YOUTH SERVICES
POLICY

Title: Pay Administration and Management **Next Annual Review Date:** 01/04/2017	**Type:** A. Administrative **Sub Type:** 2. Personnel **Number:** A.2.2
	Page 1 **of** 17
References: Fair Labor Standards Act (FLSA); Louisiana Constitution Article X, Part 1, Section 10(A)(1); State Civil Service Rules; ACA Standards 2-CO-1C-01, 2-CO-1C-13, 2-CO-1C-22 (Administration of Correctional Agencies), 4-JCF-6C-12 (Performance-Based Standards For Juvenile Correctional Facilities); YS Policies A.1.8 “Emergency Operations Plan”, A.2.1 "Employee Manual", A.2.36 “Recoupment of Overpayments”, A.2.55 “Time and Attendance”, ", A.2.69 “Attainment of Advanced Degree”, A.2.70 “Attainment of Baccalaureate Degree”, A.2.71 “Optional Pay”, A.2.72 “Premium Pay”, A.6.1 ‘Housing Perquisites”, C.1.8 “Firearms Training, Use and Revocation” C.2.1 “Escapes, Runaways, Apprehensions and Reporting”, C.2.6 “Use of Interventions – Secure Care”, and C.5.2 “Regional Office Duty Officers and Facility Administrative Duty Officers (ADOs) Reporting of Serious Incidents"	
STATUS: Approved	
Approved By: *Mary L. Livers, Deputy Secretary*	**Date of Approval:** 01/04/2016

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish and maintain uniform application of YS Pay Plan options and features, pursuant to State Civil Service (SCS) Rules and the Division of Administration (DOA), Office of State Human Capital Management (OSHCM) policies.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Deputy Undersecretary, Chief of Operations, Deputy Assistant Secretary, General Counsel, Regional Directors, Facility Directors, Regional Managers, and all other personnel who are authorized to make recommendations for pay adjustments for employees under their jurisdiction.

IV. DEFINITIONS:

Base Pay – Employee’s hourly rate, excluding overtime, per diem, shift differential, payment in kind, premium pay, shift, one-time lump sum payments, or any other allowance for expenses authorized and incurred as an incident to employment.

Base Supplemental Pay - Additional pay above the range maximum, when authorized by the Civil Service Commission and approved by the Governor under limiting factors (e.g., by job titles, geographic areas, organizations, etc.) it deems appropriate when market and employment conditions require such supplement in order to maintain competent and experienced staff, which is treated as a part of base pay.

Calendar Year - For purposes of this policy, a "calendar year" means 12 months starting the first day of an event. For example, if a restricted appointment starts May 1, then the "calendar year" begins May 1 and continues to April 30 of the following year.

Classified Position – Any office or position in the Classified Service.

Classified Service – All persons holding positions in state service except those exempted by or under Section 2 of the Article.

Demotion – A change of a permanent or probationary employee from a position in one job to a position in another job which is assigned to a pay grade with a lower maximum.

Detail to Special Duty – The temporary assignment of an employee to perform the duties and responsibilities of a position other than the one to which he is regularly assigned, without prejudice to his rights in and to his regular position.

Duty Officers – Secure care and regional staff available 24 hours a day to receive notification and coordinate response to incidents of a serious nature.

Fair Labor Standards Act (FLSA) Exempt Employees - An employee not covered by the minimum wage and overtime provisions of the FLSA. It is a term referring to those groups of employees that are "exempt" from the overtime provisions of the FLSA.

Fair Labor Standards Act (FLSA) Non-Exempt Employees - An employee covered by the minimum wage and overtime provisions of the ACT.

Hiring Rate - A maximum optional entry rate up to which an agency may fluctuate special entrance rates for a specific job. These rates are established by Civil Service based on the competitive market salaries.

Juvenile Justice Specialist (JJS) – Provides security of youth and assists in application of clinical treatment in accomplishing the overall goal of evaluation and/or treatment of individuals judicially remanded to a YS secure care facility.

Military Pay - The rate of pay that provides for payment of differential pay to state employees called to active duty in the uniformed services.

On-Call Pay – A nominal amount of compensation provided in return for an employee being available to report to work outside of his or her regular work schedule at the appointing authority's discretion.

