

STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

Table of Contents

		Page
<b>I.</b>	<b><u>Employment Eligibility</u></b>	<b>3</b>
	A. <u>Purpose</u>	3
	B. <u>Scope</u>	3
	C. <u>Authority</u>	3
<b>II.</b>	<b><u>Definitions</u></b>	<b>3</b>
<b>III.</b>	<b><u>Loss of Noncompetitive Rehire Rights for State of Alaska Executive Branch Classified Employees</u></b>	<b>5</b>
	A. <u>Purpose</u>	5
	B. <u>Scope</u>	5
	C. <u>Authority</u>	5
	D. <u>Procedures</u>	5
<b>IV.</b>	<b><u>Loss of Eligibility to Apply for Classified Vacancies</u></b>	<b>7</b>
	A. <u>Purpose</u>	7
	B. <u>Scope</u>	7
	C. <u>Authority</u>	7
	D. <u>Procedures</u>	7
<b>V.</b>	<b><u>Combined Loss of Noncompetitive Rehire Rights and Eligibility to Apply for Classified Vacancies – State of Alaska Executive Branch Classified Employees</u></b>	<b>11</b>
	A. <u>Purpose</u>	11
	B. <u>Scope</u>	11
	C. <u>Authority</u>	11
	D. <u>Procedures</u>	11
<b>VI.</b>	<b><u>Reinstatement of Eligibility to Apply for Classified Vacancies</u></b>	<b>14</b>
	A. <u>Purpose</u>	14
	B. <u>Scope</u>	14
	C. <u>Authority</u>	14
	D. <u>Procedures</u>	14

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M  
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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

**Addenda:**

- [Addendum A:](#) Form – Notification to Management Services
- [Addendum B:](#) Letter – Loss of Noncompetitive Rehire Rights
- [Addendum C:](#) Letter – Employee Loss of Eligibility to Apply for Classified Vacancies for All Job Classes
- [Addendum D:](#) Letter – Employee Career Specific Loss of Eligibility to Apply for Classified Vacancies
- [Addendum E:](#) Letter – Applicant Loss of Eligibility to Apply for Classified Vacancies for All Job Classes
- [Addendum F:](#) Letter – Applicant Career Specific Loss of Eligibility to Apply for Classified Vacancies
- [Addendum G:](#) Letter – Employee Combined Loss of Noncompetitive Rehire Rights & Loss of Eligibility to Apply for Classified Vacancies for All Job Classes
- [Addendum H:](#) Letter – Employee Combined Loss of Noncompetitive Rehire Rights & Career Specific Loss of Eligibility to Apply for Classified Vacancies
- [Addendum I:](#) Letter – Denying Reinstatement of Eligibility
- [Addendum J:](#) Letter – Reinstatement of Eligibility

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

**I. Employment Eligibility**

A. Purpose

The purpose of this Standard Operating Procedure (SOP) is to provide statewide procedures for revoking an individual's noncompetitive rehire rights and for revoking and reinstating an individual's eligibility to apply for classified vacancies within the State of Alaska.

B. Scope

State Executive Branch classified employees and individuals applying for jobs in the State classified service.

C. Authority

Alaska Statute 39.25  
Personnel Rules 2 AAC 07  
The collective bargaining agreements provide additional specific provisions.

**II. Definitions**

The definitions provided below are for the purposes of this SOP only.

A. **Employee**

An individual in the State service who is paid a salary or wage and who is (A) wholly subject to the State Personnel Act (classified employee) as defined at AS 39.25.100.

B. **Loss of eligibility**

Loss of the right to apply for classified vacancies.

C. **Loss of rehire rights**

Loss of the right to be appointed into a specific job class, class series, or parallel job class noncompetitively.

D. **Noncompetitive**

Appointing authority can make an appointment to a position without consideration of other qualified applicants.

H. **Performance evaluation**

The official written appraisal of an employee's job performance.

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

**I. Qualified Applicant**

An individual who meets the minimum qualifications of a job class for which s/he has applied.

