

State of California

M E M O R A N D U M

DATE: February 09, 2001

TO: PERSONNEL MANAGEMENT LIAISONS REFERENCE CODE: 2001-009

THIS MEMORANDUM SHOULD BE DISTRIBUTED TO:

Personnel Officers

FROM: Department of Personnel Administration
Classification and Compensation Division

SUBJECT: Classification and Pay Guide, Revision #9

CONTACT: Barbara Birt, Personnel Technician II (Supervisor)
(916) 324-0448, CALNET 454-0448
FAX: (916) 327-1886
Email: BarbaraBirt@dpa.ca.gov

Attached is Revision #9 for your Classification and Pay Guide. Please duplicate and distribute to all holders of the guide in your department and remind the duplication staff to duplicate front and back when necessary. Be sure to immediately complete your Revision Record located in Section 3. This will ensure that you have an accurate record of sections, which are published or revised.

SUMMARY OF CHANGES:

All Sections

Format and minor technical changes have been made throughout the text and attachments in this revision. Revision bars are not inserted for format or minor technical changes.

Section 1, Purpose of the Guide

Item 4 added to reference bargaining unit contracts and Personnel Management Liaison Memorandum (PML).

Section 5, Alphabetic Index

Updated retired annuitants to include Section 400.

Section 100, Board Items

Updated Attachments 3A, 3B, 12A, 12B, 12C, 13A 13B, 16, and 17A
pages 1-3.

This section reflects background information on a Board Item Pilot Project for Units 1, 3, 4, 11, and 20. The Pilot Project concluded on 9/30/00. Department of Personnel Administration Labor Relations Division (LRD) and California State Employees Association continue to discuss this process. Please coordinate closely with LRD/Classification and Compensation Division on any classification proposal impacting these units.

Section 150, CCD Working Relationship with DOF

Vertical line inadvertently omitted from prior revision.

Section 155, CBID Designations

E97 designation updated.

Section 160, Union Notification

Entire section updated to reflect changes as a result of collective bargaining agreements.

This section reflects background information on a Board Item Pilot Project for Units 1, 3, 4, 11, and 20. The Pilot Project concluded on 9/30/00. Department of Personnel Administration Labor Relations Division (LRD) and California State Employees Association continue to discuss this process. Please coordinate closely with LRD/Classification and Compensation Division on any classification proposal impacting these units.

Section 180, Development of Allocation Guidelines

Item 6 adds the word "Statement" in the title and deletes first sentence.

Section 200, Salary Analysis for Board Items

Updated throughout to clarify/emphasize Labor Relations responsibility/authority regarding salary setting and related negotiations.

Section 220, Alternate Ranges

Change reference to Section 11, Alternate Ranges, formerly Section 13, in the California Civil Service Pay Scales.

Section 230, Pay Differential

Updated to reflect specific changes resulting from collective bargaining agreements.

Recruitment and retention and training added as qualifying pay criteria for pay differentials. Sections 1.2, 1.3, and 1.4 added to clarify the criteria.

Section 320, Classification and/or Cert Action Request (Form 625)

Amended requirements for retired annuitant appointments and moved Section from 2.2 to 7.3.

Information Technology classes added to Servicewide Classes-Special Requirements.

Attachment 2 updated.

Section 355, Audits - Individual Positions

Attachment 2 updated.

Section 375, Out of Class Assignments

Bargaining Unit 20 changed to new language.

Section 400, Career Executive Assignment (CEA)

Adds reporting requirements for retired annuitants.

Section 440, Red Circle Rates (CEA)

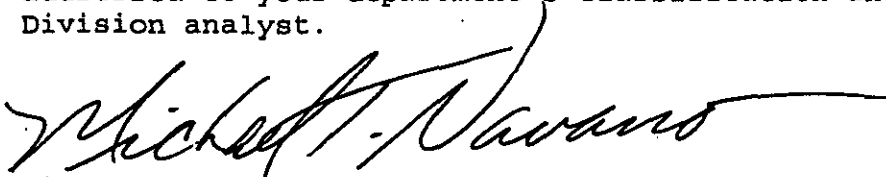
Amended to extend eligibility to CEAs with no prior civil service who participate in a promotional exam and are appointed from a list without a break in service.

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Section 600, Positions Exempt from Civil Service

Entire section reprinted due to formatting and renumbering.
Section 8.6 adds requirements for Special Consultant appointments.
Attachments 2 and 3 updated.

If you have any questions regarding information contained in this revision, please contact Barbara Birt at the above phone number. Inquiries regarding other information contained in the guide should be addressed to your department's Classification and Compensation Division analyst.



Michael T. Navarro, Chief
Classification and Compensation Division

Attachments

FILING INSTRUCTIONS:

Additions and changes are indicated by vertical lines in the right margins; deletions are indicated by horizontal lines.

Remove

Section 1
Page 1.1

Section 5
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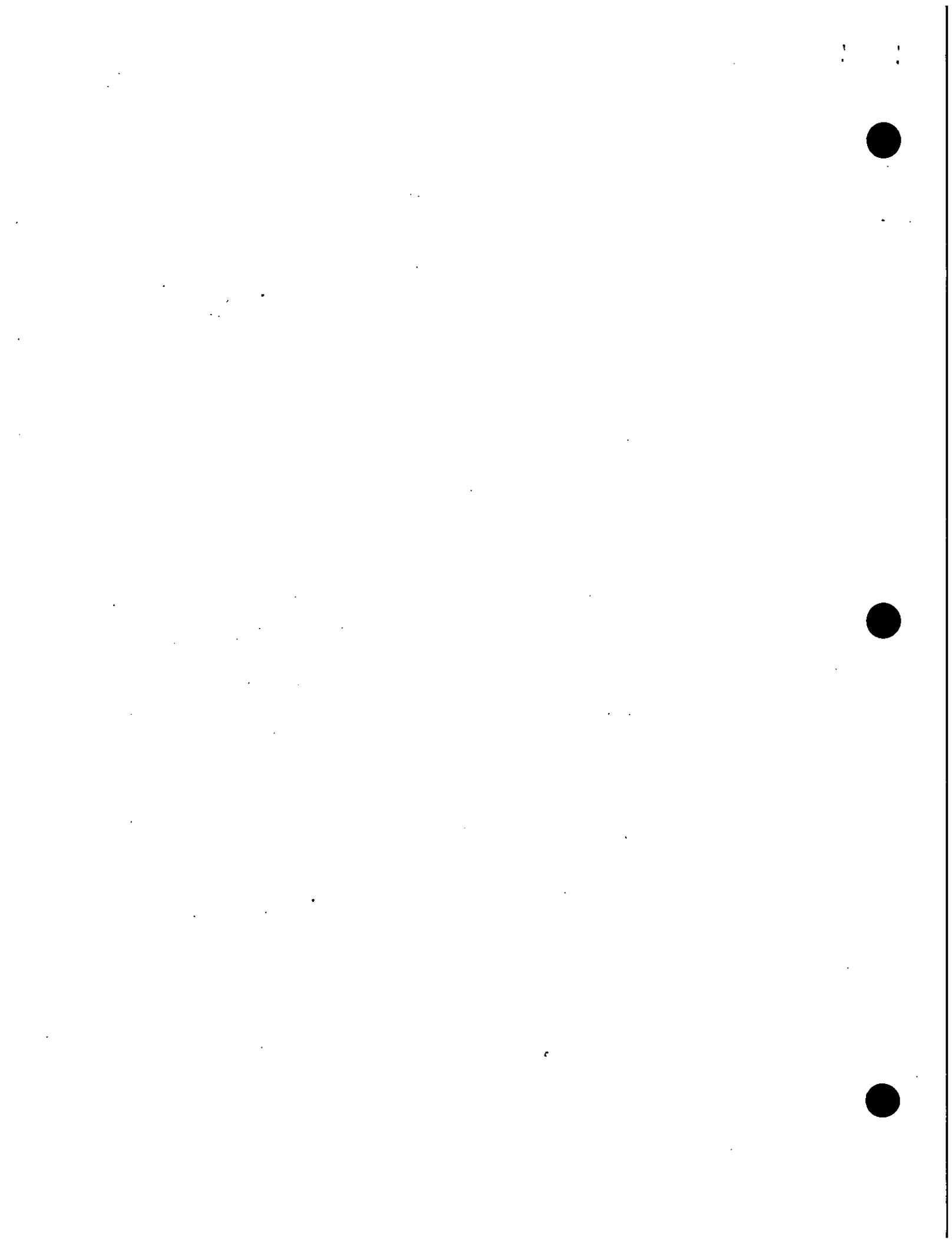
Section 600
600.1 - 600.9
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GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
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1. PURPOSE OF GUIDE

1. To provide department and the Classification and Compensation Division (CCD) staff with easy access to pertinent policies and procedures relating to classification and pay activities. It is expected that this guide will be used in concert with the following references, since every effort has been made to not duplicate information contained in these references:
 - The Department of Personnel Administration (DPA) Law and Rules
 - The State Personnel Board (SPB) Law and Rules
 - SPB Personnel Management Policy and Procedures Manual
 - Pay Scales (including Introduction pages)
2. To assist department and CCD analysts with the information needed to produce quality work products. High quality can only be achieved when appropriate policies and standards are applied and established procedures are followed. This guide, along with the other references listed above, should provide the needed tools for producing high-quality work products.
3. It should also be noted that DPA administers a training class in Basic C&P through the State Training Center. Personnel in departments who have responsibility for C&P functions are strongly encouraged to complete this training.
4. The information in this guide is current as of the latest revision. Every effort is made to keep it up to date; however, information subject to collective bargaining should be verified in the appropriate bargaining unit contract and applicable Personnel Management Liaison Memorandum (PML).