Optional Pay - Assists agencies with recruiting and retention issues by allowing agencies to grant lump sum or base pay adjustments to employees for additional duties, to match a job offer, for salary compression, or to recruit into difficult to fill positions. (Refer to YS Policy No. A.2.71)

Overtime – Time beyond regular work hours which may be required by the appointing authority/designee. (Refer to DOA/HCM Personnel Policy No. 2 @ http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf)

Pay Schedule - The organization of pay grades and ranges established for jobs in the classified service. There are currently six pay schedules: Administrative (AS), Medical (MS), Protective Services (PS), Technical/Scientific (TS), Social Services (SS), and Technical and Skilled Trades (WS).

Perquisite – Any tangible privilege or gain beyond salary and entitlements provided to administrators, faculty or other employees, including but not limited to housing allowances, car allowances, spousal travel, insurance, and club memberships. (Refer to YS Policy No. A.6.1).

Premium Pay - A rate of pay or a schedule of rates used for jobs which have unusual employment conditions to remain competitive. In order to remain competitive with the pay practices of market competitors, the Civil Service Commission (CSC) may authorize special pay for positions in a job where employment conditions are unusual. Additional pay may be authorized for an employee who performs extraordinary duty that is not an integral part of his regularly assigned duties. Such additional pay shall not be considered as part of the employee's base pay. (Refer to YS Policy No. A.2.72)

Probationary Appointment – The appointment of a person to serve a working test period in a position.

Reassignment – The change within the same department of a probationary or permanent employee from a position in one job to another position in a different job, both jobs of which have the same maximum rate of pay.

Reduction in Pay – An action taken for disciplinary reasons whereby an employee's individual pay rate is reduced but the employee remains in the same job.

Re-employment Pay - The noncompetitive appointment of a person based on permanent status attained in former employment in the classified service.

Shift Differential - An optional pay mechanism which may be utilized at the discretion of the Appointing Authority to compensate employees who work certain designated shifts. "Shift Differential" means extra pay allowances made to employees who work nonstandard hours and is usually implemented for recruitment and retention purposes.

Special Entrance Rate (SER) - A set entry rate of pay requested by YS and approved by State Civil Service, which is higher than the minimum for a pay range and which has been established to competitively recruit applicants in a specified job.

Specialized Services Employees – Unit level employees, designated by the Deputy Secretary, required to be available to report to duty within a specified period of time in an unplanned situation. (Refer to YS Policy Nos. A.1.8, C.2.1 and C.2.2)

Transfer – The change of an employee from a position in one department to a position in another department without change in probational or permanent status and without a break in service of one or more working days.

Unit Head - Deputy Secretary, Facility Directors and Regional Managers.

WAE – Initials used for “When Actually Employed” appointments.

YS Central Office (CO) - Offices of the Deputy Secretary, Assistant Secretary, Undersecretary, Chief of Operations, Deputy Assistant Secretary, General Counsel, Regional Directors, and their support staff.

V. POLICY:

It is the Deputy Secretary's policy that YS Pay Plan pay adjustments, overtime compensation, and special pay rates shall be equitably applied. This policy is not intended to create any property rights. YS may re-assess “need” and the allocation of funding resources at any time and may rescind non-base pay or change the amount given at any time. Sufficient notice shall be provided to the employee and notification shall be sent to SCS of any changes in the amount paid.

YS Policy No. A.2.1, Attachment (a) “General Employee Information” reiterates that pay adjustments, overtime compensation and special pay rates are governed by this policy within the parameters of the Fair Labor Standards Act (FLSA) and the SCS Rules.

VI. DUTIES AND RESPONSIBILITIES:

It shall be the responsibility of each Unit Head to:

A. Review the budgetary impact, as well as operational needs of the unit when considering pay options;

B. Appraise consistency and equity of application of this policy; and

C. Ensure that all necessary procedures are in place for proper management and administration of the pay program.

VII. GENERAL PROCEDURES:

A. Civil Service pay rules allow for YS discretion and flexibility in many areas of pay administration.

An employee's pay is subject to reduction when it is determined that the employee has benefited from increased pay as a result of either a violation of the SCS Rules or an abuse of the discretion granted in these Rules.

To guide YS application of these Rules, and to ensure that the application of these Rules are not abused in any way, specific procedures for use of special pay rates, implementation of the pay adjustments, and overtime payments are outlined in Section VIII below.

