

ARTICLE III. THE PAY PLAN

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Section 1. Definition

The pay plan includes the Salary Schedule and the Assignment of Classes to Salary Grades and Ranges adopted by the Board of County Commissioners. The salary schedule consists of forty-one salary grades with fourteen steps that are approximately 2.5% between steps. A grade is assigned to each job classification approved by the Board of County Commissioners. Salary increases within the pay range shall be based on performance criteria established by the County Manager and approved by the Board of County Commissioners.

Section 2. Administration and Maintenance

The County Manager shall be responsible for the administration and maintenance of the pay plan. All employees covered by the pay plan shall be paid at a rate listed within the salary range established for the respective position classification, except for employees in trainee status or employees whose existing salaries are above the established maximum rate following transition to a new pay plan.

Section 3. Starting Salaries

The pay plan is intended to provide equitable compensation for all positions, reflecting differences in the duties and responsibilities, when considered in relation to each other, to general rates of pay for similar employment in the private and public sector in the area, to changes in the cost of living, to financial conditions of the County, and other factors. To this end, the County Manager shall, from time to time, make comparative studies of all factors affecting the level of pay ranges and shall recommend to the Board of County Commissioners such changes in pay ranges as are warranted.

The County Manager may approve in-range adjustments to employee salaries when necessary to accommodate inequities, special performance or achievements, or other issues.

The pay plan shall be administered in a fair and systematic manner in accordance with work performed. The pay structure shall be externally competitive, shall maintain proper internal relationships among all positions based on relative duties and responsibilities, and shall recognize performance as the basis for pay increases within the established pay range. The classification plan shall meet the requirements of the State Competitive System for local government employees, while maintaining a County-wide plan.

Section 4. Hiring Rate/Starting Salary

All persons employed will normally be hired at Step 1 of the assigned pay grade for the classification in which they are employed. However, on the recommendation of the department head, with the approval of the County_Manager, employee salaries may be approved above Step 1, when deemed necessary to the best interests of the County, based on such factors as exceptional education and experience qualifications of the applicant, a shortage of qualified applicants available at the hiring rate, or the refusal of qualified applicants to accept employment at the minimum Step 1.

Pay for part-time or temporary status will be paid a prorated amount determined by converting the established salary range to an hourly rate.

Section 5. Probationary Pay Increase

After successful completion of the probationary period, employees hired at Step 1 will automatically be promoted to Step 1.5 of the salary range for their grade. Employees on probation are not eligible for pay increases until completion of probation except for across-the-board adjustments to each step and grade.

Section 6. Performance Pay Increases

Upward movement within the established salary range for an employee is not automatic but rather based upon specific performance-related reasons. Employees may be considered for advancement within the established salary range based on the quality of their overall performance. Procedures for determining performance levels and performance pay increases shall be established in procedures approved by the County Manager.

Section 7. Performance Pay Bonus

Employees who are at the maximum of the salary range for their position classification are eligible to be considered for a performance (merit) bonus at their regular performance evaluation time. Performance (merit) bonuses shall be awarded based upon the performance of the employee as described in the performance evaluation and shall be the same percentage of annual gross salary as employees within the salary range with the same performance level. Performance (merit) bonuses do not become part of base pay and shall be awarded in a lump sum payment. Employees above the maximum of the range are not eligible for this increase.

Section 8. Payment at a Listed Rate.

Employees covered by the pay plan shall be paid at a listed rate within the pay range established for their respective job classes except for employees in a trainee status.

When an employee attains the maximum rate of a pay range for his or her present position, no further pay increase will be received unless (1) the position is reclassified, (2) the employee is promoted to another position with a higher pay range, or (3) the pay range for the present position is increased, or (4) is eligible for a performance bonus.

Section 9. Trainee Salaries.

Applicants being considered for employment or County employees who do not meet all of the requirements for the position for which they are being considered may be hired, promoted, demoted, or transferred by the County Manager, to a "trainee" status. Employees subject to the State Personnel Act will be designated "trainees" in accordance with rules and regulations established by the Office of State Personnel. All other County employees shall be designated "trainees" based upon recommendations of the department head with the approval of the County Manager. An employee in a trainee status shall continue to receive reduced pay until the appointing department head and the County Manager determine that the trainee is qualified to assume the full responsibilities of the position.