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Department of Personnel Administration
 Classification and Compensation Division

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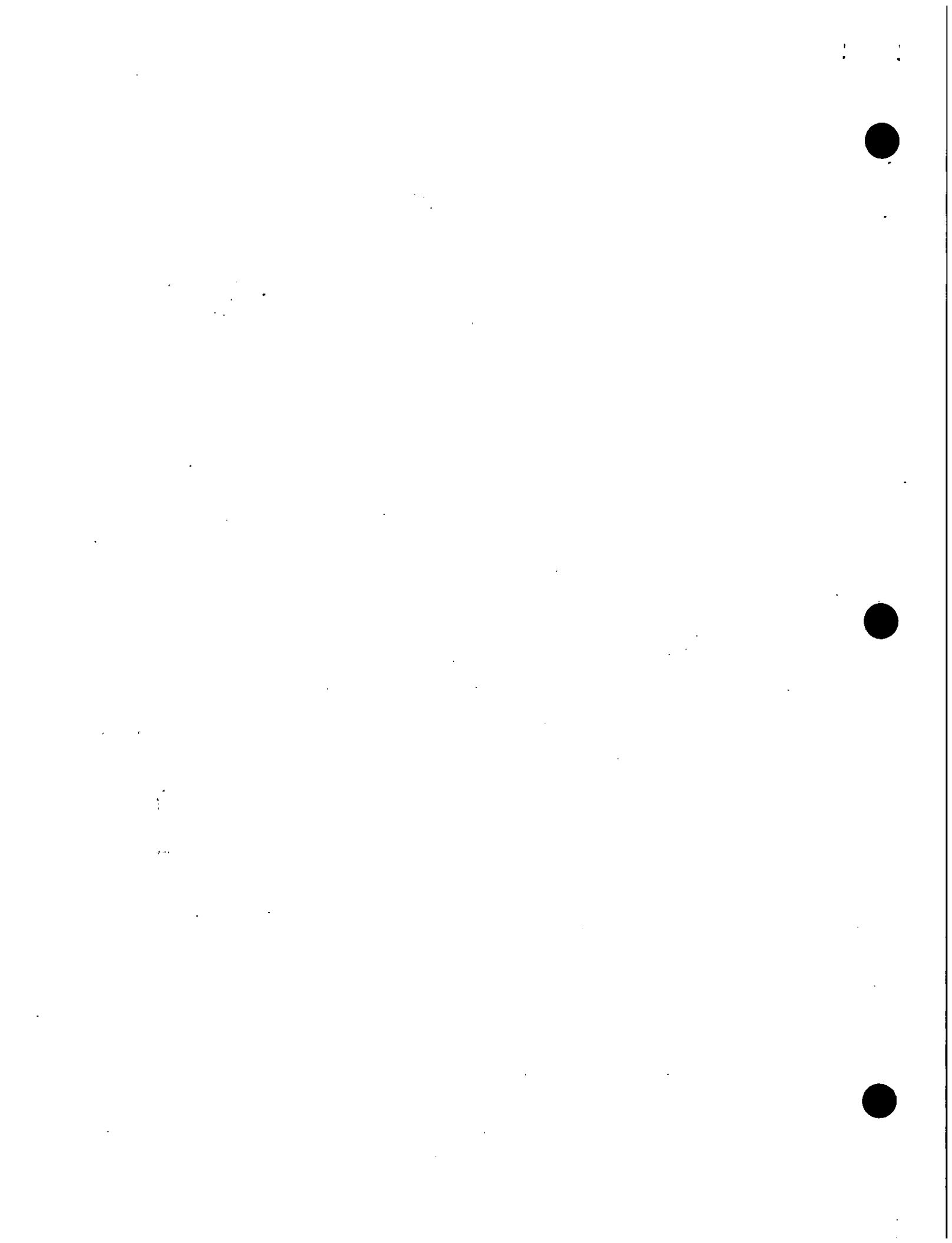
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YEAR 2001 DUE DATES FOR BOARD ITEM PROCESSING DELEGATED DEPARTMENTS

Dept Submits Class Proposal Request to DPA Analyst	DPA Staff Confirms Receipt of Proposal With Dept Staff	"Approved" Proposal Transmittal Signed and Returned to Dept by DPA	Discussion of Serious Problems Between Dept/SPB	1. Final Item to SPB Analyst 2. Sched. Sheets Due to Secretariat by DPA	Final Item to Secretariat From SPB Analyst (Secretariat's Cut-Off)	Year 2001 Board Meeting Dates *
Preliminary Notification to Union and California State Supervisors			Final Notification to Union See Appropriate Contract			
(Length of Time From Board Meeting Date)						
12 Weeks	11 Weeks	10 Weeks	7 Weeks	4-1/2 Weeks	2-1/2 Weeks	
10/03/00	10/12/00	10/19/00	11/09/00	12/01/00	12/15/00	January 3-4 (LA)
10/18/00	10/25/00	11/01/00	11/20/00	12/15/00	12/29/00	January 17 (Sac)
11/07/00	11/14/00	11/17/00	12/14/00	01/05/01	01/19/01	February 6-7 (Sac)
11/16/00	11/30/00	12/06/00	12/27/00	01/19/01	02/02/01	February 21 (LA)
12/05/00	12/12/00	12/18/00	01/10/01	02/02/01	02/16/01	March 6-7 (Sac)
12/18/00	12/26/00	01/04/01	01/26/01	02/16/01	03/02/01	March 20 (Sac)
01/08/01	01/16/01	01/23/01	02/14/01	03/02/01	03/16/01	April 5-6 (NAPA)
01/19/01	01/26/01	02/02/01	02/27/01	03/16/01	03/30/01	April 17 (Sac)
02/02/01	02/08/01	02/20/01	03/13/01	03/30/01	04/13/01	May 1-2 (Sac)
02/27/01	03/06/01	03/13/01	04/03/01	04/20/01	05/04/01	May 22 (Sac)
03/12/01	03/19/01	03/26/01	04/16/01	05/04/01	05/18/01	June 5-6 (LA)
03/26/01	04/02/01	04/09/01	04/30/01	05/18/01	06/01/01	June 19 (Sac)
04/13/01	04/23/01	04/27/01	05/18/01	06/08/01	06/22/01	July 10-11 (Sac)
04/27/01	05/04/01	05/11/01	06/04/01	06/22/01	07/06/01	July 24 (Sac)
05/11/01	05/18/01	05/24/01	06/18/01	07/06/01	07/20/01	August 7-8 (Sac)
06/11/01	06/18/01	06/25/01	07/17/01	08/03/01	08/17/01	September 5-6 (Sac)
06/22/01	06/29/01	07/09/01	07/30/01	08/17/01	08/31/01	September 18 (Sac)
07/09/01	07/16/01	07/23/01	08/13/01	08/31/01	09/14/01	October 2-3 (LA)
07/20/01	07/27/01	08/03/01	08/24/01	09/14/01	09/28/01	October 16 (Sac)
08/10/01	08/17/01	08/24/01	09/17/01	10/05/01	10/19/01	November 6-7 (Sac)
08/23/01	08/29/01	09/07/01	09/28/01	10/19/01	11/02/01	November 20 (Sac)
09/05/01	09/12/01	09/19/01	10/11/01	10/26/01	11/09/01	December 4-5 (SF)
09/19/01	09/26/01	10/02/01	10/25/01	11/16/01	11/30/01	December 18 (Sac)

Board meeting date might be changed by SPB during the year. Please verify the date with your CCP departmental analyst.