B. Unless otherwise stated, Unit Heads shall address all requests for exemptions directly to the Undersecretary, who shall consult with the Deputy Secretary as necessary. All correspondence addressed to the SCS Director or the Civil Service Commission (CSC) requesting exemptions or use (or revision) of pay options shall be processed through the Deputy Secretary and shall bear the Deputy Secretary's signature.

VIII. PAY ADMINISTRATION PROCEDURES

A. Demotion-Involuntary For Disciplinary Reasons

In accordance with CSR 6.10, if an employee is demoted for any reason, reductions in pay shall be reduced by a minimum of seven percent (7%), but may be set at a lower rate anywhere in the range that is not less than the minimum hire rate. An exception to this may be granted by the Appointing Authority for voluntary demotions.

B. Demotion – Voluntary

1. Unit Heads are authorized by the Deputy Secretary to approve voluntary demotions when such actions are in the best interest of the unit, in accordance with CSR 6.10 (d) and 23.14.

2. The Unit Head may grant a voluntary demotion without loss of pay providing the employee shall not be paid above the maximum of the lower pay range. However, the Unit Head shall certify that this action was not done in an arbitrary or fraudulent manner designed to increase the employee's rate of pay with a promotion shortly thereafter.

3. If the Unit Head determines that a reduction in pay is in the best interest of the unit, the employee's pay shall be reduced by no less than seven percent (7%) and up to a maximum of fourteen percent (14%). No disciplinary reduction in pay may bring an employee's pay below the minimum of the employee's pay range/SER or below the minimum wage.

4. The Deputy Secretary may waive a base pay increase on promotion for an employee who has voluntarily demoted without a decrease in pay during the previous six (6) month period.

C. Detail to Special Duty Pay

1. The Deputy Secretary may assign an employee to a different position in the same department for up to one month without a change in classification or pay, in accordance with CSR 6.11 and 23.12 (b).

2. A written request and justification for a detail up to one (1) year shall be submitted by the Unit Head to the Deputy Secretary/designee. The Deputy Secretary/designee shall determine, based upon the business needs of the unit, if the request is to be forwarded to the SCS Director for approval. If a job detail lasts more than one (1) year, justification shall be sent to the Deputy Secretary two (2) months before the detail ends. The Deputy Secretary may end a detail at any time.

D. Extraordinary Duty/ Individual Pay Adjustment

In accordance with CSR 6.16 (c) and 6.16 (f), a written requests and adequate justification with documentation for special pay considerations shall be submitted by the Unit Head to the Deputy Secretary/designee, and shall include the employee's name, job title, current salary, and proposed payment amount.

The Deputy Secretary/designee shall determine if the request is to be forwarded for approval to the CSC. Such adjustments shall be granted only within the pay range for the grade to which the employee's position is allocated, or at a rate within the base supplement approved for his position in accordance with the provisions of Rule 6.16(f).

E. Extraordinary Qualifications/Credentials

In accordance with CSR 6.5 (g), the pay of an applicant who possesses extraordinary, job-related qualifications / credentials above and beyond the minimum qualifications of the job applied for, may be set at a rate that does not exceed the third quartile of the range upon the approval of the Undersecretary, who shall consult with the Deputy Secretary as necessary.

1. **Prior** to a conditional offer of employment, Unit Heads shall request the approval of the Deputy Secretary/designee.

2. The request shall be routed directly to the OSHCM at DPS for technical and procedural review. If all documents are in order, the request shall be forwarded to the Deputy Secretary/designee for review and approval.

3. A request for approval of this pay consideration from the Unit Head shall include:

    a. A description of the extraordinary qualifications/credentials above and beyond the minimum qualifications and how these qualifications/credentials are job related.

    b. A description of the circumstances applicable to the unit which necessitates the hiring of the applicant at an advanced rate of pay (i.e. recruitment difficulties, inadequate pool of applicants, unique job type, etc.).

    c. The base pay amount the Unit Head is proposing to pay the applicant, up to but not exceeding the third quartile, and a description of the how the payment amount was determined.

    d. A cost projection from the Undersecretary (above and beyond that amount budgeted for salaries of these positions) for implementation and to certify that sufficient funds are available.

4. The Unit Head may receive approval prior to the hire date and wait up to one (1) year to implement the approved pay increase. If payment is made after the date of hire, the pay shall be prospective.

