



Subject: Salary Administration

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Originator: Department of Human Resources

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## I. EFFECTIVE DATES

Transactions affecting compensation authorized for employees shall become effective in accordance with the following procedures.

- a. Overtime shall be paid in accordance with established procedures, applicable contract provisions and the Fair Labor Standards Act. Payment will be made in the pay period after the overtime is worked.
- b. Shift, Assignment and Risk Differential payments shall become effective the day such assignments begin.
- c. Out-of-Title appointments shall become effective ten days after such assignments begin with payment made retroactively to the first day of the assignment. (See VIII below for Out of Title appointment procedures.)
- d. Approved new hires, provisional appointments, reclassifications, reallocations, demotions, promotions, transfers and reassignments shall be effective as follows:
  1. The first day of bi-weekly pay period except where the first day is a designated holiday, new hires, reinstatements and returns from unpaid leave must be started the following day.
  2. January 1, when necessitated by position abolishments or changes in County budget.
  3. Whatever day specified in lawsuits, settlements, or special appointments by the County Executive.
  4. The day authorized by the Board of Legislators for pay plan amendments by the applicable bargaining agreement for reclassifications or reallocations.

## II. STARTING SALARY

All new employees appointed to annual salary positions as new hires will be compensated at the first step of their job title's allocated job group, within the appropriate salary schedule, except for the following:

- a. With written approval to recruit above the minimum by the Commissioner of Human Resources and the Budget Director based on justification.
- b. New York State Nurses Association: in accordance with criteria in bargaining agreement.

## III. ANNIVERSARY DATES

Each employee will be assigned a quarterly anniversary date based upon their original date of hire. These dates shall be January 1, April 1, July 1 and October 1. These dates are used to determine when an individual is eligible to be considered for an increment. Any personnel transaction that occurs between quarterly anniversary dates and affects these dates will be assigned the next quarterly date. The following exceptions to these procedures are:

- a. As stipulated in applicable bargaining agreements.
- b. Personnel transactions occurring within four business days of a quarterly anniversary date will be assigned that prior quarterly date.
- c. Employees who receive no pay for a period of more than thirty continuous calendar days will have their anniversary date advanced to the next quarterly date and prorated thereafter.
- d. Promotions will have the anniversary date changed to the quarterly date of the following year after the promotion date.
- e. Demotions will be assigned a quarterly anniversary date consistent with the procedures governing demotions.

## IV. INCREMENTS

It is declared as a matter of policy that increments, indicated in the various salary schedules, are in no sense automatic nor are the increments to be considered earned solely due to the passage of time or the number of years of service. The following procedures govern the granting of increments:

- a. Review of job performance over the year preceding the anniversary date.
- b. Denial of increments by appointing authorities shall be made in writing to the employee no less than thirty calendar days before the date the increment would otherwise be due. These are subject to re-review in the following quarter. Anniversary dates are not adjusted solely as a result of an increment denial.
- c. Appointing authorities may recommend outstanding employees for meritorious increments subject to the approval of the Budget Director and Commissioner of Human Resources. Meritorious increments will cause the employee's anniversary date to be adjusted unless otherwise specified.

## V. PROMOTION FORMULA

Employees who are appointed or reallocated to a position in a job group with a higher authorized maximum salary shall be paid the lowest step in the higher job group which is not less than the total of their present salary plus the value of one step in their present job group. Exceptions can only be made with the written approval of the Commissioner of Human Resources and Budget Director.

Employees working on other than an annual salary basis who are subsequently appointed to an annual position will be compensated at the first step or Minimum Rate of their job title's assigned job group.

## VI. DOWNGRADING

The salary of an incumbent of any position which is reclassified or reallocated shall not be reduced for the then incumbent by reason of such reclassification or reallocation so long as such position is held by the then incumbent.

- a. If the employee's salary falls within the range of the lower job group, the salary shall be the step of the lower job group which is not less than the current salary.
- b. If the employee's current salary exceeds the maximum of the lower job group, then the employee's salary will remain red-circled (unchanged) until such time as the maximum step of the lower grade is adjusted to equal or exceed the current salary.

## VII. DEMOTION FORMULA

Employees demoted from a position in one job group with a lower authorized maximum salary shall be compensated in the following manner:

- a. Employees having served only in the position from which they are being demoted shall be compensated at the appropriate step of the lower job group as though they had always been employed in that job group and had received increments earned in the higher title. Employees recruited above the minimum shall be deemed to have been similarly recruited in the title to which they are being demoted. The anniversary date of the employee will not be changed by this action.
- b. Employees having last served in a position in the job group to which they are being demoted shall be compensated at the appropriate step of the lower job group as though they always had been employed in that group and had received increments as earned in the higher allocated title. The anniversary date of the employee will be changed to the one previously assigned.
- c. Employees having prior service but only in job groups with maximum salaries lower than the group to which they are being demoted shall be deemed to have been promoted to the group to which they are being demoted. The effective date of this transaction shall be the date of promotion to their current position. Employees demoted under this procedure shall retain this current anniversary date and any increments earned in the higher position shall be credited in the lower position.
- d. Employees who are being demoted for the "good of the service" may be compensated at a rate approved by the Budget Director and Commissioner of Human Resources.

The anniversary date of employees demoted under this procedure shall be established based upon the effective date of the transaction consistent with the guidelines for assigning anniversary dates.

## VIII. OUT-OF-TITLE APPOINTMENTS

Brief periods of absence can normally be handled administratively without need for actual replacement. It is suggested that necessary duties be delegated to appropriate levels prior to considering an out-of-title appointment. Senior positions may be able to absorb the higher duties and equivalent or junior positions may be able to absorb the other necessary duties in a manner similar to vacation scheduling.

- a. All out-of-title assignments and payments are subject to pre-approval by the Commissioner of Human Resources by means of the Out-of-Title Request Form.
- b. Selection for such assignment shall be made of the most qualified individual who can assume the duties of the position with minimum disruption to the department. The employee should substantially qualify for the higher title and be eligible should the out-of-title assignment develop into a promotional opportunity.
- c. The employee must be assigned substantial duties of the higher classification to qualify, as defined in the job specification for the title. Experience gained while serving in an out-of-title capacity cannot be used as qualifying experience under Civil Service Law.
- d. Out of title appointments are defined as temporary in nature and should be limited to two months (except in the case of maternity leaves, extended sick leaves).
- e. For periods in excess of sixty days, a temporary appointment should be considered in lieu of the out-of-title appointment whenever possible, so as not to penalize the employee of qualifying experience.
- f. Procedure for payment:

Out-of-title reimbursement will be paid retroactively to the first day of assignment to the employees who meet the following conditions:

1. They must be directed to work in a higher title by a higher authority subject to the prior approval of the Commissioner of Human Resources;
2. They must perform substantially higher duties (as defined in the job specification) for more than ten consecutive days;
3. A temporary appointment to the higher title is not possible or practical.
4. Compensation will be in accordance with the promotion formula. Anniversary dates do not change with out-of-title appointments. Employees receiving an increment in their original title during the term of the out-of-title appointment shall have their out-of-title compensation recalculated in the manner previously described.