The Department Head shall review the progress of each employee in a trainee or work against status every six months or more frequently as necessary to determine when the employee is qualified to assume full responsibilities of the position. "Trainee salaries may be one to three grades below the minimum salary established for the position for which the person is being trained. Assignment three grades below is appropriate for more than six months but less than two years. (Note: positions subject to the State Personnel Act may have specific "trainee" progressions and years of service defined that must be followed.)

If the training is not successfully completed as planned, the employee shall be transferred, demoted or dismissed. If the training is successfully completed, the employee shall be paid at least at the Step 1 established for the job class.

Section 10. Pay Rates in Promotion, Demotion, Transfer, and Reclassification

When an employee is promoted, demoted, transferred, or reclassified, the rate of pay for the new position shall be established as follows:

Promotions. When a promotion occurs, the employee's pay shall be increased, if it is below the new minimum, to the minimum rate of the pay range assigned to the class to which he/she is promoted. If an employee's current pay is already above the new minimum pay rate, his or her pay may be adjusted one step upward, provided that the adjusted pay does not exceed the maximum of the assigned pay range.

Demotion. If an employee is demoted as a result of a reclassification, and the employee's current pay falls above the maximum of the range for the lower class, the employee's pay will remain the same until general schedule adjustments or range revisions bring it back within the lower range. If an employee is demoted for cause, the

employee's pay will be reduced to any step in the lower pay range, as long as the reduced pay does not fall below the minimum pay rate of that range.

Transfer. When a transfer occurs from a position in one class to a position in another class assigned to the same pay range, the employee shall continue to receive the same pay.

Reclassification. When a reclassification occurs and an employee's position is reclassified to a class having a higher pay range, the employee's pay shall be increased to the minimum step of the new pay range. If the employee's current pay is already above the minimum pay rate, his or her pay may be adjusted one step upward or left unchanged, contingent on the availability of funds, provided that the adjusted pay does not exceed the maximum of the assigned pay range.

Section 11. Pay Rates in Salary Range Revisions.

If the Board of County Commissioners approves a change in salary range for a class of positions, the pay rate of employees whose position are allocated to that class shall be affected as follows:

When a class of positions is assigned to a higher pay range, employees in that class may receive a one-step pay increase or an increase to the minimum step of the new range, whichever is higher.

When a class of positions is assigned to a lower pay range, the pay of employees in that class will remain unchanged. If this assignment to a lower pay range results in an employee being paid at a rate above the maximum step established for the new class, the pay of the employee shall be maintained at that level until such time as the employee's pay range is increased above the employee's current pay.

Section 12. Overtime Pay Provisions

Employees of the County can be requested and may be required to work overtime hours as necessitated by the needs of the County and determined by the supervisor.

The County abides by all applicable sections of the Fair Labor Standards Act 29 CFR Part 541 Revisions effective August 23, 2004. Human Resources and the Manager shall determine which jobs are "Non-Exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions. The County will properly record all applicable overtime accrued for each covered employee. This overtime policy is applicable only to employees of Alexander County who are non-exempt under the Fair Labor Standards Act.

Non-Exempt employees are expected to work during all assigned periods, exclusive of breaks or mealtimes. Employees are not to perform work at any time they are not scheduled to work, unless they receive approval from their immediate supervisor,

except in cases of emergency. An emergency exists if a condition arises that could reasonably result in damage to property or persons or which requires immediate attention of the employee. Employees who work excess hours due to an emergency shall advise their immediate supervisor of the overtime worked as soon as practical following completion of the work.

Non-exempt employees

Non-exempt employees will be paid at a straight time rate for hours worked up to the FLSA established limit for their position (usually 40 hours in a 7 day period or alternative FLSA approved full time schedule). Employees in public safety job classes may earn overtime after 171 hours based on a 28 day time period.

In determining eligibility for overtime or compensatory time in a work period, only hours actually worked shall be considered; in no event will annual leave, sick leave or holidays be included in the computation of hours worked for FLSA purposes, or for overtime or compensatory time computations.

Earned overtime hours will be compensated at time and a half as required by Federal Wage and Hour Law. It is the policy of the County, in agreement with its employees that non-exempt employees, who work in excess of the standard 40-hour week, receive compensatory time off at a rate of one and one-half hours for each hour of overtime worked. When an employee has worked less than a 40-hour week due to holidays, vacation, etc., the employee will be granted compensatory time on an hour-for-hour basis for time worked in addition to the standard remaining workweek.

