

**SANTA CRUZ COUNTY
PERSONNEL ADMINISTRATIVE MANUAL**

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| Topic: SALARY UPON APPOINTMENT TO HIGHER, EQUAL OR LOWER CLASS | Date Issued: Dec. 21, 1990 Date Revised: Dec. 18, 1992 |
| Section: RATES OF PAY | |
| Number: IX.3. | April 27, 2023 |

PURPOSE:

To clarify provisions in Section 161 regarding Step Placement and Step Advancement Upon Appointment to a Higher, Equal and Lower Class for employees in budgeted positions and provide illustrative examples. (Note: These provisions do NOT apply to extra-help employees.)

LEGAL BASIS:

Section 161.G. Requirements for Step Advancement
Section 161.H. Hours of Service for Purposes of Step Advancement
Section 161.I. Step Placement and Step Advancement Upon Appointment to an Equal Class
Section 161.J. Step Placement and Step Advancement Upon Appointment to Higher Class
Section 161.K. Step Placement and Step Advancement Upon Appointment to a Lower Class or Downward Reclassification
Section 161.M. Salary Upon Reemployment and Reappointment from Displacement
PAM IX.1 Advance Step Appointments Regular and Extra-help
PAM V.2.A Hierarchy of Employment Lists
County of Santa Cruz Various Bargaining Unit MOU's

POLICY:

- I. General Provisions (Section 161.G., 161.H.)
 1. Step advancements are based upon hours of service by an employee in a budgeted position within the authorized hours of the position. Hours worked in excess of the number of hours authorized for a position (whether overtime or not) are not included in hours of service.
 2. Hours of service for purposes of step advancement accrue by class, beginning from the most recent date of appointment, unless otherwise noted in Section 161. (The only two exceptions are for an appointment to

an equal class, and upon reappointment to a higher class after being displaced (bumped) in a layoff. These exceptions are described below.)

3. For eligibility for advancement to the next salary step, the employee must serve 2080 hours of service at the current step.

II. Step Placement and Step Advancement Upon Appointment to an Equal Class

1. Definition. An equal class is one in which the fifth step hourly rate of the range for the new class is the same as for the current class unless defined differently in the MOU for the classification. For example, the Law Enforcement Representation Unit, Sheriff's Supervisory Representation Unit and Law Enforcement Middle Management definition compares top step instead of fifth step. Transfer to a related higher class shall be defined as an equal class for step placement purposes, if the class salary range is not more than five percent (5%) higher than the current class at the fifth step.
2. Application. This provision shall apply to all appointments to an equal class, including transfer, return from provisional transfer, lateral reclassification, and reappointment to a former class which has a fifth step hourly rate which is the same.
3. Step Placement. Upon appointment to an equal class, the employee shall retain the same step, or should the employee be at a higher step than exists in the range for the new class, the employee shall be placed at the maximum step in the range for the new class.
4. Step Advancement. Upon appointment to an equal class, hours of service accrued in the former class for purposes of step advancement shall apply to the new class.

III. Step Placement and Step Advancement Upon Appointment to a Higher Class

1. Definition. A higher class is one in which the fifth step hourly rate of the range for the new class is greater than the fifth step hourly rate of the range for the current class and does not meet the transfer requirements. Note: Some MOU's may define it differently. For example, the Law Enforcement Representation Unit, Sheriff's Supervisory Representation Unit and Law Enforcement Middle Management definition compares top step instead of fifth step.

2. Application. This provision shall apply to all types of appointments to a higher-class including promotion (including alternate staffing), appointment to a former higher class and a "Work In a Higher Class" appointment. This provision will not include reappointment from displacement or transfer to a related higher class.
3. Step Advancement. The beginning date for purposes of accrual of hours for step advancement shall be the most recent date of appointment to the higher class.
4. Step Placement. Different rules apply regarding step placement depending upon the representation unit of the higher class. The rule which applies, when the appointment is to a class in a different representation unit, is the one for the new representation unit where the higher class is except as noted below*.

