

DEPARTMENT OF NATURAL RESOURCES

HUMAN RESOURCES POLICY NO: 13

EFFECTIVE DATE: OCTOBER 7, 2015

SUBJECT: OPTIONAL PAY ADJUSTMENTS – RULE 6.16.2

AUTHORIZATION: STEPHEN CHUSTZ, SECRETARY

I. POLICY

When funding is available, the Department of Natural Resource (DNR) may utilize the provisions of Civil Service Rule 6.16.2 to retain a valued employee whose loss would be detrimental to the Department; to adjust inequitable pay differentials between comparable employees; to provide compensation for the performance of additional duties; and to recruit employees into positions for which recruiting is difficult.

II. APPLICABILITY

This policy is applicable to full-time, classified employees serving DNR with permanent status. This special pay provision may be utilized only after a determination of funding availability and upon consideration of budgetary impact.

III. ELIGIBILITY

Provided funding is available, DNR may consider granting optional pay adjustments under the following circumstances:

1. Retention

To provide for the retention of an employee whose loss would be detrimental to the Department, an appointing authority may recommend to the Secretary that a base pay increase of up to ten (10%) percent or a lump sum be granted to an employee to match a verified, non-state job offer or unclassified job offer in a different state department.

- A. The job offer shall be presented for thorough review to the Office of State Human Capital Management and verified for validity.
- B. In recommending utilization of this special pay provision, an appointing authority shall present, for consideration by the Secretary, justification for the base pay increase and a thorough explanation of the detriment to DNR to result from loss of the employee.

- C. Certification of the availability of funding for the base pay increase shall be obtained from the Undersecretary.
- D. As authorized by Rule 6.16.2(a), the Secretary may request that the Commission authorize an increase greater than ten (10%) percent.
- E. Employees at the maximum of the pay range may receive a one-time lump sum payment only.

NOTE: Questionable job offers submitted for the purpose of securing a pay increase will be thoroughly investigated and may result in the imposition of disciplinary action.

2. Compression Pay

An appointing authority may recommend to the Secretary that an employee's pay be increased up to ten (10%) percent of his/her base pay to reduce compression, realign pay between comparable employees, or alleviate supervisor/subordinate pay inversions caused by job and pay plan changes.

- A. Employees at the maximum of the pay range for the position are not eligible to receive compression pay.
- B. Consideration for a pay increase under this provision will be given only in those instances in which the implementation of other Civil Service Rules caused the pay discrepancy.

NOTE: There is no legal requirement that employees with more seniority or in a higher level position earn a higher rate of pay than a less senior employee or employee in a lower level position. Before recommending optional pay to address compression issues, appointing authorities should consider the circumstances causing the pay concerns, the employee's length of service, the relationship of positions and what effect a pay increase will have on other employees.

3. Additional Duties

To compensate employees for performing additional duties, an appointing authority may recommend to the Secretary that an employee's base pay

be increased up to ten (10%) percent or that he/she receive a lump sum payment of up to ten (10%) percent. The Secretary has authority to grant optional pay of up to seven (7%) percent for performance of additional duties. Approval of the State Civil Service Commission is required to pay the remaining recommended three (3%) percent.

A. Considerations:

In determining whether an employee should receive a base pay increase or lump sum payment for the performance of additional duties and, if so, the amount to be paid for such additional duties, the following factors should be considered and given appropriate weight:

- a. Is the employee actually performing additional duties or did the volume of work (the same duties) increase?
- b. Did the additional duties replace other duties that the employee customarily performed?
- c. Are the additional duties more complex than the duties the employee customarily performed?
- d. Is the employee required to acquire new skills or competencies to perform the additional duties?
- e. Are the new duties identifiable, quantifiable and subject to independent evaluation?

B. Requirements:

- a. An Optional Pay Adjustment Questionnaire for Additional Duties (attached) must be completed in support of a request for optional pay associated with an employee's performance of additional duties.
- b. The position description of an employee receiving a base pay increase for the performance of additional duties must be updated to reflect the additional duties prior to granting the adjustment.
- c. Lump sum payments for additional duties must be calculated using the employee's base pay at the time the duties were assigned. If additional duties extend beyond one year and new approval is obtained for payments to continue, the continuing optional pay will be calculated using the employee's base pay at the time of renewal.

C. Limitations:

- a. An employee's base pay may not increase by more than fifteen (15%) percent within three consecutive years as the result of performing additional duties. Lump sum increases do not count toward the fifteen (15%) percent limitation; however, they count toward the ten (10%) percent limitation within a fiscal year.
- b. Employees performing additional duties on a temporary basis may only receive a lump sum pay increase.
- c. Lump sum payments for the performance of additional duties may be made as a one-time payment upon completion of the project/additional duties or may be spread out bi-weekly over the duration of the time the additional duties are performed.
- d. If the one-time payment method is selected, the employee cannot be paid if the project is not completed unless the Secretary determines that the employee's performance on the project was exemplary and non-completion of the project was caused by circumstances wholly beyond the employee's control.
- e. Bi-weekly payments for performance of additional duties may only be approved for a period of one year. If the additional duties extend beyond one year, new approval must be obtained.

