

Acting Assignment Pay and Supervisory Differential Adjustments

Last Updated on 7/19/16

Steve Ponder

Classification & Compensation Director



Employee Compensation

Acting Assignment Pay



Acting Assignment Pay

- Assignments are temporary (*generally for less than one year*)
 - *e.g., backfill an employee out on FMLA*
- Perform full range of duties of the higher classification
- Duties performed are not those covered by the employee's appointed classification
- Performs duties for at least 10 consecutive days
 - *Ensures a reasonable threshold and ensures that the full range of duties are performed*
 - *Exceptions: Stat. Eng., L39 – 15 cumulative days within rolling 12 month period; Deputy Probation Officers – 5 consecutive days; SEIU Local 1021, Misc. after 10 day within 60 days.*

Acting Assignment Pay

- Provides for a 5% adjustment to the employee's *salary grade* (but not more than class in which acting)
 - Exceptions:
 - Fire, Police, Project Mgr. – like-work, like-pay
 - Local 21/MCCP – acting assignments based on top of entitlement range (not top of extended ranges or ranges B&C)
 - MCCP – allows for short-term, post-appointments adjustments up to top of range C.
 - MEA EM Unit – ineligible
- Position to which assigned is budgeted
- Assignment must be in writing
- May not receive if receiving supervisory differential
- The Acting Assignment provision of the MOU of the class to which employee is appointed, not acting, is the applicable provision.

Acting Assignment Pay

- *If a position is vacant or an employee is on leave, the Appointing Officer has the following options:*
 - *Formally assign the work to another employee (possibly triggering acting assignment pay)*
 - *Parcel the work out among several employees (may still trigger acting assignment pay; depends upon the amount and scope of work assigned)*
 - *Work is placed on hold pending the filling of the vacancy or the return of the incumbent*
 - *Make a temporary exempt appointment (particularly appropriate for longer term situations)*

Acting Assignment Pay

- Local 21 Example:

- 2. Acting Assignment Pay

- 179. Employees assigned by the Appointing Officer or designee to perform a substantial portion of the duties and responsibilities of a higher classification shall receive compensation at a higher salary if all of the following conditions are met:
 - a. The assignment shall be in writing.
 - b. The position to which the employee is assigned must be a budgeted position.
 - c. The employee is assigned to perform the duties of a higher classification for longer than ten (10) consecutive working days or eighty (80) hours.
 - 180. Upon written approval by the Appointing Officer, beginning on the eleventh (11th) day of an acting assignment under this section and retroactive to the first (1st) day of the assignment, an employee shall be paid five percent (5%) above the employee's base

ARTICLE III – PAY, HOURS AND BENEFITS

salary but such pay shall not exceed the maximum step of the salary grade of the class to which temporarily assigned. Premiums based on percent of salary shall be paid at a rate that includes out of class pay where the premium is applicable to the class the person is performing in.

- 181. Disputes regarding eligibility for acting assignment pay under this Section shall be resolved through expedited arbitration under Section I.E(6)(a) of this Agreement.

Acting Assignment Pay

- Local 21 Example continued: Employee in class 5241 Engineer, at step 5, acts as a class 5212 Engineer/Architect Principal. Pay five percent (5%) above the employee's base salary.

- Step Structure (grade)

- 5241 (07755)

- Step 1 - \$104,442
 - Step 2 - \$109,668
 - Step 3 - \$115,128
 - Step 4 - \$120,900
 - Step 5 - \$126,932

- 5212 (5212W)

- Step 1 - \$140,322
 - Step 2 - \$147,342
 - Step 3 - \$154,700
 - Step 4 - \$162,422
 - Step 5 - \$170,560

 - Step 6 - \$174,850
 - Step 7 - \$179,088
 - Step 8 - \$183,586

Ext.
Range

Acting Assignment Pay

- Local 21 Example continued:
 - Employee may receive a 5% adjustment not to exceed \$170,560 (top of grade for class 5212, exclusive of ext. range).
 - 100 salary grade points are equal to a 5% adjustment to an employee's salary grade.
 - In this case, moving an employee from 07755 to salary grade 07855 would provide the following step structure in which employee would be placed at Step 5.