5. The OSHCM at DPS office shall:

    a. Provide certification that the extraordinary qualifications or credentials have been verified and documented as job related.

    b. Verify that the proposed rate does not exceed the third quartile for the affected job and describes how the rate was calculated.

    c. Provide a list of names and salaries of all probational and permanent employees in the unit who occupy positions in the affected job title / career progression group and those who possess the same or equivalent verified qualifications/ credentials.

6. For those requests submitted and approved by the Deputy Secretary/designee, the salaries of all current probational and permanent employees in the affected unit who occupy positions in the affected job and possess the same or equivalent verified job-related qualifications/credentials, may be adjusted by the same percentage as the applicant, effective the date the applicant is hired.

7. If the circumstances of the hire rate are not unique to the unit, the Deputy Secretary/designee may expand the pay adjustment (described above) beyond the boundaries of the unit to include all applicable probational and permanent employees of YS.

8. Documentation of verified qualifications and credentials shall be maintained at the OSHCM at DPS, along with correspondence related to the Unit Head's request. Copies of all related documents and correspondence shall be attached to the original letter of request from the Unit Head.

9. The OSHCM at DPS shall assist the units to ensure that hire rates of subsequent new hires who possess similar extraordinary qualifications and/or verified credentials shall be consistent with those employees approved under Rule 6.5 (g).

F. Attainment of an Advanced Degree

In accordance with CSR 6.16 (h), YS Policy No. A.2.69 outlines the established guidelines for permanent classified employees of YS to receive a base pay increase of up to ten percent (10%), for the attainment of a job related Master's Degree, Ph.D. or the equivalent (i.e. JD, MD, Ed. D), from an accredited college or university while employed by YS.

The Deputy Secretary is authorized to suspend this provision due to budgetary issues.

G. Attainment of Baccalaureate Degree

In accordance with CSR 6.16 (d), YS Policy No. A.2.70, outlines the established guidelines for permanent classified employees of YS to receive a base pay increase of up to five percent (5%), for going above and beyond the minimum qualifications required by attaining a job related Baccalaureate degree from an accredited college or university while employed by YS.

The Deputy Secretary is authorized to suspend this provision due to budgetary issues.

H. Pay upon Job Correction or Grade Assignment

Changes in a job to a different grade or changes in the allocation of position from one job to another by job correction shall be in accordance with CSR 6.8.1. Unless the employee's pay is below the minimum of the higher range, the employee's pay shall not change.

I. Military Leave

CSR 11.26 (g) applies to the following employees who are serving on a job appointment, probationary or permanent status, and those who are on Leave without Pay (LWOP) by choice or because all annual and/or compensatory leave has been exhausted:

a. Members of a Reserve Component of the Armed Forces of the United States who are called to duty for military purposes; or

b. Members of National Guard Units which are called to active duty as a result of a non-local or non-state emergency. Maximum military leave with pay for military purposes is 15 working days per calendar year.

Provided advanced notice is given, employees serving on a job appointment, probationary or permanent status, shall be entitled to military leave with pay.

Employees on “inactive duty for training” (weekend drills) do not qualify under this rule.

1. When Military Leave with Pay has been exhausted and an employee whose military base pay is less than the state base pay of his regular position shall be paid the difference between the military base pay and the state base pay.

   An employee using annual leave is not eligible for pay differential.

2. Such payment shall be made on the same frequency and manner as the employee's regular state pay, unless other voluntary arrangements are made.

3. Employees receiving the pay differential shall provide the OSHCM at DPS with documentation of the rate of military pay to ensure the differential payment amount is calculated correctly.

4. Employees shall continue to accrue sick and annual leave for the entire period of service, beginning the date of the service. Leave shall be accrued on the same basis as though the employee had not been activated. Leave earned shall be credited to the employee upon his return from active duty.

Employees who are on LWOP shall receive the full 15-days of Military Leave with Pay provided in Rule 11.26(a) 3 each calendar year. The pay differential allowed in 11.26(g) 1 shall be suspended until the 15-day Military Leave with Pay period is exhausted and the employee returns to Leave without Pay status.

J. On-Call

In accordance with CSR 6.2 (b), on-call status includes, but is not limited to shift-call custody staff, authorized on-call employees, and duty officers.

1. Shift-call custody staff shall be required to be available up to one (1) hour prior to shift change for possible call-in to report for duty in the event of staff shortages, specific program needs, etc. Shift-call custody staff are assigned and scheduled in advance and shall be credited with compensatory leave prorated on the basis of one (1) hour of compensatory time for each four (4) hours of shift-call duty. A ledger shall be maintained by the employee to document the time claimed. Supervisory review and approval of the time claimed shall be required.