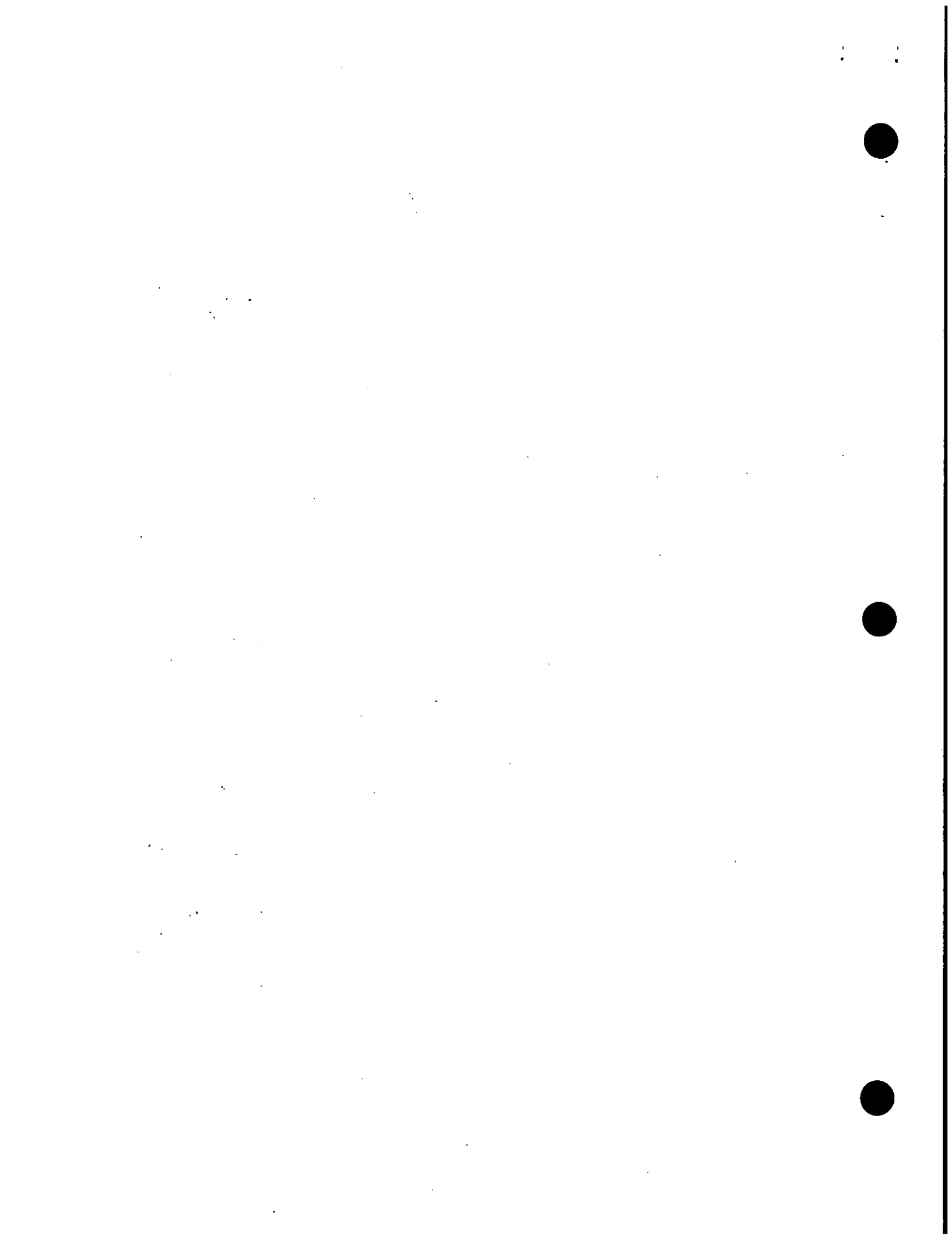
YEAR 2001 DUE DATES FOR BOARD ITEM PROCESSING NON-DELEGATED DEPARTMENTS

Final Proposal Received by DPA Staff*	Discussions Between DPA/Dept/SPB Staff	Discussion of Draft Item With DPA Manager	Discussion of Serious Problems Between DPA/SPB	Item to CCD Sec. Mgr.	1. Final Item to SPB Analyst 2. Sched. Sheets Due to Secretariat by DPA	Final Item to Secretariat From SPB Analyst (Secretariat's Cut-off)	Year 2001 Board Meeting Dates**
Preliminary Notification to Union and California State Supervisors				Final Notification to Union See Appropriate Contract			

(Length of Time From Board Meeting Date)

12 Weeks	10 Weeks	8 Weeks	7 Weeks	6 Weeks	4-1/2 Weeks	2-1/2 Weeks	
10/03/00	10/19/00	11/02/00	11/09/00	11/16/00	12/01/00	12/15/00	January 3-4 (LA)
10/18/00	11/01/00	11/15/00	11/20/00	12/01/00	12/15/00	12/29/00	January 17 (Sac)
11/07/00	11/17/00	12/07/00	12/14/00	12/20/00	01/05/01	01/19/01	February 6-7 (Sac)
11/16/00	12/06/00	12/19/00	12/27/00	01/05/01	01/19/01	02/02/01	February 21 (LA)
12/05/00	12/18/00	01/04/01	01/10/01	01/19/01	02/02/01	02/16/01	March 6-7 (Sac)
12/18/00	01/04/01	01/19/01	01/26/01	02/02/01	02/16/01	03/02/01	March 20 (Sac)
01/08/01	01/23/01	02/06/01	02/14/01	02/22/01	03/02/01	03/16/01	April 5-6 (NAPA)
01/19/01	02/02/01	02/20/01	02/27/01	03/06/01	03/16/01	03/30/01	April 17 (Sac)
02/02/01	02/20/01	03/06/01	03/13/01	03/20/01	03/30/01	04/13/01	May 1-2 (Sac)
02/27/01	03/13/01	03/27/01	04/03/01	04/10/01	04/20/01	05/04/01	May 22 (Sac)
03/12/01	03/26/01	04/09/01	04/16/01	04/23/01	05/04/01	05/18/01	June 5-6 (LA)
03/26/01	04/09/01	04/23/01	04/30/01	05/07/01	05/18/01	06/01/01	June 19 (Sac)
04/13/01	04/27/01	05/11/01	05/18/01	05/29/01	06/08/01	06/22/01	July 10-11 (Sac)
04/27/01	05/11/01	05/24/01	06/04/01	06/11/01	06/22/01	07/06/01	July 24 (Sac)
05/11/01	05/24/01	06/11/01	06/18/01	06/25/01	07/06/01	07/20/01	August 7-8 (Sac)
06/11/01	06/25/01	07/10/01	07/17/01	07/24/01	08/03/01	08/17/01	September 5-6 (Sac)
06/22/01	07/09/01	07/23/01	07/30/01	08/06/01	08/17/01	08/31/01	September 18 (Sac)
07/09/01	07/23/01	08/06/01	08/13/01	08/21/01	08/31/01	09/14/01	October 2-3 (LA)
07/20/01	08/03/01	08/17/01	08/24/01	08/30/01	09/14/01	09/28/01	October 16 (Sac)
08/10/01	08/24/01	09/10/01	09/17/01	09/24/01	10/05/01	10/19/01	November 6-7 (Sac)
08/23/01	09/07/01	09/21/01	09/28/01	10/05/01	10/19/01	11/02/01	November 20 (Sac)
09/05/01	09/19/01	10/02/01	10/11/01	10/18/01	10/26/01	11/09/01	December 4-5 (SF)
09/19/01	10/02/01	10/18/01	10/25/01	11/01/01	11/16/01	11/30/01	December 18 (Sac)

* Prior to submitting a final proposal, departments should contact DPA to discuss/provide a conceptual proposal.
A Board meeting date might be changed by SPB during the year. Please verify the date with your CCP departmental analyst.



DEPARTMENT OF PERSONNEL ADMINISTRATION

POLICY AND OPERATIONS DIVISION
1515 "S" STREET, NORTH BUILDING, SUITE 400
SACRAMENTO, CA 95814-7243



[Date]

[Name]

[Address]

[Address]

[Address]

Dear [Addressee]:

Re: Preliminary Notification of Classification Proposal

This is to notify you that we have received the following classification proposal and are in the preparatory stages of the development.

Department submitting proposal:

Summary of proposal:

Employee status affected: Yes No

Anticipated Board Calendar date:

This Board Calendar date is our best estimate at this time. It is subject to change depending on workload, need for additional information, resolution of status issues, etc.

If you have any questions or wish additional information you may call me at the number below.

