

**STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL**

**STANDARD OPERATING PROCEDURE**

II. PROVISIONAL APPOINTMENTS

A. Purpose

The purpose of this SOP is to provide guidelines for seeking approval of provisional appointments and controlling the duration of the appointments.

The provisional appointment is a means for managers to fill vacant positions when the eligible list contains fewer than five interested and available candidates.

Because employees in provisional status are appointed on a noncompetitive basis there is potential for abuse of the merit system, and it is essential that control be maintained over this function. Appointees must meet the minimum qualifications for the job class at the time of the appointment. Even so, the provisional appointee is not guaranteed probationary status, and has no right nor claim to the position. All efforts must be made to assure that the provisional appointee's application be submitted for examining immediately and that a selection be made for the position from the eligible list as soon as it is possible.

B. Scope

This SOP addresses appointments made under 2 AAC 07.195 and appointment made through the Division of Vocational Rehabilitation referrals under 2 AAC 07.155 (d) (3).

C. Authority

1. 2 AAC 07.155(d)(3) allows the Division of Vocational Rehabilitation to certify severely handicapped individuals to positions at the request of an appointing authority. These appointments may not exceed four months in a twelve-month period.
2. 2 AAC 07.195 allows for the appointment of a qualified applicant in provisional status in the absence of a complete eligible list.
3. 2 AAC 07.200 describes the way in which probationary status is granted to provisional employees.

**P  
r  
o  
v  
i  
s  
i  
o  
n  
a  
l  
  
A  
p  
p  
-**

**STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL**

**STANDARD OPERATING PROCEDURE**

D. Procedure

1. The requirements that must be met for approval of provisional appointment accomplished under 2 AAC 07.195 are as follows:

a. A written statement explaining why a provisional hire is the best problem solving alternative (from among recruiting, subfilling, augmenting or supplementing the list, or hiring provisionally) must be attached to a new request for certification, form 02-254. If the position is one that is historically difficult to fill due to the remote location or special training and experience requirements it should be so noted.

The authority to fill the position on a provisional basis is recorded in part B for the Director of Personnel.

b. It must be demonstrated that the current eligible list contains fewer than five interested and available candidates.

No more than four eligibles can be marked not selected, not considered, or not recommended on each returned certification. This includes transfers and rehires.

c. If authority to make a provisional appointment is given, the recruitment coordinator or authority delegated recruitment responsibility must be notified and recruitment to match the period of authority initiated.

d. The department human resources manager is responsible for assuring that:

1) The prospective employee meets the minimum qualifications for the job class prior to making the appointment,

2) the provisional employee's application is submitted immediately for processing and placement of the employee on the eligible list, it must be transmitted with the Request for Certification Form, 02-254, that records the appointment,

3) the provisional appointment is terminated upon the

**P  
r  
o  
v  
i  
s  
i  
o  
n  
a  
l  
  
A  
p  
p  
-**

**STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF PERSONNEL**

**STANDARD OPERATING PROCEDURE**

employee's certification and appointment from an eligible list or at the end of six months, whichever occurs first. The department may request an extension of the provisional appointment not to exceed the length of the normal probationary period for the job class. Written requests for extension must be addressed to the director of the Division of Personnel and must explain the circumstances necessitating the extension,

- 4) the provisional employee was not appointed provisionally to the same job class on a prior occasion.
  - e. Provisional employees who are selected for the position from a competitive eligible list before the end of the provisional appointment must be granted retroactive probationary status.
2. The procedure for making a provisional appointment under 2 AAC 07.155(d)(3) is as follows:
- a. Clients of the Division of Vocational Rehabilitation who are certified severely disabled may be appointed to a position provisionally for a period not to exceed four months in a twelve-month period.
  - b. The employing department's human resources manager is responsible for ensuring that the appointment does not exceed four months.
  - c. The department may decide at any time during the four month provisional period to convert the provisional appointment to a probationary appointment. The probationary status may be granted currently or retroactive to any date between the date of provisional hire and the current date. The criteria for granting probationary status is that the employee has demonstrated the ability to perform the duties of the position. This ability must be documented by a performance evaluation.

**P  
r  
o  
v  
i  
s  
i  
o  
n  
a  
l  
  
A  
p  
p  
-**