2. Authorized on-call employees shall be required to be available to report to duty within a specified period of time in an unplanned situation. This applies in any situation where an employee is directed by the employee's supervisor or Unit Head to be ready to report to duty. Employees who are in "authorized on-call" status may be credited with compensatory leave prorated on the basis of one (1) hour of compensatory time for each four (4) hours of authorized on-call duty. A ledger shall be maintained by the employee to document the time claimed. Supervisory review and approval of the time claimed shall be required.

3. On-call duty officers include facility and regional office employees, who shall be compensated as described below. When the designated on-call duty officer is unable to remain within range at any time during the tour of duty due to planned or unplanned events, the on-call duty officer shall advising their supervisor, who shall arrange for acceptable alternative coverage. (Refer to YS Policy No. C.5.2)

4. Facility and regional office duty officers earn leave as follows:

   a. Weekends and holidays: compensatory leave prorated on the basis of one (1) hour of compensatory time for each four (4) hours of duty officer status.

   b. Weekdays after normal working hours: compensatory leave in increments of 30 minutes for actual time worked.

c. If actual time worked exceeds 30 minutes, FLSA overtime compensation requirements shall apply for non-exempt employees.

5. When a unit is declared officially “closed” (essential personnel only) because of an emergency or natural disaster, employees who are required to be on-call may be paid at the existing rate designated as the “holiday/weekend” rate.

6. Units shall have written procedures which record On-Call assignments. The records shall include the employee’s name, date of assignment, job title and position number, shift assignment, method of payment, and purpose of on-call status.

7. On-call assignment records shall be maintained by the unit's HR Liaison and shall be available for review upon request.

8. Any other incidents of on-call duty not specifically described herein may be compensated by the Undersecretary in accordance with applicable Civil Service Rules and the FLSA.

9. The following authorized YS on-call staff shall also be required to be available to report to duty within a specified period of time in an unplanned situation:

   a) Undersecretary
   b) Deputy Undersecretary
   c) Chief of Operations;
   d) Deputy Assistant Secretary
   e) CO Program Manager 4;
   f) Regional Directors;
   g) Youth Facility Directors;
   h) Youth Facility Deputy Directors;
   i) Youth Facility Assistant Directors; and
   j) CBS Regional Managers.

   This applies in any situation where the aforementioned incumbent is directed by the incumbent’s supervisor to be ready to report for duty. Compensation at the rate of $1.00 shall be provided for each hour of on-call status. Request for on-call pay hours must be approved by the Appointing Authority prior to payment.

10. On-call pay above the flexible pre-approved rates established by SCS shall require the approval of the SCS Director.

K. Optional Pay Adjustments

In accordance with CSR 6.16.2, YS Policy No. A.2.71 outlines the established guidelines for an appointing authority, at his own discretion, to consider either base pay or lump sum adjustments to permanent employees, provided that funding is available, for the following circumstances:

- Matching a job offer;
- Compression pay;
- Recruitment; and
- Additional duties.

Payments may only be granted to permanent classified employees.

It is not the intention of this rule to duplicate compensation which was previously received by reallocation, premium pay or detail to special duty.

L. Overtime/Compensatory Leave Pay

In accordance with SCR 21.11, and pursuant to DOA/HCM Personnel Policy #2 (which can be accessed at the following link: http://www.doa.la.gov/ohr/OSHCM%20Statewide%20Policy%20Links/StatewidePolicy2.pdf), there is no limit to the amount of state overtime (straight time or time earned at the hour-for-hour rate) that can be accrued by an employee.

Requests to work overtime must be approved in advance by an employee's immediate supervisor. Under no circumstances should overtime which requires the payment of wages be permitted unless and until the supervisor authorizing such overtime has confirmed the availability of funding. Supervisors are responsible for monitoring the accrual of compensatory leave to ensure that the caps on accrual are not exceeded.

At the time of hire, all employees shall sign the attached "Statement of Agreement Regarding Compensation for Overtime Work", which shall be filed at the unit level with a copy forwarded to the OSHCM at DPS.

1. "OJJ Overtime Request Forms" (refer to YS Policy No. A.2.55) shall be used by each employee to document any pre-approved overtime hours, other than holiday overtime. This form shall be attached to the Time and Attendance Sheet and shall be required prior to the receipt of any overtime compensation.