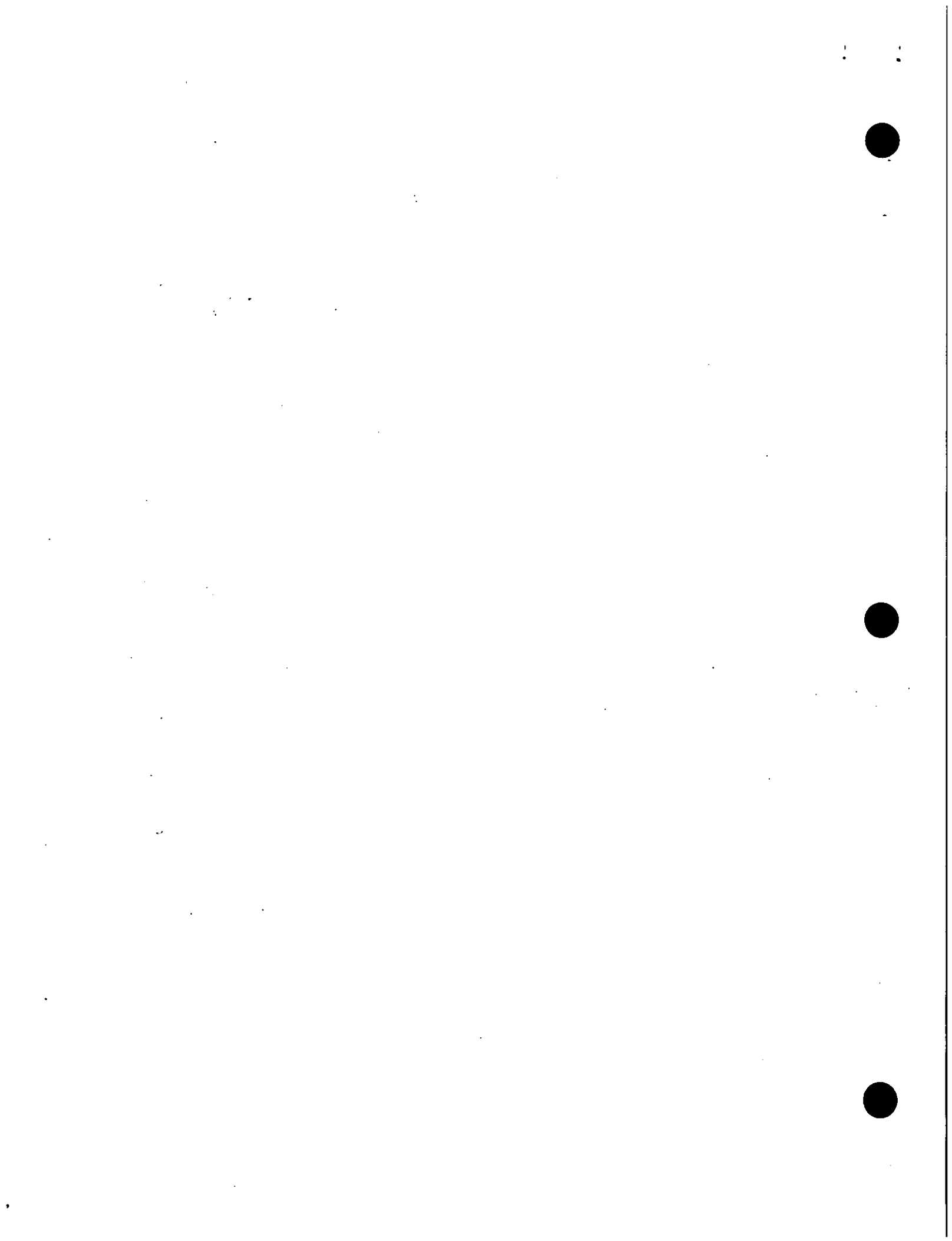
Sincerely,

[Name]

[Title]

[Phone #]

cc: DPA Labor Relations Officer



LRO ASSIGNMENTS FOR BARRICADING UNITS

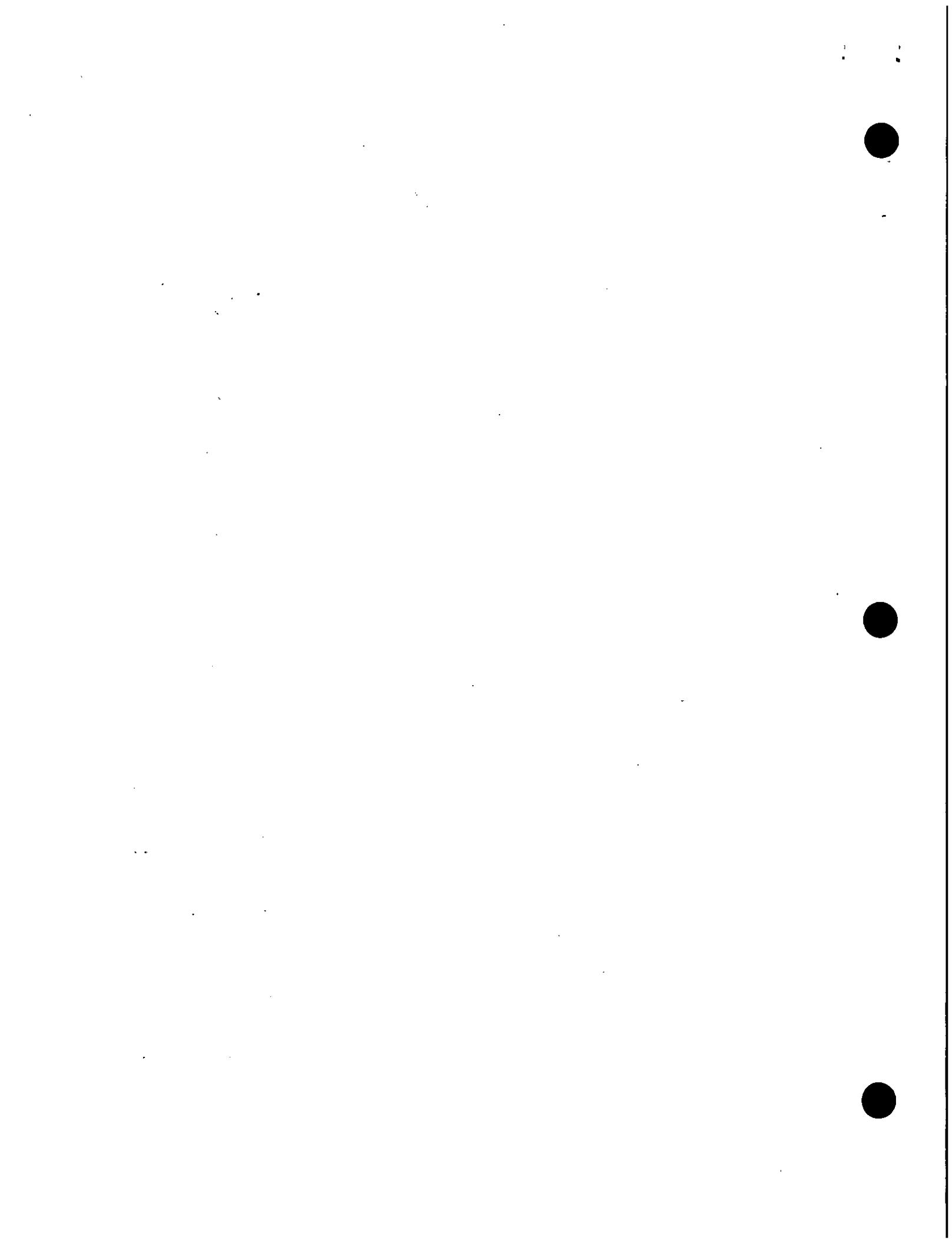
UNIT #	DESCRIPTION	# OF EES	LRO	PHONE	EMAIL ADDRESS	BACKUP LRO
1	California State Employees Association (CSEA) Administrative, Financial and Staff Services	394999	Jerry Radeleff	323-7998	JerryRadeleff@dpa.ca.gov	Frances Low
2	California Attorneys, Admin. Law Judges & Hearing Officers in State Employment (CASE) Attorney and Administrative Law Judges	3195	Linda Buzzini	324-0429	LindaBuzzini@dpa.ca.gov	Julie Chapman
3	California State Employees Association (CSEA) Education and Library	2785	Kathryn Peterson	324-0501	KathrynCervantesPeterson@dpa.ca.gov	Randy Fisher
4	California State Employees Association (CSEA) Office and Allied	32538	Frances Low	445-9244	FrancesLow@dpa.ca.gov	Jerry Radeleff
5	California Association of Highway Patrolmen (CAHP) Highway Patrol	5766	Wayne Heine	324-0431	WayneHeine@dpa.ca.gov	Larry Merth
6	California Correctional Peace Officers Association (CCPOA) Corrections	26960	Bob Losik	323-7995	RobertLosik@dpa.ca.gov	Wayne Heine
7	California Union of Safety Employees (CAUSE) Protective Services and Public Safety	6731	Larry Merth	324-9356	LarryMerth@dpa.ca.gov	Bob Losik
8	CDF Firefighters (CDF) Firefighter	2834	Larry Merth	324-9356	LarryMerth@dpa.ca.gov	Bob Losik
9	Professional Engineers in California Government (PECG) Professional Engineers	10513	Linda Buzzini	324-0429	LindaBuzzini@dpa.ca.gov	Julie Chapman
10	California Association of Professional Scientists (CAPS) Professional Scientific	2619	Frances Low	445-9244	FrancesLow@dpa.ca.gov	Jerry Radeleff
11	California State Employees Association (CSEA) Engineering and Scientific Technician	3915	Frances Low	445-9244	FrancesLow@dpa.ca.gov	Jerry Radeleff
12	International Union of Operating Engineers (IUOE) Craft and Maintenance	12023	Julie Chapman	324-9420	JulieChapman@dpa.ca.gov	Linda Buzzini
13	International Union of Operating Engineers (IUOE) Stationary Engineer	867	Julie Chapman	324-9420	JulieChapman@dpa.ca.gov	Linda Buzzini
14	California State Employees Association (CSEA) Printing Trades	611	Jerry Radeleff	323-7998	JerryRadeleff@dpa.ca.gov	Frances Low
15	California State Employees Association (CSEA) Custodial and Services	4714	Jerry Radeleff	323-7998	JerryRadeleff@dpa.ca.gov	Frances Low
16	Union of American Physicians and Dentists (UAPD) Physician, Dentist and Podiatrist	1578	Bob Losik	323-7995	RobertLosik@dpa.ca.gov	Wayne Heine
17	California State Employees Association (CSEA) Registered Nurse	3890	Randy Fisher	324-0446	RandyFisher@dpa.ca.gov	Kathryn Peterson
18	California Association of Psychiatric Technicians (CAPT) Psychiatric Technician	7038	Randy Fisher	324-0446	RandyFisher@dpa.ca.gov	Kathryn Peterson
19	American Federation of State, County and Municipal Employees (AFSCME) Health and Social Services/Professional	4177	Randy Fisher	324-0446	RandyFisher@dpa.ca.gov	Kathryn Peterson
20	California State Employees Association (CSEA) Medical and Social Services	2736	Kathryn Peterson	324-0501	KathrynCervantesPeterson@dpa.ca.gov	Randy Fisher
21	California State Employees Association (CSEA) Educational Consultant, Library and Maritime	711	Kathryn Peterson	324-0501	KathrynCervantesPeterson@dpa.ca.gov	Randy Fisher
TOTAL RANK AND FILE		175686				