**J. Rehire rights**

An employee who separates from a job class or parallel job class in good standing while holding a permanent or probationary appointment may be appointed without recruitment or examination in the same class of positions, in a lower job class in the same series, or a parallel job class provided the reappointment take place within the time period and meets requirements specified by the applicable collective bargaining agreement or Personnel Rules.

**K. Resignation in good standing**

Voluntary separation of an employee who gives advanced notice within the requirements specified in the applicable collective bargaining agreement or Personnel Rules.

**III. Loss of Noncompetitive Rehire Rights for State of Alaska Executive Branch Classified Employees**

**A. Purpose**

The purpose of this section is to provide procedures to revoke an employee or former employee's noncompetitive rehire rights.

**B. Scope**

Classified employees who meet the criteria described in the applicable authorities cited in C below for losing noncompetitive rehire rights.

**C. Authority**

AS 39.25.070  
AS 39.25.140  
AS 39.25.150  
2 AAC 07.225  
2 AAC 07.295  
2 AAC 07.415  
GGU Article 11.06  
CEA Article 20.04  
SU Article 18.8

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

1. Management Services determines if an individual meets the criteria to lose noncompetitive rehire rights.
2. Management Services prepares the supporting documentation package:
  - a. Personnel action
  - b. Performance evaluation
  - c. Supporting documentation, if applicable
  - d. Justification memorandum, if applicable
3. Management Services forwards the documentation package to Employee Services with a request to revoke the individual's noncompetitive rehire rights. Employee Services must receive all documentation within thirty calendar days from the last day of employment. Documents received after thirty days will be processed only if the director of the Division of Personnel waives the 30 day requirement.
4. Employee Services personnel review the request and all documentation for completeness, accuracy, and propriety.
5. The Division of Personnel will either deny or approve the request.
  - a. If denied, Management Services will be notified (*Addendum A*).
  - b. If approved, Employee Services personnel will update Workplace Alaska. A notification letter (*Addendum B*) will be sent to the individual and a courtesy copy will be sent to Management Services.

**IV. Loss of Eligibility to Apply for Classified Vacancies**

A. Purpose

The purpose of this section is to provide procedures to revoke an individual's eligibility to apply for classified vacancies.

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

B. Scope

Applicants who have lost their eligibility to apply for classified vacancies within the State of Alaska Executive Branch in accordance with the criteria described in the applicable authorities cited in C below.

C. Authority

AS 39.25.070  
AS 39.25.140  
AS 39.25.150  
2 AAC 07.112  
GGU Article 10.04  
SU Article 18.04

D. Procedures

Individuals who lose their eligibility to apply for classified vacancies can lose eligibility for all job classes or career specific eligibility.

1. Executive Branch Classified Employees

a. Employee Loss of Eligibility for All Job Classes

- 1) Management Services determines if an individual meets the criteria to lose eligibility to apply for classified vacancies for all job classes.
- 2) Management Services prepares the supporting documentation package:
  - (i) Personnel action
  - (ii) Performance evaluation
  - (iii) Supporting documentation
  - (iv) Justification memorandum
- 3) Management Services forwards the documentation package to Employee Services with a request to revoke the individual's eligibility to apply for all job classes. Employee Services must receive all documentation within thirty calendar days from the last day of employment. Documents received after thirty days will be processed only if the director of the Division of Personnel waives the 30 day requirement.
- 4) Employee Services personnel review the request and documentation for completeness, accuracy and propriety.