A. General Representation Unit, Middle Management Unit, Government Attorneys' Unit, Executive Management employees

The salary of the employees who are appointed to a higher class in the General, Middle Management, and Government Attorneys' Unit, and Executive Management employees shall be placed at the step within the salary range for the higher class which will provide an increase above their salary step for their old class which is closest to 10% (Amended 8/11/84, 1/6/90, 2/29/92) For Middle Management and Executive Management employees, the appointing authority may request an advance step placement at the time of appointment, to a permanent assignment in the higher class (including promotion through upward reclassification or through alternate staffing) in accordance with Section 161. C of the Personnel Regulations for Unrepresented employees and Middle Management MOU for Middle Managers. The intent of this provision is that it may be applied once at the time of any permanent assignment. For example, if an employee is moving from a provisional appointment to a probationary appointment the employee is eligible for an advanced step because the status change is considered an appointment to a permanent assignment. In this scenario, the employee was not eligible at time of provisional appointment since that is not a permanent assignment.

The attached Exhibit A shows specifically how to compute step placement under the 'closest to 10%' rule.

B. Sheriff's Correctional Officer Unit, Law Enforcement Unit, Law Enforcement Middle Management Unit

The salary of employees who are appointed to a higher class in these units shall be adjusted to the step for the new class closest to but higher than their step in the salary range for their old class; provided, however, that such increase shall be equivalent to an increase of at least 5 percent within the limits of the new salary range.

Based on MOU provisions for the Law Enforcement and Sheriff's Supervisory Unit, the appointing authority may request an advance step placement, at the time of appointment, to a permanent assignment to a higher class or promotion (including promotion through upward classification or through alternate staffing) in accordance with County regulations adopted by the Board of Supervisors regarding advance step procedures. See respective MOU's for specific language regarding appointment to a higher class. *Please note, in this instance the negotiated language is intended to apply to employees covered by the MOU from which they are promoting to a higher class within the existing department even if it is to another bargaining unit. For example, if someone is promoting from Sheriff's Sergeant to Sheriff's Lieutenant, the appointing authority may request an advance step appointment based on language in Sheriff's Supervisory MOU.

The attached Exhibit B illustrates how to compute step placement under this "at least 5%" rule.

1. An exception to the above, is an employee being appointed to the higher class of Deputy Sheriff Trainee shall be placed at the step in the new class which is closest to the step of the old class.
2. Notwithstanding other provisions of this part (161.J. Step Placement and Step Advancement Upon Appointment to a Higher Class) and of part 161.I. (Step Placement and Step Advancement Upon Appointment to an Equal Class), an appointment to the class of Deputy Sheriff from the class of Deputy Sheriff Trainee shall be considered an appointment to a higher class, and an employee in the class of Deputy Sheriff Trainee shall be placed at the next higher step in the class of Deputy Sheriff the first pay period following successful completion of the required POST basic academy (e.g., from step 3 in the class of Deputy Sheriff Trainee to step 4 in the class of Deputy Sheriff).

C. Re-employment and Re-appointment from Displacement

Section 161.M. provides an exception regarding step placement and step advancement under certain conditions when a permanent employee in a class is being returned to that higher class after being displaced (bumped) from that class in a LAYOFF. For example, a permanent Office Assistant III is displaced to Office Assistant II and is now being appointed from a reemployment list to Office Assistant III.

Section 161.M. provides:

"Salary Upon Re-employment and Re-appointment from Displacement. Employees who are re-employed within 24 months of layoff in the same class from which laid off or displaced shall be placed in the same step of the salary range formerly attained while serving in that class, and shall receive credit for hours of service previously accrued in that step for purposes of determining step advancement, provided, however, that if this would result in a salary decrease for an employee being reappointed following displacement, the employee shall be placed in the step in the salary range for the previous class which would provide increase over the employee's current salary step. Should an employee being re-appointed from displacement be placed at a higher step than previously attained in the prior class, hours of service for purposes of step advancement begin to accrue from the date of re-appointment."