Effective 1-16-01

Gloria Moore Andrews
Division Chief
(GloriaMooreAndrews@dpa.ca.gov)

Wayne Heine
Assistant Division Chief

Frank Marr
Manager and Supervisory Classifications
(916) 324-0504
FrankMarr@dpa.ca.gov



EXCLUSIVE REPRESENTATIVES
Contact List (Rev. 1/01)

CSEA - Units 1, 3, 4, 11, 14, 15, 17, 20, 21

Ed Mireles and Jim Hard (1 copy for each)
Civil Service Division Administrator
California State Employees Association
1108 "O" Street
Sacramento, CA 95814
(916) 326-4207 FAX (916) 326-4215

CASE - Unit 2

Gary Messing
Association of California State Attorneys,
Admin Law Judges, & Hearing Officers
In State Employment
Carroll, Burdick, & McDonough LLP
2100 21st Street
Sacramento, CA 95818
(916) 456-2100

CAHP - Unit 5

Jon Hamm
California Association of Highway
Patrolmen
2030 "V" Street
Sacramento, CA 95818
(916) 452-6751 FAX (916) 457-3398

CCPOA - Unit 6

Don Novey, President
Mike Jimenez, Executive Vice President
CA Correctional Peace Officers Assoc.
755 Riverpoint Drive, Suite 200
West Sacramento, CA 95605-1634
(916) 372-6060 FAX (916) 376-0156

CAUSE - Unit 7

Sam McCall, Executive Director
California Union of Safety Employees
2029 "H" Street
Sacramento, CA 95814
(916) 447-5262 FAX 447-2530

CDF Firefighters - Unit 8

Tom Gardner
California Department of Forestry
Employees Association
924 Enterprise Drive
Sacramento, CA 95825
(916) 641-2096 FAX (916) 641-1508

PECG - Unit 9

Bruce Blanning, Executive Assistant
Professional Engineers in California State
Government
660 "J" Street, Suite 445
Sacramento, CA 95814
(916) 446-0400 FAX (916) 446-0489

CAPS - Unit 10

Kristen Haynie
CA Association of Professional Scientists
660 "J" Street, Suite 480
Sacramento, CA 95814
(916) 441-2629 FAX (916) 442-4182

IUOE - Unit 12

Ron Glick, Director
IUOE Division Central Office
Locals 3, 12, 39, and 501, AFL-CIO
4044 N. Freeway Blvd., Suite #140
Sacramento, CA 95834
(916) 565-8140 FAX (916) 565-8150

IUOE - Unit 13

Jerry Kalmar, Director of Public Employees
Stationary Engineers Division
Locals 39 and 501
337 Valencia Street
San Francisco, CA 94103
(415) 861-1135 FAX (415) 861-5264

IUOE - Unit 13 - Contd.

Perry Bonilla
1620 North Market Blvd/
Sacramento, CA 95834
(916) 928-0399 FAX: (916) 928-1216

IUOE - Unit 13 - Contd.

Bart Florence
1620 North Market Blvd.
Sacramento, CA 95834
(916) 928-0399 FAX: (916) 928-1216

EXCLUSIVE REPRESENTATIVES
Contact List (Rev. 8/00)

IUOE - Unit 13 – Contd.

Dennis Bonnifield
Region 10
1787 Tribute Road, Suite A
Sacramento, CA 95815
(916) 565-0325 FAX (916) 565-0385

UAPD - Unit 16

Pam Manwiller, Executive Director
Union of American Physicians & Dentists
1330 Broadway, Suite 730
Oakland, CA 95682
(510) 839-0193 FAX (510) 763-8756

CAPT - Unit 18

Kenneth Murch, Consultant
California Associate of Psychiatric Techs
2000 "O" Street, Suite 250
Sacramento, CA 95814-5224
(916) 329-9140 FAX (916) 329-9145

AFSCME - Unit 19

Nancy Clifford
American Federation of State, County, and
Municipal Employees
555 Capitol Mall, Suite 1225
Sacramento, CA 95814
(916) 441-0833 FAX (916) 441-0842

DEPARTMENT OF PERSONNEL ADMINISTRATION

CLASSIFICATION AND COMPENSATION DIVISION
1515 S STREET, NORTH BUILDING, SUITE 400
SACRAMENTO, CA 95814-7243



Date

(Addressee)
(Supervisory Organization Name)
(Address)
(Address)

Dear (Name) :

Re: Proposed Establishment of the Supervisory Class of
(Name of Class)

Attached is a copy of a proposal for the establishment of the class of (Name of Class) for use in the Department of (----). A twelve (12) month probationary period is proposed.

If you do not indicate any concerns in writing about this proposal by (date), it will be placed on the State Personnel Board's Consent Calendar and adopted at the (date) meeting.

We plan to make the following assignments for the proposed new class:

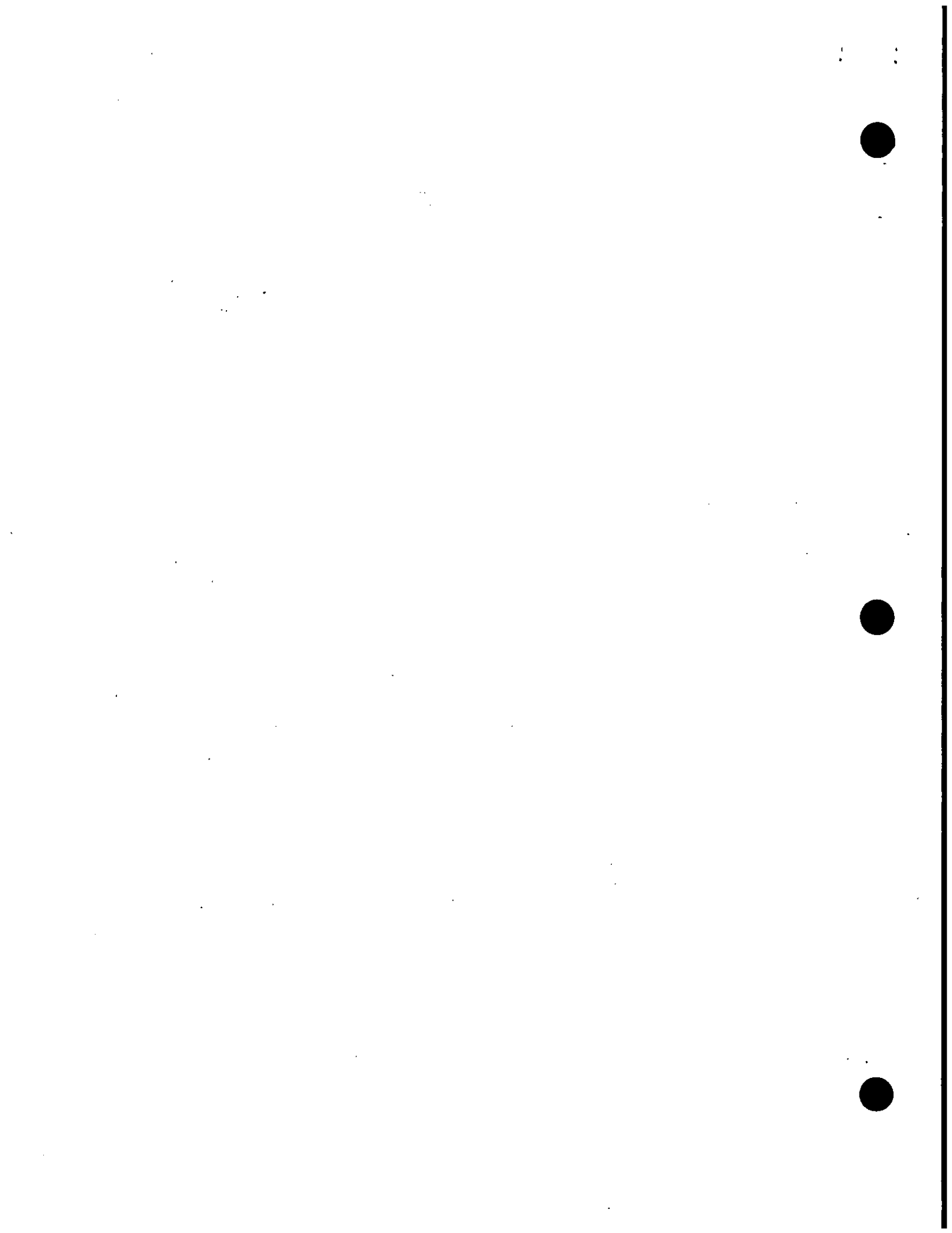
Bargaining Unit:
Salary:
Work Week Group:

Please address any questions or communication on this proposal to me at (tel. #), or 1515 S Street, North Building, Suite 400, Sacramento, CA 95814.

