

**NORTH GEORGIA HEALTH DISTRICT**  
**County Board of Health Personnel Policy #302**  
Cherokee, Fannin, Gilmer, Murray, Pickens, Whitfield

**MOVEMENT FROM CLASSIFIED TO UNCLASSIFIED EMPLOYMENT**

**EFFECTIVE DATE:** August 1, 2010

**RELEASE DATE:** August 1, 2010

**REFERENCES:** Georgia Law [O.C.G.A. §45-20-2(15) - Unclassified Service]  
Georgia Law [O.C.G.A. §45-24-1 *et seq.* - Reorganization]  
Georgia Laws [O.C.G.A. §47-2-2 and §47-2-123 - Retirement Law]  
Governor's Executive Orders - dated May 3, 1996 and September 13, 1996

Classified employees who accept positions in the unclassified service become unclassified employees. They are not eligible to return to the classified service at any time. Employment in the unclassified service is "at will" employment. Unclassified employees serve at the discretion of the Board. They can be separated at any time without notice or statement of reasons, unless exceptions are provided in County Board of Health Personnel Policy #1602 - *Disciplinary / Separation Actions - Unclassified Employees*.

Classified employees who move to other positions in the classified service, without a break in service, remain classified employees. This includes transfers, promotions and demotions of classified employees from organizations inside and outside of the Agency (e.g., other state agencies, County Boards of Health, Community Service Boards) to classified positions in the Agency.

**UNCLASSIFIED POSITIONS**

1. The following positions are in the unclassified service:
  - 1.1 All positions filled by new hires, or otherwise unclassified incumbents, on or after July 1, 1996; and,
  - 1.2 All positions established as unclassified. All positions established in the County Board of Health on or after July 1, 1996 are established as unclassified.
2. When classified positions are deactivated due to reorganization, positions that are established in the new organization will be in the unclassified service.

**INVOLUNTARY SEPARATION RIGHTS**

Unclassified employees who first established membership in the Employees' Retirement System prior to April 1, 1972, and who have a minimum of 18 years of State employment, may have involuntary separation rights under the Georgia Retirement System Law. See County Board of Health Personnel Policy #1904 - *Involuntary Separation - Retirement Benefits* for specific information.

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**(continued)**

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**EMPLOYEES  
AFFECTED BY  
REORGANIZATION**

1. If a reorganization takes place, as referenced in **paragraph A.2.** above, classified employees offered positions in the new organization have the following options:
  - 1.1 to accept the positions in the unclassified service and become unclassified employees; or,
  - 1.2 to decline the offer of employment.
2. Classified employees who decline the offer of employment, or who are not offered positions in the new organization, will be separated from employment based on reduction-in-force procedures.

**NOTE: Classified employees eligible for involuntary separation rights under the Georgia Retirement System Law who *decline the offer of employment* will be considered to have *voluntarily* resigned from employment.**

**NOTIFICATION**

1. It is critical that **classified** employees be advised when they are being offered positions in the **unclassified** service. This will enable employees to take into consideration the resulting change in employment status prior to accepting the offers. Hiring officials or designees who do not provide required notification may be subject to disciplinary action.
2. Appropriate notification that positions are unclassified includes, but is not limited to, the following:
  - 2.1 Unclassified position status listed on the job announcement;
  - 2.2 Discussion during the interview process; and/or,
  - 2.3 Notification in the written offer of employment.
3. The *ACKNOWLEDGEMENT OF UNCLASSIFIED POSITION* Form (Attachment 1) should be completed by classified employees who have accepted positions in the unclassified service.

**NOTE: Classified employees who do not sign acknowledgement forms are *not* by law entitled to positions in the classified service.**

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**(continued)**

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**LEAVE AND OTHER BENEFITS**            Classified employees who are transferred, promoted or demoted (without a break in service) into unclassified positions eligible for leave and other benefits will retain benefits as well as annual, sick and personal leave balances.

For additional information or assistance, please contact the District Personnel Office at 706/272-2342.

**ATTACHMENTS:**

Attachment #1 – ACKNOWLEDGEMENT OF UNCLASSIFIED POSITION

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