IV. Step Placement and Step Advancement Upon Appointment to a Lower Class or Downward Reclassification

1. A lower class is one in which the fifth step hourly rate of the range for the new class is less than the fifth step hourly rate of the range for the current class.
2. Appointment to a Lower Class Other Than Downward Reclassification
 - A. Application. The provisions of paragraphs b. and c. below shall apply to all types of appointment to a lower class, except a Y-rate (see Hierarchy of Lists V.2.A. for Overfill appointment requirements), including: demotion, appointment to a former class, displacement to a lower class, return from provisional promotion, and return from work in a higher class.

B. To class of previous service. If the employee had previously served in the lower class to which appointed, such employee shall have all time served in the higher class count as continuous service in the lower class for purposes of step placement and advancement. Please note the following:

1. Under this provision, it is as if the employee had never left the lower class (See examples below.)
2. The employee need not have permanent status in the previous, lower class.
3. There is no time limit on the length of time between periods of service in the previous class, provided the employee has had continuous service as a regular (non-extra help) employee.
4. This provision does not apply to extra-help.
5. Examples: An employee was an Office Assistant II at step 2 with 200 step hours towards step 3, and then promoted to Office Assistant III. The employee is now returning to the Office Assistant II class.

If the employee had 300 step hours in the Office Assistant III class, they will be at step 2 as a Office Assistant II with 500 hours towards step 3.

If the employee had 2000 step hours as a Typist Clerk III, they will be at step 3 as a Typist Clerk II with 120 hours towards step 4.

C. To class with NO previous service. Upon appointment to a lower class, the employee's salary shall be adjusted to the same step in the new salary range that they were receiving in the salary range of the higher class and the employee shall receive credit for hours of service accrued in the step in the higher class for purposes of determining step advancement in the lower class. Under this provision, the employee moves step-for-step to the lower class but carries down step hours in their current step.

Example: An Office Assistant III demotes, for whatever reason, to an Office Assistant II. The employee has never been a Office Assistant II. If the employee was at step 3 as a Office Assistant III with 320 hours towards step 4, they would be at step 3 as a Office Assistant II with 320 hours towards step 4.

3. Downward Reclassification

- A. Two types of protection apply to permanent and probationary employees (but not other employees, including provisionals, substitutes, work in a higher class, extra-help). These provisions are stated at length in Section 161.K.3. and are not repeated here. The following summarizes these provisions and provides examples. For specifics, see Section 161.K.3.
- B. The first protection applies when the position occupied by a probationary or permanent employee is reclassified downward is "overfill status." The purpose of the overfill status is to not penalize the incumbent because the duties/ responsibilities of the position have changed. Overfill status also provides a means for an employee who is overfilling to be appointed to a vacant "real" position the employee class (see Hierarchy of Lists V.2.A. for Overfill appointment requirements).
 - 1. Example: A permanent or probationary Office Assistant III whose position is reclassified to Office Assistant II can be on overfill status for up to five years. During the overfill period, the employee remains an Office Assistant III, and receives whatever general salary adjustments that apply to Office Assistant III and is eligible for step increases.
 - 2. Example: An Administrative Services Officer I position is reclassified to Clerical Supervisor II. The incumbent remains an ASO I and receives salary adjustments and benefits applicable to this Middle Management class, even though the position occupied by the employee is in the General Representation Unit.
- C. The second type of protection is a "Y rate." With a Y-rate, the employee must demote to and meet the employment standards for the class of their position. The Y-rate "freezes" the salary at the hourly rate in existence immediately prior to the Y-rate for up to two years. For example, an Office Assistant III at step 7 (\$31.09 an hour) is Y-rated. The employee must demote to and meet the employment standards for Office Assistant II (the class of the position), and their salary would be frozen at \$31.09 an hour for up to two years.

