

SALT LAKE COUNTY HUMAN RESOURCES POLICY AND PROCEDURE**PAY PRACTICES****REFERENCE**

Uniformed Services Employment & Reemployment Rights Act, 1994; 38 U.S.C.; 4301-4333
Utah Code Annotated, County Personnel Management Act, 17-33-5, 17-33-7
Human Resources Policy & Procedure:
 General Definitions

PURPOSE

To identify and provide for the consistent application of pay adjustments resulting from the execution of a personnel policy, procedure, practice or action.

POLICY

THE HUMAN RESOURCES DIVISION DIRECTOR, MAYOR OR COUNCIL WILL NOT BE BOUND BY PROMISES OR COMMITMENTS MADE TO EMPLOYEES OR PROSPECTIVE EMPLOYEES REGARDING PAY, UNLESS THE PROVISIONS OF THIS POLICY ARE FOLLOWED.

PROCEDURE

- 1.0 All merit employee salary increase requests, in excess of 5%, except to reach entry of range, will be reviewed for approval by the Human Resources Division Director, be justified in writing, and receive final approval by the Mayor's Office as recommended by the Human Resources Director. The County Council will be informed of such approvals. For those requests that exceed the mid-point of the salary range, more extensive justification and prior **written** approval of the Human Resources Division Director and the Mayor's Office will be required. The County Council will be informed of such approvals. In all instances, the administrator shall pay particular attention to the impact the proposed salary will have on existing employees. Additional areas that should be addressed in any letter of justification are listed below:
 - 1.1 Relatedness of education and experience, including licenses, certifications, etc.;
 - 1.2 An overall evaluation of the applicants' qualifications compared to other applicants OR to existing County employees within the agency payroll unit;
 - 1.3 Market conditions - supply and demand of the labor market;
 - 1.4 Impact of not hiring, promoting or transferring this employee or applicant at the requested salary.
- 2.0 **ACTING-IN-POSITION**
 - 2.1 A merit employee may be temporarily assigned to perform the critical or essential objectives and tasks of an unoccupied, allocated, higher grade position. An individual may be placed in an acting-in capacity without regard to minimum qualifications, unless professional licensure or certification is required. Licensure or certification must be maintained for the duration of the assignment.

- 2.2 Acting-in-Position assignments are generally made for any period up to six (6) months in length, but under no circumstances for more than one year.
 - 2.2.1 A Personnel Action Form (CP4) must be prepared to place a merit employee in an Acting-in-Position capacity. The Personnel Action Form (CP4) must include the effective date of the action and the title of the position that is being filled. The employee's job code and grade should not be changed.
 - 2.2.2 Acting-in-Position assignments may be made retroactively for a period not to exceed thirty (30) days.
- 2.3 A merit employee who has been assigned to temporarily perform the essential or critical objectives and tasks of an unoccupied, allocated, higher grade position may be granted a salary increase of 0% through 5% or the minimum of the acting-in grade. Redlining of salaries for acting-in assignments which exceed 90 days must be approved by the Mayor and County Council.
 - 2.3.1 An employee who is Acting-in-Position shall have the base salary adjusted to reflect any salary plan adjustments and pay for performance increases that are made during the Acting-in-Position assignment.
 - 2.3.2. Upon the completion of the Acting-in-Position assignment the employee's salary shall be adjusted to his/her base rate plus any increases received during the Acting-in-Position assignment.
- 2.4 An employee may be promoted following applicable Salt Lake County Human Resources Policies and Procedures while in an Acting-in-Position.

3.0 CAREER LADDER

- 3.1 Salt Lake County establishes career ladders to provide career development opportunities for employees.
 - 3.1.1 A career ladder will typically consist of two or more grades constituting the entry and working level or the entry, working and senior level. All levels are identified by the same title and job code. Advancement through the levels is dependent upon meeting the established career ladder advancement criteria for that position. The position is classified at the highest level and the career development/training levels are established below.
- 3.2 Career ladders are subject to the approval of the Human Resources Division Director. Administrators wishing to develop career ladders should follow the regular position description review process as outlined in Salt Lake County Human Resources Policy and Procedure: Allocation and Classification of Merit Positions. The Administrator must request that the position submitted for classification or reclassification be assigned to a career ladder. Administrators must develop and submit written criteria for advancement to the next level in the career ladder to the Human Resources Division Director.
 - 3.2.1 Advancement through the career ladder is primarily dependent upon

satisfactorily performing the duties of and meeting the advancement criteria of the next higher level. Advancement criteria shall be applied uniformly to all employees in the particular career ladder.