Salary Grade 07755

Step 1 - \$104,442

Step 2 - \$109,668

Step 3 - \$115,128

Step 4 - \$120,900

Step 5 - \$126,932



Salary Grade 07855

Step 1 - \$109,668

Step 2 - \$115,128

Step 3 - \$120,900

Step 4 - \$126,932

Step 5 - \$133,276

Acting Assignment Pay

- *SEIU Local 1021, Misc. Example:*

Acting Assignment Pay

323. An employee assigned in writing by the Department Head to perform a substantial portion of the duties and responsibilities of a higher classification shall be entitled to out of class pay after the tenth (10th) work day (within a sixty (60) working-day period) of such an assignment, retroactive to the first (1st) day of the assignment.
329. Upon written approval by the Appointing Officer, an employee shall be authorized to receive an increase of one salary step above the employee's base salary (except for employees who are at the top step, who shall receive at least five (5) percent more than their base rate) but which does not exceed the maximum step of the salary schedule of the class to which temporarily assigned. Such pay shall be retroactive to the first day of such assignment. Premiums based on percent of salary shall be paid at a rate which includes the out of class pay.

Acting Assignment Pay

- SEIU Local 1021, Misc. Example continued:
Employee in class 8226 Museum Guard, at step 3, acts as a class 8228 Museum Security Supervisor. Pay one salary step above or if at top step, five percent (5%) above the employee's base salary grade.
- Salary Grades
 - 8226 (06190)
 - Step 1 - \$48,646
 - Step 2 - \$51,090
 - Step 3 - \$53,638
 - Step 4 - \$56,316
 - Step 5 - \$59,124
 - 8226 (06290)
 - Step 1 - \$51,090
 - Step 2 - \$53,638
 - Step 3 - \$56,316
 - Step 4 - \$59,124
 - Step 5 - \$62,088
 - 8228 (06410)
 - Step 1 - \$54,184
 - Step 2 - \$56,888
 - Step 3 - \$59,722
 - Step 4 - \$62,712
 - Step 5 - \$65,858

Acting Assignment Pay

- *SEIU Local 1021 Misc. Example continued:*
 - In this case, the employee stays at their current salary grade (06190), and would move from Step 3 to Step 4.
 - Step 1 - \$48,646
 - Step 2 - \$51,090
 - Step 3 - \$53,638
 - **Step 4 - \$56,316 (Acting Pay)**
 - Step 5 - \$59,124
 - Employee may receive a 5% adjustment not to exceed \$65,858 (top of grade for class 8228).

Employee Compensation

Supervisory Differential Adjustment



Supervisory Differential Adjustment

To receive supervisory differential adjustment:

- Supervise, directs and is accountable for subordinates work and possesses the same technical abilities
- Supervisory relationship is *permanent* and *appropriate*
- Supervisor's **salary grade** is less than 5% of subordinate's salary grade
- No more than a 10% adjustment per fiscal year may be made in order to achieve 5% differential
- Only Local 21 allows same class-over-class (when there are no promotive lines)

Supervisory Differential Adjustment

- Examples:
 - *If the Supervisor's salary grade is only 4% higher than the Supervisee's salary grade, the Supervisor's salary grade will be increased by 1% to reach 5%.*
 - *If the Supervisor's salary grade is 5% higher than the Supervisee's salary grade (i.e., base pay), the Supervisee may still earn more money than the Supervisee earns through premiums e.g., 10% night shift premium.*

Supervisory Differential Adjustment

- *Example 1*: Employee in class 1823 Senior Administrative Analyst, supervising a 1654 Accountant III. The Supervisor's **salary grade** is only 4% higher than the Supervisee's salary grade [i.e., $(95,654/91,962)-1 = 4\%$]
- Salary Grades
 - 1823 (07175)
 - Step 1 - \$78,702
 - Step 2 - \$82,628
 - Step 3 - \$86,762
 - Step 4 - \$91,078
 - Step 5 - \$95,654
 - 1654 (07095)
 - Step 1 - \$75,660
 - Step 2 - \$79,456
 - Step 3 - \$83,408
 - Step 4 - \$87,594
 - Step 5 - \$91,962

Supervisory Differential Adjustment

- Example 1 continued:

- 100 salary grade points are equivalent to a 5% adjustment to an employee's salary grade.
- In this case, adding 100 pts to the supervisee's salary grade (**07095+100=07195**) would provide the following adjusted salary grade, in which 1823 supervisor would be placed at step 5.