EXHIBIT A

**COMPUTATION OF STEP ADVANCEMENT UPON
APPOINTMENT TO A HIGHER CLASS
IN THE GENERAL, MIDDLE MANAGEMENT, GOVERNMENT
ATTORNEYS REPRESENTATION UNITS, AND EXECUTIVE
MANAGEMENT EMPLOYEES**

The following provision applies to employees appointed to a higher class which is in the General Representation Unit (8/11/84) or to a higher class which is in the Middle Management Representation Unit (1/6/90) or to a higher class which is in the Government Attorneys Unit or designated as Executive Management (2/29/92):

"The salary of employees who are appointed to a higher class shall be placed on the step in the salary range for higher class which will provide an increase above the salary step in the lower class which is closest to 10%"

Example A. FINDING THE STEP CLOSEST TO 10%

Employee is currently at step 5, \$25.97/hour.

1. Multiply current hourly rate step by 1.1 (to determine figure 10% above current step): $\$ 25.97 \times 1.1 = \$ 28.567$.
2. Determine which step in the higher class is closest to the figure computed in (1).
 - a. \$ 28.567 falls between steps 3 and 4 in the range for the higher class.

| | <u>Step 3</u> | <u>Step 4</u> |
|---------------------------|---------------|---------------|
| steps in higher class: | \$27.63 | \$28.70 |

\$28.567 is closer to \$28.70 than to \$27.63,
so the employee is placed at step 4
(\$28.70) in the higher class.

| | |
|-----------------|-----------------|
| 28.567 | 28.700 |
| <u>- 27.630</u> | <u>- 28.567</u> |
| .937 | .133 |

Example B. TWO STEPS ARE EQUALLY AS CLOSE
Employee is currently at step 3, \$26.00/hour.

1. Multiply current hourly rate step by 1.1 (to determine figure 10% above current step): $\$26.00 \times 1.1 = \28.60 .
2. Determine which step in the higher class is closest to the figure computed in (1).

a. \$ 28.60 falls between steps 5 and 6 in the range for the higher class.

| | <u>Step 5</u> | <u>Step 6</u> |
|---------------------------|---------------|---------------|
| steps in higher class: | \$27.17 | \$30.03 |

b. \$28.60 is exactly \$1.43 above step 5 and \$1.43 below step 6 of the range for the higher class. It is not closer to one than the other. In this case, the employee is placed at the higher step --- step 6 (\$30.03/hour).

EXHIBIT B

**COMPUTATION OF STEP ADVANCEMENT UPON APPOINTMENT TO A HIGHER CLASS
IN THE LAW ENFORCEMENT MIDDLE MANAGEMENT, SHERIFF'S CORRECTIONAL OFFICERS (a.k.a Detention Officers),
AND LAW ENFORCEMENT REPRESENTATION UNITS**

For appointments to a higher class which falls in one of these groups see the guidelines below to compute the step placement in the higher class. See Personnel Regulations 161.J.3., b. which reads:

"The salary of employees who are appointed to a higher class in these units shall be adjusted to the step for the new class closest to but higher than their step in the salary range for their old class; provided, however, that such increase shall be equivalent to an increase of at least 5 percent within the limits of the new salary range."

Example . FINDING THE STEP WITH AT LEAST A 5% INCREASE
Employee is currently at step 2, \$39.55/hour.

1. Multiply current hourly rate step by 1.05 (to determine figure 5% above current step): $\$39.55 \times 1.05 = \41.5275 .

2. Determine which step in the higher class is closet to, but higher than the figure computed in (1).

a. \$41.5275 falls between steps 3 and 4 in the range for the higher class.

| | <u>Step 3</u> | <u>Step 4</u> |
|------------------------|---------------|---------------|
| steps in higher class: | \$39.75 | \$43.52 |

b. Step 4 - \$43.52 is higher than their current step of \$39.55 so the employee is placed at step 4 (\$43.52) in the higher class. Note; \$39.75 is lower than the 5% calculated in step 1 above at \$41.5275.

NOTE: An exception applies to an employee promoting to the class of Deputy Sheriff Trainee, and from Deputy Sheriff Trainee to Deputy Sheriff. See 161.J.3b.