- 3.3 A merit employee who has met or exceeded the established advancement criteria for the career ladder plus demonstrated the ability to perform the duties of the next highest level of the career ladder must be advanced.
- 3.4 A merit employee who has received a career ladder advancement must have his/her pay adjusted to at least the new pay range minimum.
 - 3.4.1 Pay adjustments above the pay range minimum may be made as follows:
 - 3.4.1.1 A career ladder advancement with a pay adjustment of 0% through 5% may be initiated by completing a Notice of Personnel Action Form (CP-4).
 - 3.4.1.2 A career ladder advancement with a pay adjustment of more than 5% may be initiated by completing a Notice of Personnel Action Form (CP-4). In addition to the Notice of Personnel Action Form (CP4), the Elected Official or Department Director must submit a letter of justification to the Human Resources Division Director. The pay adjustment is contingent upon the Mayor's approval with notification to the Council.
- 3.5 Employees eligible for career ladder advancement while in an "Acting in Position" shall be adjusted without regard to their current "Acting in Position" assignment.

4.0 DEMOTION

- 4.1 The salary of a merit employee who has been demoted per P&P 5700 2.6 may be reduced. The salary of the demoted employee shall not exceed the new pay range maximum.

5.0 PAY ADJUSTMENTS

- 5.1 An Administrator may request a Pay Adjustment for an employee to correct a situation of unfairness.
- 5.2 All requests for a pay adjustment shall be submitted in writing to the Human Resources Division through the Department Director or Elected Official. Administrators shall forward all requests to the Human Resources Division irrespective of the nature of the request. Pay adjustments do not affect an employee's eligibility for promotion, reclassification, pay for performance or other personnel actions.

6.0 NEW HIRE MERIT EMPLOYEE

- 6.1 A new hire merit employee may be hired 0% through 5%, above the pay range minimum by completing a Notice of Personnel Action Form (CP-4).
- 6.2 A new hire merit employee may be hired more than 5% above the pay range minimum by completing a Notice of Personnel Action Form (CP-4). In addition, the Administrator must prepare a letter of justification that must be submitted to

the Human Resources Division. An in-range new hire salary rate of more than 5% is contingent upon approval by the Mayor with notification to the Council.

- 6.3 A new hire merit employees who is hired from a County merit register and comes to the County from another comparable merit system, without a break in service, may have their service date adjusted (see 14.0).

7.0 PROMOTION

- 7.1 All merit employees may be promoted into higher grade positions for which they meet the minimum education and experience requirements and are certified as eligible by the Human Resources Division.

- 7.1.1 Probationary employees may not be promoted unless they have been certified from a merit register developed for the higher grade position. These employees may be required to serve a new merit probationary period or serve out the remainder of the original probation period at the Administrator's discretion.

- 7.2 A merit employee who has been promoted must have the pay adjusted to at least the new pay range minimum.

- 7.2.1 Pay adjustments above the pay range minimum may be made as follows:

- 7.2.1.1 A promotion with a pay adjustment of 0% through 5% may be initiated by completing a Notice of Personnel Action Form (CP-4).

- 7.2.1.2 A promotion with a pay adjustment of more than 5% may be initiated by completing a Notice of Personnel Action Form (CP-4). In addition, the Administrator must submit a letter of justification to the Human Resources Division. The pay action is contingent upon approval by the Mayor with notification to the Council.

8.0 REASSIGNMENT

- 8.1 An employee may be reassigned on a temporary or permanent basis for the purposes of improved administrative practices, reorganization or for any other non-disciplinary reason. A reassignment may require a Personnel Action Form (CP4) if there is a change in grade or job code.

- 8.2 An employee may be eligible for a pay adjustment due to reassignment, except to a lower pay grade.

- 8.3 A new position description, reflecting the reassigned duties and responsibilities shall be prepared and submitted to the Human Resources Division.

9.0 RECLASSIFICATION

- 9.1 Reclassification based on a review of a change of an employee's duties and responsibilities are as follows:

- 9.1.1 The Human Resources Division shall review position descriptions upon

the request from an Administrator.