When it is in the best interest of the County, and has been approved by the County Manager, employees may be paid at a rate of one and one-half their regular hourly rate for overtime worked in lieu of compensatory time. Certain positions designated with a fluctuating work week schedule will be paid at overtime rates pursuant to 778.114 of the U.S. Code of Federal Regulations.

Non-exempt employees' who work in public safety activities, emergency response activities, or seasonal activities, may accrue no more than 480 hours of compensatory time for overtime hours worked after April 15, 1986. Other non-exempt employees may accrue up to 240 hours of compensatory time. Overtime must be approved in advance by the employee's immediate supervisor or department head. Compensatory time over the maximums of 240 and 480 will be paid as overtime at the employee's current hourly rate. Upon separation, accrued compensatory time will be paid at a rate equal to the employee's average hourly rate over the previous three years or at the current hourly rate, whichever is higher.

Employees wishing to use accrued compensatory time must make a written request to their immediate supervisor. Use of such time will be allowed within a reasonable period following the request as long as the use does not unduly disrupt the operations of the County.

Exempt Employees

Employees exempt from overtime compensation are Executive, Administrative, and Professional employees as defined by the Fair Labor Standards Act. Examples of exempt employees are: elected officials, County Manager, qualified Department Heads, executive or administrative assistants, data processing analysts, registered nurses, or other learned professionals. Exempt employees must meet the FLSA short or long tests to qualify as exempt employees.

Employees in positions determined to be "exempt" will not receive pay for hours worked in excess of their normal work periods. These employees may be granted "Bonus" leave on an hour for hour basis by their supervisor where the convenience of the department allows and in accordance with procedures established by the County Manager. Bonus time may be accrued by exempt personnel for all hours over 40 hours per week up to a maximum of 40 hours. During times that exempt personnel are required to work unusual and extraordinary hours, the County Manager may grant additional bonus hours. Bonus time accrued by exempt personnel is not guaranteed to be taken and ends without compensation upon separation from the organization.

Section 13. Longevity Pay

Full-time and eligible part-time employees are compensated for continuous years of service with Alexander County by payment of a longevity supplement after five years starting at 1.5% of his/her annual gross pay on his/her anniversary date and increasing a tenth of a percentage for each additional year of service. The years of service and percentage of salary received progress to the maximum of 4% after 30 years service. (Example: 6 years = 1.6%, 7 years =1.7%, 8 years =1.8%, etc.) An employee who leaves County service for any reason will lose their accumulated longevity and must begin over if they return to County employment.

Section 14. Call Back and Stand By Pay

The County provides a continuous twenty-four hour a day, seven day a week service to the citizens. Therefore, it is necessary for certain employees to respond to any reasonable requests for duty at any hour of the day or night. One of the conditions of employment with the County is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary action up to and including dismissal.

Call-back. Non-exempt employees will be guaranteed a minimum payment of one hour of wages for being called back to work outside of normal working hours when not on stand-by. "Call-back" provisions do not apply to previously scheduled overtime work (scheduled one or more days in advance).

Stand-by. Non-exempt employees required to be on "stand-by" duty will be paid for four and one half hours of work for each week (approximately 128 hours, excluding work time, based on twenty four hour on-call, minus 40 hours normal work time) of stand-by time they serve. Stand-by compensation for less than one full week shall be determined by the ratio of .035 hours of pay per one hour of stand-by time. Hours actually worked while on stand-by are calculated beginning when the employee reports to the work site and are added to the regular total of hours worked for the week. Stand-by time is defined as that time when an employee must remain near an established telephone or otherwise substantially restrict personal activities in order to be ready to respond when called.

Section 15. Acceptable Payroll Deductions by FLSA Regulations

Federal and state income taxes, Social Security tax, garnishments and retirement contributions shall be deducted as authorized by law and the Board of County Commissioners. The County Manager must approve any other payroll deductions.

The salaries of employees exempt under the Fair Labor Standards Act, 29 CFR Part 41, may be reduced or be subject to deduction for the following conditions ONLY:

1. For a day or more full days for absence for personal reasons other than sickness or disability and the employee has no leave to cover the absence.