Sincerely,

(Signature Block)

Attachment



SUPERVISORY EMPLOYEE ORGANIZATIONS

Robert F. Katz, President
**Association of California State
Attorneys and Administrative
Law Judges**
660 "J" Street, Suite 480
Sacramento, CA 95814

John Parino, President
**Association of Supervising
Special Investigators**
10940 Badger Woods Lane
Wilton, CA 95693

Dan Aguirre, President
**California Association
of Professional Scientists**
660 "J" Street, Suite 480
Sacramento, CA 95814

Donald L. Novey, President
**California Correctional Peace
Officers Association**
755 Riverpoint Drive, Suite 200
West Sacramento, CA 95605

Tom Gardner, President
**California Department of
Forestry Firefighters**
924 Enterprise Drive
Sacramento, CA 95825

Randy Trefry, President
**California State Supervisor
Peace Officer Association**
8800 Angeli Lane
Loomis, CA 95650

Ron Alexander, President
**Corrections Ancillary Staff
Supervisors**
2230 L Street
Sacramento, CA 95816

Tim Behrens, President
**Association of California State
Supervisors**
1108 "O" Street, Suite 205
Sacramento, CA 95814

Mark Muscardini, President
**California Association of Highway
Patrolmen**
2030 "V" Street
Sacramento, CA 95818

Steve Conger, President
**CA Fish and Game Warden
Supervisor and Manager Assoc.**
8984 Santa Margarita Road
Ventura, CA 93004

Richard L. Tatum, President
**California Correctional Supervisors
Org., Inc.**
1756 Main Street
Escalon, CA 95320

Sheila Hawkins, President
**California State Managers
and Supervisors Association**
11344 Coloma Road, Suite 505
Gold River, CA 95628

Reese Dixon, President
**Coalition of Communications
Supervisors**
905 Sheridan Avenue
Bakersfield, CA 93308

Jerry Oliver, President
**Department of Transportation
Supervisors**
2230 L Street
Sacramento, CA 95816

SUPERVISORY EMPLOYEE ORGANIZATIONS

Mike Van Buskirk, President
**Motor Carrier Supervisors'
Benefits Committee**
1551 Benicia Road
Vallejo, CA 94591

Charles Suszko, President
**Professional Engineers in
California Government**
660 "J" Street, Suite 445
Sacramento, CA 95814

Roger Smith, President
Union of PERB Employees (UPE)
1031 18th Street
Sacramento, CA 95814

Theresa Whittington, President
**Motor Vehicle Managers and
Supervisors Association**
4920 Freeport Blvd., Suite A
Sacramento, CA 95822

Stephen D. Johnson, President
**State Park Peace Officers
Association of California**
P.O. Box 248
Tahoma, CA 96142

Larry Svetich
**Department of Transportation
Supervisors/CASSO**
2230 L Street
Sacramento, CA 95816

**DEPARTMENT OF PERSONNEL ADMINISTRATION
CLASSIFICATION ITEM TRANSMITTAL**

Section Number 100
Attachment 16, Page 1

Board Meeting Date:	Location:	ROUTING:	
		ANALYST	SPB ANALYST
Calendar:	Hearing items will be scheduled for 30 minutes unless otherwise specified: _____ Minutes	SUPERVISOR	SPB SUPERVISOR
<input type="checkbox"/> Non-Hearing	<input type="checkbox"/> Staff <input type="checkbox"/> Hearing	MANAGER	SPB MANAGER
SUBJECT (Specify Classes and Type of Action)		SECRETARIAT	

DPA OR DEPT REVIEW

1. Certificate of Conformance (Form 137): Attached Not Required

2. Specifications: Attached

3. Allocation Standards: Submitted Spec Only

4. Class Data Sheet: Submitted

5. Salary Analysis: Submitted Not Required

6. Salary Comp Resolution (Deep Class Only): Included Not Applicable

7. Draft Item Sent to Employee Union(s): Date: _____

NOTIFY AND SEND COPIES TO: (Specify Names, Titles, and Addresses)

_____ BARGAINING UNIT(S), AS INDICATED ON ATTACHMENT

SPB REVIEW

1. Nontesting Class: Examination Processing Unit Notified

2. Entry-Level Class: Health Questionnaire Medical Exam

3. Type of Certification: 3 Ranks 3 Names

4. Status/Exam Resolution Approved: Date Policy Analyst

5. Prob Periods (other than 6 mos): Reviewed Not applicable

6. Job Category/Categories: Submitted Reviewed

SECRETARIAT REVIEW

Before Letters Mailed on _____(Date)

After Letters Mailed on _____(Date)

RETURN TRANSMITTAL AND ALL ATTACHMENTS TO:
CLASSIFICATION AND COMPENSATION DIVISION

BARGAINING UNITS

- UNIT 1 - ADMIN, FIN & STAFF SVCS
CA State Employees Association
1108 O Street, Sacto, CA 95814
Attn:
- UNIT 2 - ATTY & HEARING OFFICER
Assoc of CA State Attorneys & ALJs
2100 21st Street
Sacramento, CA 95818
Attn:
- UNIT 3 - INSTITUTIONAL EDUCATION
CA State Employees Association
1108 O Street
Sacramento, CA 95814
Attn:
- UNIT 4 - OFFICE & ALLIED
CA State Employees Association
1108 O Street
Sacramento, CA 95814
Attn:
- UNIT 5 - HIGHWAY PATROL
CA Assoc of Highway Patrolmen
2030 V Street, Sacto, CA 95818
Attn:
- UNIT 6 - CORRECTIONS
CA Correctional Peace Ofcrs Assn
755 Riverpoint Drive, Suite 200
West Sacramento, CA 95605-1634
Attn:
- UNIT 7 - PROT SVCS & PUBLIC SAFETY
CA Union of Safety Employees
2029 H Street, Sacto, CA 95814
Attn:
- UNIT 8 - FIREFIGHTER
CA Dept of Forestry Employees Assn
924 Enterprise Drive
Sacramento, CA 95825
Attn:
- UNIT 9 - PROFESSIONAL ENGINEER
Professional Engineers in CA Govt
660 J Street, Suite 445
Sacramento, CA 95814
Attn:
- UNIT 10 - PROFESSIONAL SCIENTIST
CA Assn of Professional Scientists
660 J Street, Suite 480
Sacramento, CA 95814
Attn:
- CA STATE SUPERVISORS (CSEA)
1108 O Street
Sacramento, CA 95814
Attn:
- UNIT 11 - ENGR & SCIENTIFIC TECH
CA State Employees Association
1108 O Street, Sacto, CA 95814
Attn:
- UNIT 12 - CRAFTS AND MAINTENANCE
International Union of Opr Engrs
Locals 3, 12, 39, and 501, AFL-CIO
4044 N. Freeway Blvd, Suite 140
Sacramento, CA 95834 Attn:
- UNIT 13 - STATIONARY ENGINEER
International Union of Opr Engrs
Locals 39 and 501
337 Valencia Street
San Francisco, CA 94103 Attn:
- UNIT 14 - PRINTING TRADES
CA State Employees Association
1108 O Street
Sacramento, CA 95814
Attn:
- UNIT 15 - ALLIED SERVICES
CA State Employees Association
1108 O Street, Sacto, CA 95814
Attn:
- UNIT 16-PHYS, DENTIST & PODIATRIST
Union of American Phys & Dentists
1330 Broadway, Suite 730
Oakland, CA 95682
Attn:
- UNIT 17 - REGISTERED NURSE
CA State Employees Association
1108 O Street, Sacto, CA 95814
Attn:
- UNIT 18 - PSYCHIATRIC TECHNICIAN
CA Assoc of Psychiatric Techs
2000 O Street, Suite 250
Sacramento, CA 95814-5224
Attn:
- UNIT 19 - HEALTH & SOC SVCS/PROFL
Amer Fed of State, Co & Muni Empl
555 Capitol Mall, Suite 1225
Sacramento, CA 95814
Attn:
- UNIT 20 - MED & SOC SVCS SUPPORT
CA State Employees Association
1108 O Street
Sacramento, CA 95814
Attn:
- UNIT 21- EDUC CONS, LIB & MARITIME
CA State Employees Association
1108 O Street, Sacto, CA 95814
Attn:

DPA CLASS DATA SHEETS

SECTION I PAY LETTER

SECTION II PAY LETTER

ROUTE TO:

Section I Pay Letter – Lois Cottros

Section II Pay Letter – Susan Salata

Board Calendar Date:

Effective Date: (ONLY if different from Bd. Cal Date)

FILED UNDER: (To be completed by PL Coordinator.)

ACTION:		FULL CLASS TITLE	SALARY	SISA	FOOT-NOTES	WWG	MCR	CBID
SCHEM CODE	CLASS CODE	PRESENT						
SCHEM CODE	CLASS CODE	PROPOSED						
ACTION:		FULL CLASS TITLE	SALARY	SISA	FOOT-NOTES	WWG	MCR	CBID
SCHEM CODE	CLASS CODE	PRESENT						
SCHEM CODE	CLASS CODE	PROPOSED						

CHECK AND ATTACH SUBSTANTIATION:

<input type="checkbox"/> HIRING ABOVE MINIMUM (HAM)	<input type="checkbox"/> ALTERNATE RANGE CRITERIA (ARC)	<input type="checkbox"/> PAY DIFFERENTIALS
---	---	--

FINANCIAL INFORMATION:

Projected cost*:
How is the cost funded?

*Note: If projected cost is over \$100,000 annually, Finance approval is required.