- 9.1.2 The effective date of the reclassification action shall be the beginning of the first pay period following receipt of the position description in the Human Resources Office.
 - 9.1.3 A reclassification may involve a salary increase of 0 to 5% consistent with County pay policies.
 - 9.2 Market adjustments that result in a change of grade based on salary survey data shall be implemented follows:
 - 9.2.1 The effective date for the grade adjustment shall be determined by the Human Resources Division Director.
 - 9.2.2 Unless authorized by the Mayor and County Council per 9.2.3 of this policy, employees are not eligible to receive a salary increase except to adjust their rate of pay not to exceed the minimum of their new salary range.
 - 9.2.3 The Human Resources Division shall provide the County Council and the Mayor's Chief Financial Officer with notification of all market adjustments; if approved by the County Council, employees shall receive a salary increase as determined by the Council; the Council shall also determine the effective date of the market adjustment salary increase.
 - 9.3 An employee whose position is reclassified to a lower grade due to a classification study or market adjustment shall retain their current salary.
- 10.0 REDLINED
- 10.1 An employee may not be paid at a rate that exceeds the pay range maximum of their classification unless the redlined rate is approved by the Mayor and the County Council except as provided in 9.3.
 - 10.2 Temporary redlining of a salary may be authorized for acting-in conditions or shift differential pay when approved by the Administrator through Human Resources and the Mayor with notification to the Council.
 - 10.2.1 Redlined salaries for acting-in assignments which exceed 90 days must be approved by the Mayor and County Council.
- 11.0 REHIRE
- 11.1 Terminated employees who have successfully completed a probationary period are eligible for rehire, without competition, into any vacant position for which they meet the minimum qualifications. All rehired employees must serve a new probationary period.
 - 11.1.1 A County employee who terminated after completing a probationary period may directly approach any Administrator for consideration for job openings; or conversely, an Administrator may approach any former merit employee to determine their interest in a job opening they are

expecting to fill.

- 11.1.2 If an Administrator is considering rehiring a former merit employee, he/she shall notify the Human Resources Division of their intention and request certification of the individual's eligibility.
- 11.1.3 A representative of the Human Resources Division shall review the request for certification and determine the individual's eligibility for rehire by verifying that the individual:
 - 11.1.3.1 completed a County probationary period;
 - 11.1.3.2 left the County in good standing (was not terminated for cause);
 - 11.1.3.3 meets the current minimum job qualifications required for entry to the available position.
- 11.1.4 The Human Resources Division shall notify the requesting Administrator of the individual's eligibility for rehire.
- 11.1.5 If not certified as eligible for rehire by the Human Resources Division, the Administrator shall inform the individual, in writing, of the decision.
- 11.2 A former merit employee may be rehired at a higher rate of pay if justified. The Administrator must submit a letter of justification to the Human Resources Division.
- 11.3 A rehired employee shall have his/her service date adjusted to reflect all previous merit employment with Salt Lake County. The adjusted service date will be used for the purpose of determining vacation accrual, awarding employee service awards, employee service certificates and reduction-in-force retention points.

12.0 REINSTATEMENT

- 12.1 Reinstatement applies to a merit employee who (a) has been reduced-in-force within the last six (6) months, or (b) is a veteran eligible under the Uniformed Services Employment and Re-employment Act, or (c) has been reinstated as a result of Career Service Council or subsequent court action.
 - 12.1.1 A merit employee who has been reinstated within six (6) months of being reduced-in-force must have his/her pay and/or benefits restored as follows:
 - 12.1.1.1 The employee will be required to serve a merit probation period unless the employee is being hired in the same classification in the same payroll unit from which they were reduced-in-force.
 - 12.1.1.2 A reduced-in-force employee may be reinstated at their previous salary at the Administrator's discretion.
 - 12.1.1.3 The employee shall have his/her service date adjusted to reflect all previous merit employment with Salt Lake County.

The adjusted service date will be used for the purpose of determining vacation accrual, awarding employee service awards and employee service certificates and for the calculation of Reduction-in-Force retention points.

- 12.1.1.4 Upon application for enrollment, the employee's health, dental, life, retirement, etc. benefits will be established subject to new hire policy.
- 12.1.1.5 The employee shall have his/her sick leave hours restored.
- 12.1.2 A merit employee who has left Salt Lake County employment for the purpose of entering the Armed Forces must be reinstated in accordance with the provisions of the Uniformed Services Employment & Re-employment Rights Act, 1994; 38 U.S.C.; 4301-4333. If the employee is reinstated they must have their pay and/or benefits restored as follows:
 - 12.1.2.1 The veteran must be paid at the level they would have attained had they not left for military service. This includes all general, cost-of-living and merit increases.
 - 12.1.2.2 The employee shall have his/her service date adjusted to reflect their previous merit employment plus a reasonable period between leaving county employment and entering military service, the entire period of military service and the period between release from the service and their return to work. The adjusted service date will be used for the purpose of determining vacation accrual, awarding employee service awards and employee service certificates and for the calculation of Reduction-in-Force retention points.
 - 12.1.2.3 Upon application, the employee's health, dental, life, etc. benefits will be established subject to new hire policies.
 - 12.1.2.4 The employee shall have his/her sick leave hours restored.
- 12.1.3 A merit employee who has been reinstated as a result of Career Service Council or subsequent court action must have his/her pay and/or benefits restored as directed by the Career Service Council or court.
 - 12.1.3.1 When the county has been directed to rehire an employee who has been reinstated by Career Service Council or court action and a vacancy no longer exists, the Reduction-in-Force Policy 5720 shall be applied.