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

- 5) The Division of Personnel will either deny or approve the request.
  - (i) If denied, Management Services will be notified (*Addendum A*).
  - (ii) If approved, Employee Services personnel will update Workplace Alaska. A notification letter will be sent (*Addendum C*) to the individual and a courtesy copy will be sent to Management Services.

b. Employee Career Specific Loss of Eligibility

- 1) Management Services determines if an individual meets the criteria to lose eligibility to apply for classified vacancies in a specific career area, job class, or class series. A clear nexus must exist between the employment requirements of the career area, job class, or class series and the reason for loss of eligibility.
- 2) Management Services prepares the supporting documentation package:
  - (i) Personnel action
  - (ii) Performance evaluation
  - (iii) Supporting documentation
  - (iv) Justification memorandum
  - (v) Nexus and authority for career specific requirements
- 3) Management Services forwards the documentation to Employee Services with a request to revoke the individual's eligibility to apply for a specific career area, job class, or job class series. Employee Services must receive all documentation within thirty calendar days from the last day of employment. Documents received after thirty days will be processed only if the director of the Division of Personnel waives the 30 day requirement.
- 4) Employee Services personnel review the request and documentation for completeness, accuracy and propriety.
- 5) The Division of Personnel will either deny or approve the request.
  - (i) If denied, Management Services will be notified (*Addendum A*).
  - (ii) If approved Employee Services personnel will update Workplace Alaska. A notification letter will be sent (*Addendum D*) to the individual and a courtesy copy will be sent to Management Services.

2. Applicant – Not currently employed by the State of Alaska

a. Applicant Loss of Eligibility for All Job Classes

- 1) Management Services determines if an individual meets the criteria to lose eligibility to apply for classified vacancies for all job classes.
- 2) Management Services prepares the supporting documentation package:
  - (i) Supporting documentation
  - (ii) Justification memorandum

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

- 3) Management Services will forward the documentation package to Employee Services with a request to revoke the individual's eligibility to apply for all job classes. Employee Services must receive all documentation within thirty calendar days from the last day of employment. Documents received after thirty days will be processed only if the director of the Division of Personnel waives the 30 day requirement.
  - 4) Employee Services personnel review the request and documentation for completeness, accuracy and propriety.
  - 5) The Division of Personnel will either deny or approve the request.
    - (i) If denied, Management Services will be notified (*Addendum A*).
    - (ii) If approved, Employee Services personnel will update Workplace Alaska. A notification letter will be sent (*Addendum E*) to the individual and a courtesy copy will be sent to the employing department human resource office.
- b. Applicant Career Specific Loss of Eligibility
- 1) Management Services determines if an applicant meets the criteria to lose eligibility to apply for classified vacancies in a specific career area, job class, or class series. A clear nexus must exist between the employment requirements of the career area, job class, or class series and the reason for the loss of eligibility.
  - 2) Management Services prepares the supporting documentation package:
    - (i) Supporting documentation
    - (ii) Justification memorandum
    - (iii) Nexus and authority for career specific requirements
  - 3) Management Services forwards the documentation to Employee Services with a request to revoke the individual's eligibility to apply for a specific career area, job class, or job class series. Employee Services must receive all documentation within thirty calendar days from the last day of employment. Documents received after thirty days will be processed only if the director of the Division of Personnel waives the 30 day requirement.
  - 4) Employee Services personnel review the request and documentation for completeness, accuracy and propriety.
  - 5) The Division of Personnel will either deny or approve the request.
    - (i) If denied, Management Services will be notified (*Addendum A*).
    - (ii) If approved Employee Services personnel will update Workplace Alaska. A notification letter (*Addendum E*) will be sent to the individual and a courtesy copy will be sent to the employing department human resource office.

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

**V. Combined Loss of Noncompetitive Rehire Rights and Eligibility to Apply for Classified Vacancies – State of Alaska Executive Branch Classified Employees**

A. Purpose

The purpose of this section is to provide procedures to revoke an employee or former employee's noncompetitive rehire rights and eligibility to apply for classified vacancies.

B. Scope

Classified employees who meet the criteria described in the applicable authorities cited in C below for losing noncompetitive rehire rights and eligibility to apply for classified vacancies for either all job classes or career specific classes within the State of Alaska Executive Branch.