- 1823 (07195)

- Step 1 - \$79,456
- Step 2 - \$83,408
- Step 3 - \$87,594
- Step 4 - \$91,962
- Step 5 - \$96,564

$$(96,564/91,962)-1 = 5\% > \text{the supervisee}$$

or

$$(96,564/95,654)-1 = 1\% \text{ adjustment for supervisor}$$

Supervisory Differential Adjustment

- Example 2: Employee in class 2551 Mental Health Treatment Specialist, supervising a 2593 Health Program Coordinator III. The supervisee's salary grade is 5.81% higher than the Supervisor's salary grade [i.e., $(95,186/89,960)-1 = 5.81\%$]
- Salary Grades
 - 2551 (07050)
 - Step 1 - \$74,022
 - Step 2 - \$77,714
 - Step 3 - \$81,588
 - Step 4 - \$85,670
 - Step 5 - \$89,960
 - 2593 (2593W)
 - Step 1 - \$78,312
 - Step 2 - \$82,212
 - Step 3 - \$86,320
 - Step 4 - \$90,636
 - Step 5 - \$95,186

 - Step 6 - \$97,552
 - Step 7 - \$99,944
 - Step 8 - \$102,440

Ext.
Range

Supervisory Differential Adjustment

- Example 2 continued:
 - Find the grade closest to 5% above the supervisee's salary grade using step 5, excluding extended steps.
 - $95,186 * 1.05 = 99,945$

07220

1	38.6625	3,093	6,702	80,418
2	40.6000	3,248	7,037	84,448
3	42.6250	3,410	7,388	88,660
4	44.7625	3,581	7,759	93,106
5	47.0000	3,760	8,147	97,760

07225

1	38.7625	3,101	6,719	80,626
2	40.7000	3,256	7,055	84,656
3	42.7250	3,418	7,406	88,868
4	44.8625	3,589	7,776	93,314
5	47.1125	3,769	8,166	97,994

07230

1	38.8500	3,108	6,734	80,808
2	40.7875	3,263	7,070	84,838
3	42.8250	3,426	7,423	89,076
4	44.9625	3,597	7,794	93,522
5	47.2125	3,777	8,184	98,202

07260

1	39.4375	3,155	6,836	82,030
2	41.4125	3,313	7,178	86,138
3	43.4875	3,479	7,538	90,454
4	45.6625	3,653	7,915	94,978
5	47.9500	3,836	8,311	99,736

07265

1	39.5250	3,162	6,851	82,212
2	41.5000	3,320	7,193	86,320
3	43.5750	3,486	7,553	90,636
4	45.7625	3,661	7,932	95,186
5	48.0500	3,844	8,329	99,944

07270

1	39.6125	3,169	6,866	82,394
2	41.5875	3,327	7,209	86,502
3	43.6625	3,493	7,568	90,818
4	45.8500	3,668	7,947	95,368
5	48.1375	3,851	8,344	100,126

- In this case, salary grade 07265.
 - Step 5 - \$99,944

Supervisory Differential Adjustment

- Example 2 continued:

- **However**, going 5% above the supervisee's salary grade, would exceed the adjustment limit of two (2) full steps, approximately 10%, per fiscal year.

$$(99,944/89,960)-1 = 11\% \text{ adjustment for supervisor}$$

- Alternatively, we add 200 points to the supervisor's salary grade (which is 10% more) which would provide the adjusted salary grade 07250.

- Step 5 - \$99,190

$$(99,190/89,960)-1 = 10\% \text{ adjustment for supervisor}$$

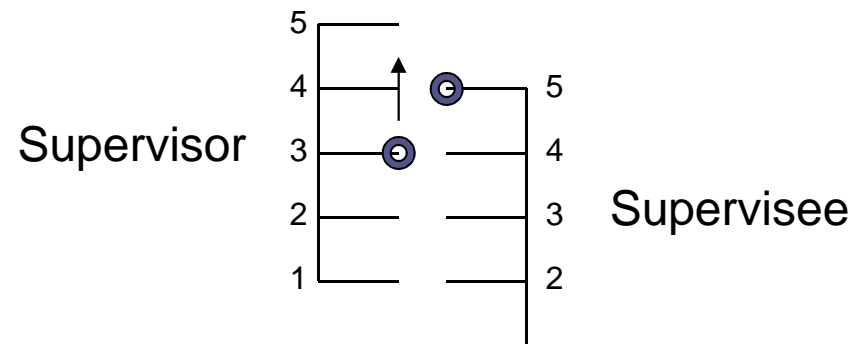
07250

1	39.2250	3,138	6,799	81,588
2	41.1875	3,295	7,139	85,670
3	43.2500	3,460	7,497	89,960
4	45.4125	3,633	7,872	94,458
5	47.6875	3,815	8,266	99,190

Supervisory Differential Adjustment

- Example 3:

- *If the Supervisor is at Step 3 and the Supervisee is at Step 5, even though the Supervisor's salary grade is 5% higher than the Supervisee's salary grade, the Supervisor's rate of pay will be 5% below the Supervisee's rate of pay. To make the Supervisor's rate of pay above the Supervisee's rate of pay, one must adjust the salary step.*



- *Here, we move the supervisors from step 3 to step 5.*