1. For sickness or disability (including work place injury) if the employee has not qualified for leave benefit, has not earned sufficient leave to cover the absence, or has exhausted all leave and has no earned leave remaining to cover the absence. If the employee has exhausted all leave benefit that would cover an FMLA absence, the employee's salary may be reduced in hourly increments while on FMLA leave.

2. Deductions for penalties imposed for violations of safety rules of major significance, including those relating to the prevention of serious danger in our workplace or to other employees.

3. Deductions resulting from suspensions without pay for serious violations of our workplace misconduct rules. **See the separate policy: *Suspensions Without Pay for Serious Workplace Misconduct, Article III Sections 1 through 19.***

4. In the initial or final work week of employment, deductions may be made for days of the workweek not worked. For example, in the first or last workweek of work, if the employee works two of the five days, the employee will receive 2/5 (two fifths) of their weekly salary. In the final workweek the employee may use applicable accrued leave to cover the portion of the week not worked, but only as provided elsewhere in our policies.

Section 16. Authorized Salary Reductions in Accordance with FLSA

Pursuant to Federal Regulations 29 Part 541.710, salaries of exempt salaried employees may be reduced under the following conditions in that all agency employees are employed under the rules of public accountability:

1. For absences of less than a day for personal reasons, illness, or injury when accrued leave is not used because:
 1. Permission for the absence/leave has not been sought or it has been requested by the employee and was denied;
 2. Accrued leave has been exhausted;
 3. The employee requests or chooses to use leave without pay
2. Deductions for a “budget-required layoff or short-time implemented by agency management or the governing board/body. During such week, and only in such week, the Part 541 exemption is lost and the employee is entitled to overtime compensation in the week of the layoff or short-time if the employee works more than 40 hours (or other standard is employed in law enforcement or fire fighting) despite being in furlough status.

Section 17. Unlawful or Improper Deductions from Pay

Deductions from salaries of employees exempt under the Fair Labor Standards Act, 29 CFR Part 541, are NOT permitted by the regulation for the following conditions:

1. On an hourly basis except for unpaid FMLA leave and as provided in the special rules above.
2. When the office, facility, building or department is officially closed due to inclement weather such as snow or ice. Exempt salaried workers cannot be required to use earned leave for such closing unless it is announced that the office, facility, building or department remains open for salaried exempt employees and they are given the option of reporting to work or using leave.
3. For penalties or rules violations such as performance issues, attendance issues, minor safety rules, cash shortages, losses, rules of evidence violations or damages to equipment or property, including insurance deductibles when damage has occurred.

Section 18. Complaint Procedures for Incorrect Pay Deductions

Every effort is made to ensure that compensation and pay checks are properly computed and calculated. It is against our policy for employee’s wages to have improper or unlawful deductions. If you believe that your pay is incorrect or that an improper or unlawful deduction was made to your wages or salary, contact the Human

Resources Department before the next pay period entry date. Employees can report improper or unlawful deductions from their wages without fear of discrimination or reprisal.

Upon receiving notification of an improper or unlawful deduction from pay, the Human Resources Department in consultation with the Payroll Department will investigate the matter and issue a finding before the next pay period entry date. If the investigation confirms the deduction was improper or unlawful, the employee(s) shall be reimbursed the amount of the deduction with the next paycheck.

Section 19. Suspensions without Pay for Serious Workplace Misconduct

All employees, hourly, salaried, exempt and nonexempt, may be suspended for one or more whole days without pay for violations of the following workplace conduct rules, committed on or off-site. The list is not exhaustive and workplace misconduct that is serious, disruptive and harmful and, in the view of management, is of a similar level as the examples provided below, will result in disciplinary suspensions without pay for one or more whole days.

1. Unlawful harassment, including sexual, racial, disability, religious, national origin or other protected characteristic or harassment for exercising a protected right.
2. Threatening, enticing, encouraging or committing workplace violence, including physical assault physical altercation, physical intimidation, including making another fear physical harm to self or property.
3. Theft, sabotage or vandalism of property, including intellectual property, belonging to the employer or other employee.
4. Violation of the drug and alcohol policy.
5. Violations of state or federal laws, other than minor traffic violations.
6. Grossly inefficient job performance and unacceptable personal conduct as defined in Article IX, Sections 1- 10.