2. All employees may carry over a maximum of 360 straight K hours to the next fiscal year. Excess balances for non-exempt employees shall be paid within 90 days after the beginning of the fiscal year per

CSR 21.11 (b). Excess balances for exempt employees may be paid at Appointing Authority discretion within 90 days after the beginning of the fiscal year. Any excess leave not paid, shall be cancelled per CSR 21.11 (c).

3. JJS staff and law enforcement positions as defined by exception to CSR 21.11 (a) granted by the SCS Commission may carry forward a maximum of 540 straight K hours to the next fiscal year. Excess balances for non-exempt employees shall be paid within 90 days after the beginning of the fiscal year per CSR 21.11 (b). Excess balances for exempt employees may be paid at Appointing Authority discretion within 90 days after the beginning of the fiscal year. Any excess leave not paid, shall be cancelled per SCR 21.11(c).

M. Pay for Employees at the Pay Range Maximum

1. In accordance with CSR 6.16 (g), employees with 12 years or more of continuous state service and who have been at the maximum of one pay range for three (3) years or more with satisfactory performance ratings shall be eligible for a lump sum payment of up to four percent (4%) of their base pay. Payments may be made prospectively up to three (3) years following the initial eligibility.

2. Eligibility exceptions are as follows:

   a. No employee may receive such payment more frequently than once every three (3) years; and

   b. Employees whose pay is red-circled are not eligible.

3. Unit Heads shall submit requests for payment for employees under this provision in writing to the Regional Director/Undersecretary for review and approval, if funding permits. Once approved, all documentation in support of such a request shall be forwarded to the Office of State Human Capital Management for final verification and processing.

4. Pursuant to SCR 6.31, an appointing authority may grant a 2% base increase to an employee appointed at minimum range after that employee has served at least six (6) months.

   When an appointing authority elects to grant such pay adjustments, they must be granted in a uniform manner to all employees in the same job title who are hired at the minimum range. Such pay adjustments may only be granted within twelve (12) months of the effective date of the appointment.

Employees hired above the minimum of the pay range pursuant to CSR 6.5 (g), or are hired under SER are not eligible for the pay increase.

The employee must be serving in the same appointment that made him eligible under this CSR on the date the payment is granted.

5. Employees shall not be compensated for the 2% base pay increase during a year in which performance adjustments are withheld for budgetary reasons. For the purpose of this Section, a year shall be considered October 1st through September 30th.

N. Pay upon Entering a Probational Appointment without a Break in Service

In accordance with CSR 6.5 (a), pay shall not be reduced when an employee has served longer than six (6) months and is earning more than the minimum for the job he occupies, and is subsequently appointed to a probationary position in the same job class or different job class with the same maximum rate of pay within YS without a break in service.

O. Performance Adjustment

In accordance with CSR 6.14, an employee who is in active status as of June 30 of the performance evaluation year, except for those serving as classified WAE's, becomes eligible for and may be granted a performance adjustment of four percent (4%), provided the Deputy Secretary has determined his performance merits such an adjustment, and provided that funding is available.

P. Premium Pay

In accordance with CSR 6.16 (a), YS Policy No. A.2.72 outlines the established guidelines under which premium pay and/or premium pay rates may be used to facilitate the retention and recruitment of personnel. Premium pay rates shall include compensatory factors for those areas deemed most critical to each unit.

Prior approval of the CSC is required for the implementation of new premium pay rates.

The following positions within YS are authorized to receive premium pay:

a. Firearms Instructors (POST Certified) and Defensive Tactics Instructors;
b. National Rifle Association (NRA) Instructors;

c. Safe Crisis Management (SCM) Instructors; and
d. Armory positions.

Q. Promotion

In accordance with CSR 6.7, promotional pay increases may be granted for the maximum amount permitted. When an employee has been detailed with pay to a higher job and is promoted to that same job or a job at the same level or a higher pay level directly from the detail, his eligibility on promotion shall not be less that he received on detail.

R. Relocation

Changes in the allocation of a position from one job to another by relocation shall be accordance with CSR 6.8.2. Pay may be reduced upon movement to lower jobs as a result of a layoff. Pay reductions shall be uniform in their percentage for all affected employees. If the uniform pay reduction results in an employee's rate of pay falling above the maximum of the pay range, the Deputy Secretary may choose one of the following options for all employees similarly situated:

1. The pay of affected employees may be reduced to the range maximum; or
2. The pay of affected employees may be set at the red-circle rate.