13.0 TRANSFER (County)

13.1 A merit employee may transfer from one payroll unit to another within the County subject to the approval of the Human Resources Division Director. When transferring between payroll units the following procedures apply:

- 13.1.1 A representative from the new payroll unit shall request that the Human

Resources Division verify that the employee meets the minimum qualifications of the position.

- 13.1.2 The new payroll unit must contact the old payroll unit to arrange for a mutually agreeable transfer date.
- 13.1.3 The new payroll unit must accept all of the transferring employee's accrued annual and sick leave, except that compensatory time accrued by FLSA covered employees only must be either cashed out by the old payroll unit or transferred to the receiving agency at the agency's discretion. Compensatory time accrued by FLSA-exempt employees will be lost if not used prior to the transfer.
- 13.1.4 The new payroll unit must prepare the Personnel Action Form (CP4) to effect the transfer.
- 13.1.5 A probationary employee may transfer to another position if that position is the same classification, i.e title and grade that they currently encumber.
- 13.1.6 A probationary employee may not transfer to positions other than those identified in 13.1.5 above unless they have competed and been certified on a merit register developed for that position.
- 13.2 A transfer may be made with a pay adjustment of 0% through 5% by completing a Notice of Personnel Action Form (CP-4).
- 13.3 A merit employee who transfers to an exempt position, with no break in service, may transfer back to a vacant, allocated, merit position, with regular status, if they meet the current minimum qualifications.

14.0 TRANSFER (Inter-Jurisdiction)

- 14.1 The Human Resources Division Director may authorize the transfer, directly or from a merit register, of an individual, with merit system status, from another public jurisdiction which utilizes public recruitment and minimum qualifications screening processes for referral of eligible candidates.
 - 14.1.1 If the Administrator is considering the transfer of a current merit employee of another public jurisdiction he/she shall notify the Human Resources Division of their intention and request certification of the individual's eligibility.
 - 14.1.2 A representative of the Human Resources Division shall review the request and determine the individual's eligibility for transfer by verifying that the individual:
 - 14.1.2.1 is a current merit employee of the other jurisdiction.
 - 14.1.2.2 meets the current Salt Lake County minimum qualifications required for entry to the available position.
 - 14.1.3 The Human Resources Division shall notify the requesting Administrator of the individual's eligibility for transfer.
- 14.2 The transferring employee may be hired into the approved range at their current

compensation level or a 5% increase but not to exceed maximum of range; no additional compensation or benefits may be offered the prospective employee that is not authorized by policy or ordinance.

- 14.3 When an individual transfers to the Salt Lake County merit system from another equivalent public merit system jurisdiction, as provided for under U.C.A. 17-33-3 and 17-33-5(3)(b)(xii), they will be treated as a new hire merit employee and as such will be required to serve a probationary period.
- 14.4 The transferring employee shall have his/her service date adjusted to reflect all previous merit employment with the other equivalent public merit system jurisdiction if there has been no break in service.
 - 14.4.1 A transferring employee may take up to thirty calendar days off before reporting to work with Salt Lake County without it being considered a break in service if the transfer was arranged before the individual left his/her previous job assignment or as part of the hiring negotiations with Salt Lake County.
 - 14.4.2 The adjusted service date will be used for the purpose of determining vacation accrual and awarding employee service awards.
 - 14.4.3 Current merit employees who transferred to the County in previous years without a service date adjustment may have their service date adjusted at anytime; however, vacation accrual and service awards shall not be granted retroactive.

15.0 TRANSFER (Assimilation)

- 15.1 When a program or service is transferred through assimilation to Salt Lake County government, from another public jurisdiction, the merit employee(s) of the original provider automatically become employees of the Salt Lake County merit system. As such, all their benefits are transferred to or comparable benefits are provided by Salt Lake County. All employees who transfer with the program or service shall have their service date adjusted to reflect all previous merit employment with the other public jurisdiction. The adjusted service date will be used for the purpose of determining vacation accrual, reduction-in-force, awarding employee service awards and employee service certificate.

APPROVED AND PASSED THIS 15TH DAY OF JULY, 2008.