

# MEMORANDUM

**State of Alaska**  
**Department of Administration**  
**Division of Personnel & Labor Relations**

**To:** All Supervisors  
All HRBPs  
DOF Payroll Services

**Date:** March 16, 2022

**From:** Kate Sheehan<sup>KS</sup>  
Director

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**Subject:** Acting in a Higher Range – General Government (GG), Confidential (KK), Correctional Officers (CO), Supervisory (SS), Public Safety (AA/AP), Labor Trades & Crafts (LL) and Partially Exempt Service (PX).

*Supersedes memo of same subject dated July 1, 2008*

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This memorandum provides guidance on placing employees in acting status in a position in a higher range and supersedes all prior guidance on this subject regarding employees in these units. The essential factual predicate of acting status is that there be an authorized and vacant position for which the designated employee is acting. The position may be vacant because the incumbent has departed due to resignation, promotion, transfer, etc., or it may be vacant because the incumbent is on leave, suspension, or in travel status. Acting status **cannot** be used to assign higher-level duties to an employee where no position classified to perform those duties exists.

**Please refer to the applicable collective bargaining unit agreement for specific rules pertaining to acting status requirements**

For all bargaining units covered by this memorandum, acting status must be designated in advance and in writing either by the division director or a supervisor, depending on the specific contract language. Only in the case of emergency can this written delegation be made after the commencement of the duties of the higher range for GG, CO and LL. In this case, the written delegation must be made within three (3) working days of the commencement of the duties of the higher range.

For the GG, KK, CO, SS and PX units there is a durational period that must be met before acting pay may be applied. For the CO and AA/AP units acting pay will apply immediately upon written authorization.

When paying an employee acting status, the overtime eligibility of the position in which acting becomes the overtime eligibility of the person acting in the position. If the position in which acting is not overtime eligible, no one has the authority to promise the acting employee overtime eligibility while in acting status.

There may be extraordinary circumstances in law enforcement where an employee is assigned to act in a supervisory or managerial capacity but who must retain patrol or custodial duties that might affect overtime eligibility. Conferring overtime eligibility in that circumstance must have this office's concurrence.

For the GG, KK, CO, SS, LL and PX units the pay will be calculated as though the acting employee has been promoted to the acting position. All rules governing promotion come into play with the exception that the employee will stay a member of their regular bargaining unit, paying union dues and health insurance applicable to their regular position. Step placement is determined by reviewing the annualized hourly rate (AHR) of the regular position, applying the appropriate number of steps due upon promotion, and then taking that dollar amount and finding it on the acting position salary schedule. The applicable rate will then be applied through a rate override. For AA/AP members, the pay will be at the first step in the higher range that is above the member's current pay rate, not the same as a promotion.

#### Work Schedule

While in acting status, employees are required to work the minimum workweek hours for the acting position. For example, if the employee's normal workweek is 37:30 and the acting positions' normal workweek is 40:00, the employee is expected to be scheduled to work 40:00 a week for the duration of the acting assignment. Leave should be taken in accordance with the work schedule of the acting position.

#### Leave information

Accrued leave used or cashed out while in acting status shall be paid at the employee's regular rate of pay. Any leave accrued during the acting assignment shall be accrued at the employee's regular rate of accrual.

#### Premium Pay

Employees in acting status are eligible for all premium pays associated with the acting position.

For situations not addressed in this memorandum, please contact the DOPLR Director's office for assistance.

cc: Benthe Mertl-Posthumus, Acting Deputy Director, LR  
All Division Directors