STATUS RESOLUTION FOR MOVEMENT:

Does the above action require a status resolution for movement of incumbents? <input type="checkbox"/> Yes; <input type="checkbox"/> No (If Yes, complete Documentation/Salary Movement Instructions Form.)
--

PAY LETTER STATEMENT OR INSTRUCTIONS FOR PAY LETTER COORDINATOR:

--

Signatures and Dates (Use Initials)	Analyst	Supervisor	Manager/Chief	DPA Labor Relations



GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	CCD WORKING RELATIONSHIP WITH DOF	150

**150. CLASSIFICATION AND COMPENSATION DIVISION (CCD)
WORKING RELATIONSHIP WITH THE DEPARTMENT OF
FINANCE (DOF)**

It is incumbent upon CCD and DOF staff to maintain an on-going working relationship by meeting with each other initially or upon reassignment or as needed for sharing information and perspective.

1. Required Coordination

It is the Department of Personnel Administration's (DPA) and DOF's policy that each analyst must coordinate with his/her counterpart when reviewing the following types of requests from agencies, regardless of whether they are submitted via Forms 607, 625, or Budget Change Proposal, etc.:

- 1.1 Requests for establishment of a new class;
- 1.2 Requests for new positions or upward reclassifications at the Staff Services Manager (SSM) I level and above (with special attention to managerial positions, such as upward reallocation of Career Executive Assignment positions);
- 1.3 Redirections of positions at the SSM I level and above;
- 1.4 Reorganizations;
- 1.5 Any transaction when requested by the DPA or DOF analyst;
- 1.6 Any reclass/upgrade to a class with a **minimum step of \$5,440** or more should be coordinated with the DOF analyst by the DPA analyst. The DOF analyst must notify the joint legislative committee of such a change. (Reclasses of lower salaried classifications do not require DOF approval, but DOF analyst will verify that funding is available/ appropriate.)

GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	CCD WORKING RELATIONSHIP WITH DOF	150

2. **Intent of Coordination Policy**

The intent of this policy is to strengthen information sharing of common considerations during each agency's review process. While a denial by one of the agencies should be a significant factor in the need for an in-depth review by the other agency, it is not intended to give either agency authority to effectively deny a request under the purview of the other agency.

3. **Departmental Responsibility**

Departments are required to simultaneously submit proper documentation to DPA and DOF to ensure complete review of requests impacting both agencies.

KEY TO COLLECTIVE BARGAINING IDENTIFIER CODES

CB/ID SYMBOL	EXPLANATION
E99	Exempt and excluded managerial positions which supervise staff.
E79	Exempt and excluded managerial positions which meet class concepts, but do not supervise staff.
E98	Supervisory positions in excluded organizations or employees of the Department of Personnel Administration in the class of Labor Relations Analyst or Labor Relations Specialist I. (Except Legislative Counsel Bureau.)
E78	Supervisory employees in excluded organizations or employees of the Department of Personnel Administration in the class of Labor Relations Analyst or Labor Relations Specialist I, who are receiving red circle managerial benefits. (Except Legislative Counsel Bureau.)
E68	Supervisory employees in excluded organizations which meet the nonsupervisory concepts of the classes, or employees of the Department of Personnel Administration in the class of Labor Relations Analyst or Labor Relations Specialist I. (Except Legislative Counsel Bureau.)
E97	Positions excluded from collective bargaining who are not designated E99, E79, E98, E78, E77, E68, E67, M, S, or C in the following departments/offices: Department of Personnel Administration, Department of Finance, Public Employment Relations Board, Legislative Counsel Bureau, California Medical Assistance Commission, Office of Planning and Research, and Governor's staff; class codes 9522, 9525, and 9546 in the Department of Industrial Relations; exempt positions/classes that are not designated managerial or supervisory; and classes listed in Pay Letter 91-31.
E77	Employees excluded from collective bargaining who are not designated E99, E79, E98, E78, E97, E68, E67, M, S, or C in the same departments, offices, positions, and classes as those designated in E97, who receive red circle managerial benefits.
E67	Employees excluded from collective bargaining who are not designated E99, E79, E98, E78, E97, E77, E68, M, S, or C in the same departments, offices, positions, and classes as those designated in E97, who receive red circle supervisory benefits.
E25	Employees whose exclusive representative is mandated by SB14 (Chapter 1273).
M01-21	Excluded managerial positions.
E59	Excluded managerial positions which meet class concepts, but do not supervise staff.
S01-21	Excluded supervisory positions.
E58	Excluded supervisory employees who receive red circle managerial benefits.

KEY TO COLLECTIVE BARGAINING IDENTIFIER CODES

CB/ID
SYMBOL

EXPLANATION

E48 Excluded supervisory positions which meet class concepts, but do not supervise staff.

R01-21

Rank-and-file positions.

E01-21 Rank-and-file employees who receive red circle managerial or supervisory benefits.

U01-21

Unassigned classes which have a split responsibility of rank and file or supervisory.

GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	UNION NOTIFICATION	160

160. UNION NOTIFICATION

Union notification is the formal and official notice that the State provides to exclusive employee organizations informing these organizations of the State's intent to alter one or more of the employment conditions subject to bilateral collective bargaining as described by the Ralph C. Dills Act (formerly State Employer-Employee Relations Act). **Each Memorandum of Understanding should be reviewed for requirements on union notification and specific time frames and conditions.**

1. Purpose

The purpose of union notification is to initiate discussion between the State and the exclusive employee organizations regarding the alteration of the employment conditions.

2. Initiating Party

Most of the employment conditions requiring union notification will typically fall under the purview of the Department of Personnel Administration's (DPA) Labor Relations Division, which will take responsibility for initiating the union notification. The Classification and Compensation Division (CCD) and departments with delegation authority, however, have responsibility for union notification when the changes involve the State's Classification Plan or other employment conditions that are part of the CCD.

3. When Required

The following actions will require union notification if the affected class(es) or incumbents in the affected class(es) are designated rank and file or supervisory:

- 3.1 Class Establishment or Class Revision
- 3.2 Change to a Class Work Week Group
- 3.3 Change to a Class Probationary Period
- 3.4 Revision to the Minimum Qualifications of a Class
- 3.5 Use of the New Programs Consultant Class

GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	UNION NOTIFICATION	160

- 3.6 Change to Special In-Grade Salary Adjustment Criteria
- 3.7 Change to Alternate Range Criteria
- 3.8 Layoff
- 3.9 Any Other Classification Changes Made Through the State Personnel Board (SPB) Non-Hearing Calendar

4. **When Not Required**

Typically, union notification is not required for the following:

- 4.1 Changes That Only Involve Managerial Designated Classes
- 4.2 Hire-Above-Minimum Requests
- 4.3 Temporary Assignments

5. **Responsible Party**

In all cases, union notification should be made by and through DPA or departments with delegation authority. For the period of 10-1-99 through 9-30-00, Units 1, 3, 4, 11 and 20 are participating in a Pilot Project. No contact or correspondence should be released on classification proposals involved in the Pilot without DPA approval. (Note: for managerial designated classes, user departments are responsible for notifying affected employees of the changes and assuring that there is no opposition to the proposal.)

6. **Union Notification Process**

It is the CCD analyst's or departments with delegation authority responsibility to assure that proper and timely union notification occurs.

6.1 **When Issued**

Union notification should be sent to the impacted union(s) within a time frame adequate to provide a reasonable length of time for the

GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	UNION NOTIFICATION	160

State and exclusive employee organization to discuss the change(s) prior to the anticipated implementation date.

6.1.1 In most cases, Memorandum of Understandings (MOU) provide explicit time frames for union notification whenever classification changes are involved. In these cases, the MOU is a controlling document, which must be adhered to by CCD staff or departments with delegation authority.

6.2 **Notifications** (Please refer to the appropriate MOU for information on union notification requirements.)

Some MOUs require two separate notifications to be issued. In the Pilot Project for Units 1, 3, 4, 11, and 20, only one notice is required (effective 10-1-99 through 9-30-00.)

6.2.1 If outlined in the MOU the first or preliminary notification is sent during the preparatory stages of the classification proposal and follows a standard format as shown in Attachment 1. Send a copy to the appropriate DPA Labor Relations Officer (LRO).

6.2.2 Typically the second or final notification is sent at least 20 working days (depending on the MOU) prior to the date that SPB is scheduled to adopt the proposal.

- The second notification should include the final proposal of the SPB Board Item package. A sample transmittal memo for the package may be seen as Attachment 2.
- The sample letter may be adapted to fit the specific proposal, but all of the applicable information shown in the sample must be included. Send a copy to the appropriate DPA LRO.
- Also see C&P Guide, Section 100.

6.2.3 The notice to the Pilot Project Units must be cleared through DPA. The DPA LRO will determine the content and documents to be released with the notice (see Attachment 2, Modified for Pilot Process Format.)

GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	UNION NOTIFICATION	160

6.2.4 Notifications to the Union should not disclose any salary information. Salary information may only be disclosed/discussed with the Union by the DPA LRO.

NOTE: Attachments 1 and 2 are available to departmental staff on disk in Microsoft Word 6.0 Format. A copy of the disk can be obtained from each DPA CCD departmental analyst.

6.3 Documentation of Notification

Documentation of the appropriate union notifications must be provided within the "Consulted With" Section of the SPB Calendar Item. (See C&P Guide, Section 100, for standard Calendar Item wording.)

6.3.1 Copies of the union notification memoranda should be retained with the "approved rough draft" file to document the contacts. Departments with delegation authority should send the union notification and "approved rough draft" to the CCD analyst for contract documentation.