S. Reduction in Pay for Cause

In accordance with CSR 12.3 (c), a temporary reduction in pay for discipline shall not cause the employee's pay to fall below the minimum wage or below the minimum of the pay range.

T. Re-employment

In accordance with 6.5 (c), employees may be rehired at any rate in the range for the position the employee is being employed that does not exceed the highest salary the employee previously earned while serving with permanent status in a classified position, other than detail to special duty. Consideration of the rehire rate should be given to the former employee's length of State service and/or reason for resignation. The rehire rate shall be based upon the needs of the unit due to problems in recruitment, as well as the need for experienced staff; however, consistency and justification shall be maintained.

Employees who separate cannot return to any unit until a period of time equal to the pro-rated payment of all leave paid at separation has elapsed unless the employee reimburses the agency.

Former employees dismissed or who resigned to avoid dismissal are not eligible for re-employment under this CSR.

U. Classified WAE Appointment

In accordance with CSR 6.5 (d), compensation for employees hired as classified WAE appointments may be set at any rate of the applicable pay range.

Pursuant to CSR 23.6, a person may work as a classified WAE appointment for no more than 1245 hours during a 12-month period Approval to exceed the 1245 hours must be granted by the Civil Service Commission.

Classified WAE appointees must meet the minimum qualifications for the job, and may be terminated at any time.

1. Written justification and documentation for each restricted appointment shall be submitted by the Unit Head to the OSHCM at DPS.

2. The pay rate shall require the approval of the Undersecretary prior to a conditional offer of employment.

3. The OSHCM at DPS shall be charged with the responsibility for monitoring the use of WAE appointments, and reporting such usage to the Undersecretary as appropriate.

V. Shift Differential

In accordance with CSR 6.28 (c), and pursuant to YS Policy No. A.2.65, when funding is available and approved by the Deputy Secretary, shift differential pay of up to $2.00 per hour for actual hours worked may be paid to secure care employees who work and occupy the following positions:

a. Juvenile Justice Specialist 1*;
b. Juvenile Justice Specialist 2*;
c. Juvenile Justice Specialist 3*;
d. Juvenile Justice Specialist 4*;
e. Juvenile Justice Specialist 5*;
f. Juvenile Justice Specialist 6*;
g. Corrections Juvenile Food Production Worker;
h. Corrections Juvenile Food Production Supervisor; and
i. Corrections Food Manager 1

***JJS staff must be in a direct care position to qualify.**

Payment of shift differential for certain job classes may be requested by the Unit Head and shall be approved by the Deputy Secretary for recruitment and retention purposes.

Requests for new shift differential applications or changes to existing rates may be sought by the Unit Head. Such requests shall be submitted to the OSHCM at DPS for review and forwarding to the Undersecretary. All requirements shall be approved by the Undersecretary prior to submission to Civil Service for final approval.

W. Special Entrance Rates (SER)

1. In accordance with SCR 6.5 (b), based on local recruitment conditions, flexible SERs, not to exceed the established Hiring Rates, may be used for those jobs specified by SCS. (Hiring Rates are established by SCS for regional areas of the State.)

2. Requests to increase the established hiring rate shall be directed to the Undersecretary through the OSHCM at DPS, and require CSC approval. New hiring rates shall be established by SCS.

3. Units are encouraged to contact the OSHCM at DPS to assess and address problems that may result from implementation of the higher pay rates.

4. The OSHCM at DPS shall adjust the salaries of current employees working in the positions (to which the special entrance rate applies) up to, but not to exceed, the percentage difference between the new SER and the previous rate. The new rate cannot exceed the maximum of the pay range.

5. When special entrance rates or special retention rates are adjusted downward, the individual pay rates of employees occupying positions effected by the authorized rates shall not be changed.

IX. REPORTING DISCREPANCIES:

A. Employees shall be responsible for reviewing their pay checks/pay stubs and reporting over-payments and under-payments to the OSHCM at DPS as soon as possible.

B. Pursuant to YS Policy No. A.2.36, the OSHCM at DPS shall process any recoupment in accordance with the Statewide Uniform Payroll Policy.

Previous Regulation/Policy Number: A.2.2
Previous Effective Date: 01/11/2013
Attachments/References:
Statement of Agreement of Understanding - Compensation for OT Work