4. Recruitment

An appointing authority may recommend to the Secretary a pay increase of up to ten (10%) percent of an employee's base pay to recruit employees into positions for which recruiting is difficult because of an undesirable work area, difficult work conditions, limited job applicant pool, historical difficulty filling the position or other such reasons.

- A. Optional pay for recruitment should be restricted to areas with the highest turnover and most recruiting difficulties.
- B. Justification for such a pay increase must demonstrate a pressing need to fill the position and that prior efforts to do so produced no suitable candidates. An example of such need would be that public

service is negatively impacted because the lack of personnel has caused operations to be unduly slow or inefficient.

IV. LIMITATIONS APPLICABLE TO ALL OPTIONAL PAY REQUESTS

1. Employees at the maximum of the pay range for the position cannot receive a base pay increase nor can they receive lump sum payments in consecutive years, even if the reasons for the adjustment are different.
2. Optional pay adjustments cannot exceed ten (10%) percent in a fiscal year even if the employee transfers between departments, agencies or offices.
3. There is no limit to the number of pay adjustments that can be granted in a fiscal year; however, the amount of the optional pay adjustments (base and/or lump sum) cannot exceed ten (10%) percent of the employee's base pay in a fiscal year.
4. Optional pay adjustments cannot duplicate payment received under other pay rules.

V. PROCEDURE

1. All requests to utilize Rule 6.16.2 must be submitted to the Secretary by the appointing authority with a memorandum of justification, as well as verification of funding availability from the Undersecretary. Appropriate documentation to support the request must be attached to the memorandum (certificate of eligibles related to request for optional pay for recruitment; verified job offer related to request to match a job offer; updated position description when the request is related to the performance of permanent additional duties, etc.).
2. The Secretary will evaluate the merits of each request and approve or deny same.
3. The Secretary has the discretion under Rule 6.16.2 to approve optional pay requests without State Civil Service Commission approval of:
 - A. Up to ten (10%) percent for retention, compression and recruitment; and
 - B. Up to seven (7%) percent for additional duties.
4. State Civil Service Commission approval is required for optional pay requests of:
 - A. Over ten (10%) percent for retention purposes; and

- B. Over seven (7%) percent for performance of additional duties.
- 5. DNR management, including the Secretary and/or appointing authority, may be required to appear before the State Civil Service Commission to provide additional information and justification in support of an optional pay request.

VI. RESPONSIBILITY

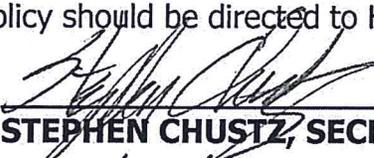
- 1. Appointing authorities are responsible for:
 - A. Thoroughly evaluating the applicability of, need for and effects upon the workforce prior to submitting optional pay requests for the Secretary's consideration; and
 - B. Providing a detailed explanation and justification in support of optional pay requests.
- 2. Human Resources is responsible for:
 - A. Verifying the validity of non-state and unclassified job offers related to optional pay requests for retention purposes;
 - B. Posting this policy in the Human Resources Office at DNR Headquarters and on the intranet; and
 - C. Posting a list of all employees receiving optional pay under Rule 6.16.2 in the same locations.

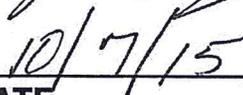
VII. EXCEPTIONS

There shall be no exceptions to this policy.

VIII. QUESTIONS

Questions regarding this policy should be directed to Human Resources.



STEPHEN CHUSTZ, SECRETARY


DATE

INITIAL ISSUE DATE: 04/01

REVISION DATES: 05/01; 09/01; 07/04; 12/10; 10/15

Agency/Division:

Personnel Area Code:

Requested Effective Date:

NOTE: Normally the effective date should be the date of the Commission meeting.

Requested Percent Adjustment:

Type of Adjustment: Lump Sum Base Pay

1. Please provide employee information below.

Employee Name		Job Title	
Employee Personnel Number		Pay Level/Range	
Employee's Annual Salary	\$	Level of Work on Job Specification	

2. What are the additional duties?

3. Has the job description been updated?

4. Were any duties removed to facilitate this new duty? If so, which ones?

5. Will the duties be permanent or temporary?

6. What percentage of time are the additional duties allocated?

7. Would you consider the duties to be lower, higher, or the same level as the duties performed in the current job?
This may include an assessment from the employee's manager. If a delegated agency, a HR assessment must be included.

8. Does this result in some savings for the agency? If so, how? What are the projected dollar savings?

9. Will the employee have to learn new skills and/or competencies? If so, please explain.

10. Many jobs evolve over time, due to procedural differences and technology changes. How are these additional duties different from a natural evolution of the job?

Example: Administrative Assistants have historically produced correspondence for their bosses. As recently as fifteen years ago, this was mostly done with a typewriter. Today, however, typewriters are essentially obsolete. An administrative assistant is still an administrative assistant, regardless of the method used to produce correspondence.

11. If this request is for an adjustment over 7%, what is your rational business reason for requesting a higher amount?

12. If this request is for an employee who is an administrator or higher, please describe how these duties are outside of the scope of the position.

13. Has the employee received an Optional Pay adjustment before? If so, please list dates and reasons.