C. Authority

AS 39.25.070  
AS 39.25.140  
AS 39.25.150  
2 AAC 07.112  
2 AAC 07.295  
2 AAC 07.415  
GGU Articles 10.04 and 11.06  
CEA Article 20.04  
SU Article 18.04, 18.08

D. Procedures

1. Combined Loss of Noncompetitive Rehire Rights and Loss of Eligibility for All Job Classes

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

- a. Management Services determines if an individual meets the criteria to lose noncompetitive rehire rights and eligibility to apply for classified vacancies for all job classes.
  - b. Management Services prepares the supporting documentation package:
    - 1) Personnel action
    - 2) Performance evaluation
    - 3) Supporting evidence
    - 4) Justification memorandum
  - c. Management Services forwards the documentation package to Employee Services with a request to revoke the individual's noncompetitive rehire rights and eligibility to apply for all job classes. Employee Services must receive all documentation within thirty calendar days from the last day of employment. Documents received after thirty days will be processed only if the director of the Division of Personnel waives the 30 day requirement.
  - d. Employee Services personnel review the request and all documentation for completeness, accuracy and propriety.
  - e. The Division of Personnel will either deny or approve the request.
    - 1) If denied, the Management Services will be notified (*Addendum A*).
    - 2) If approved, Employee Services personnel will update Workplace Alaska. A notification letter (*Addendum G*) will be sent to the individual and a courtesy copy will be sent Management Services.
2. Combined Loss of Noncompetitive Rehire Rights and Career Specific Loss of Eligibility
- a. Management Services determines if an individual meets the criteria to lose noncompetitive rehire rights and career specific eligibility to apply for classified vacancies.
  - b. Management Services prepares the supporting documentation package:
    - 1) Personnel action
    - 2) Performance evaluation
    - 3) Supporting evidence
    - 4) Justification memorandum
    - 5) Nexus and authority for career specific requirements
  - c. Management Services forwards the documentation package to Employee Services with a request to revoke the individual's noncompetitive rehire rights and eligibility to apply for career specific vacancies. Employee Services must receive all documentation within thirty calendar days from the last day of employment. Documents received after thirty days will be processed only if the director of the Division of Personnel waives the 30 day requirement.
  - d. Employee Services personnel review the request and all documentation for completeness, accuracy and propriety.

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

- e. The Division of Personnel will either deny or approve the request.
  - 1) If denied, Management Services will be notified (*Addendum A*).
  - 2) If approved, Employee Services personnel will update Workplace Alaska. A notification letter (*Addendum H*) will be sent to the individual and a courtesy copy will be sent to Management Services.

**VI. Reinstatement of Eligibility to Apply for Classified Vacancies**

A. Purpose

To provide procedures to reinstate an individual's eligibility to apply for classified vacancies.

B. Scope

Individuals who have lost their eligibility to apply for classified vacancies.

C. Authority

AS 39.25.070  
AS 39.25.140  
AS 39.25.150  
2 AAC 07.112  
GGU Article 10.04(E)  
SU Article 18.4 (H)

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STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL  
STANDARD OPERATING PROCEDURE

**Employment Eligibility**

D. Procedures

1. Individual submits a written request for reinstatement with supporting documentation to Employee Services. Supporting documentation package must include:
  - a. A reference letter written on stationery, which identifies the employer
  - b. The immediate supervisor's signature on this letter.
  - c. Individuals who were self-employed need references from contractors or suppliers with whom business was done.
2. Employee Services personnel review the request and documentation for completeness, accuracy and propriety.
  - a. Verify the legitimacy of the reference letter through contact with the employer(s), contractor(s), or supplier(s).
  - b. Verify the length of employment reported for reinstatement meets the required employment period specified in the loss of eligibility letter.
3. The Division of Personnel will either deny or approve the request.
  - a. If denied, a notification letter (*Addendum I*) will be sent to the individual.
  - b. If approved, Employee Services personnel will update Workplace Alaska and a notification letter (*Addendum J*) will be sent to the individual. A courtesy copy of the notification letter will be sent to Management Services that initially took action to have the individual lose his/her eligibility to apply for classified vacancies.

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