
 - c. Is there a time limit of when they gained regular status in that class?

There is no time limit or timeframe. If they have gained regular status, they are qualified.