6.4 "Pulling" Scheduled Items by Unions

The process provides that if DPA has lived up to the terms of the MOU, the union may not pull the item within four working days of the Board date. This is why the notification requirements must be met and documented. In order to pull the item, the union must provide specific merit-related reasons to SPB in writing.

6.5 Clearance of Other Classification Changes

Remember that employees who are affected by changes to managerial-designated classes should be notified of the changes. Departments have responsibility for making this notification, however, CCD analysts and departments with delegation authority should verify that this requirement has been met and that there is no opposition to the proposal.

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6.6 Meet and Confer Requests

If the union contacts the CCD analyst and requests a meeting, the CCD analyst will notify the LRO responsible for the unit and the department which initiated the classification proposal. The LRO shall schedule the meet and confer with the union.

6.6.1 The LRO will meet and confer with the union. The CCD analyst and a representative from the department that initiated the classification proposal will assist. The CCD analyst will be responsible for recommending an appropriate salary range to the LRO; and, the department representative must provide a Form 137 certifying the availability of funds (in the amount ultimately agreed upon with the union). The LRO as Chief Negotiator will be responsible for negotiating proposals with the union.

6.6.2 The salary agreed on as a result of meeting with the union will be reduced to writing by the LRO. The LRO and union will sign the agreement.

6.6.3 The CCD analyst will be responsible for coordinating documentation (Pay Letter) to implement the salary range based on the agreement reached between the LRO and the Union.

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DEPARTMENT OF PERSONNEL ADMINISTRATION

CLASSIFICATION AND COMPENSATION DIVISION
1500 S STREET, NORTH BUILDING, SUITE 400
SACRAMENTO, CA 95814-7243



[Date]

[Name]
[Address]
[Address]
[Address]

Dear [Addressee]:

Re: Preliminary Notification of Classification Proposal

This is to notify you that we have received the following classification proposal and are in the preparatory stages of the development.

Department submitting proposal:

Summary of proposal:

Employee status affected: Yes No
Anticipated Board Calendar date:

This Board Calendar date is our best estimate at this time. It is subject to change depending on workload, need for additional information, resolution of status issues, etc.

If you have any questions or wish additional information you may call me at the number below.

Sincerely,

[Name]
[Title]
[Phone #]

cc: DPA Labor Relations Officer



DEPARTMENT OF PERSONNEL ADMINISTRATION

CLASSIFICATION AND COMPENSATION DIVISION
1000 S STREET, NORTH BUILDING, SUITE 400
SACRAMENTO, CA 95814-7243



[Date]

[Addressee]
[Address]
[Address]
[Address]

Re: Notification of Classification Change

Dear [Name]:

Attached is a copy of a proposed [Define Class Action] for the class of [Class Title].

If you do not indicate any concerns in writing about this proposal by [Date], it will be placed on the State Personnel Board's Nonhearing Calendar for adoption at the [Date, refer to appropriate contract for response period] meeting.

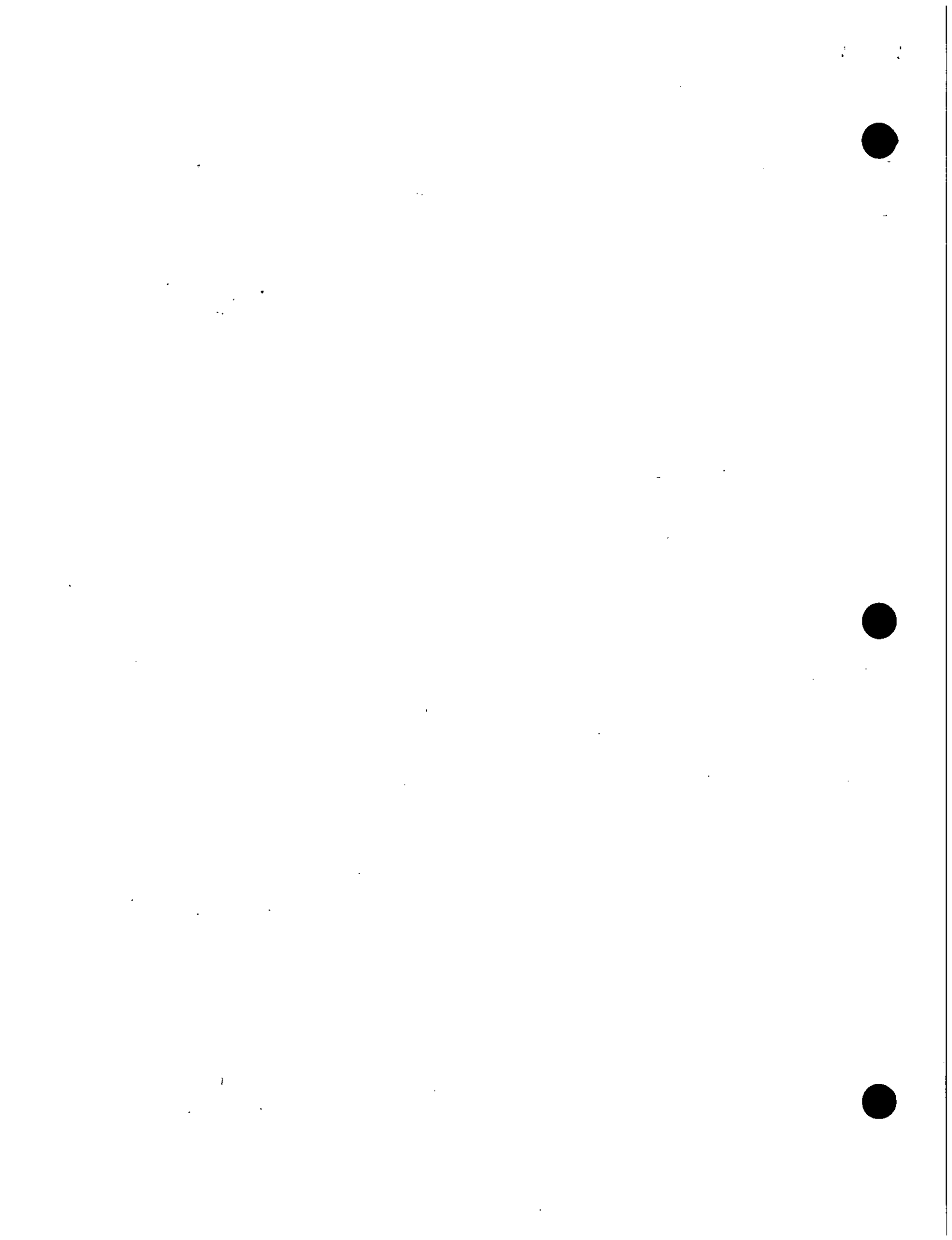
Please address any questions or communications on this proposal to [Analyst Name], at [Phone Number], [Address].

Sincerely,

[Analyst Name]
[Analyst Title]

Attachment

cc: [Name], Labor Relations Officer, DPA (w/attachment)



DEPARTMENT OF PERSONNEL ADMINISTRATION

CLASSIFICATION AND COMPENSATION DIVISION
1415 "S" STREET, NORTH BUILDING, SUITE 400
SACRAMENTO, CA 95814-7243



[DATE]

[ADDRESSEE]
[ADDRESS]
[ADDRESS]
[ADDRESS]

Re: Notification of Classification Change

Dear [NAME]:

This is to notify you that there is a State proposal to [MODIFY OR ESTABLISH] the classification of [CLASSIFICATION NAME] in the [DEPARTMENT NAME]. Attached, you will find [DOCUMENTS AS DETERMINED BY DPA LRO].

Summary of Proposal: [SHORT STATEMENT OF PROPOSED ACTION]

If you do not indicate any concerns in writing about this proposal by [DATE], it will be placed on the State Personnel Board's Non-Hearing Calendar for adoption at the [DATE, REFER TO APPROPRIATE CONTRACT FOR RESPONSE PERIOD] meeting.

Written requests to meet and confer regarding this proposal should be sent to [DPA POD ANALYST'S NAME], at [ADDRESS], [PHONE NUMBER].

Sincerely,

[ANALYST NAME]
[ANALYST TITLE]

cc: [NAME], Labor Relations Officer, DPA (w/attachment(s))

Attachment(s)



GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	DEVELOPMENT OF ALLOCATION GUIDES	180

180. DEVELOPMENT OF ALLOCATION GUIDES

1. Definition

Allocation Guides are work requirements/characteristics which can be compared in order to measure the similarity/differences in evaluating the level of jobs.

2. Purpose

- To supplement and clarify the class specification, as needed.
- To differentiate between the various working levels in a class series.
- To assure the consistency of how a particular class or classes are allocated and used in various State departments.

3. Allocation Factors

3.1 Depending on the nature of the classification or class series, a combination of different allocation factors can be used to develop a set of allocation guidelines. Through the use of allocation factors, a position can be broken down into its component parts to be examined in order to determine the appropriate level/classification. Allocation factors can give precision to general and ambiguous terms such as: "assist," "prepare," "supervise," "review," "complex," etc.; terms which may be contained in the specification. General terms such as these serve a useful purpose in the categorizing of jobs but, when taken alone, they are not, as a rule, reliable guides for classifying a position. Determinations of the degree of difficulty or complexity of the duties and the weight of the responsibilities of a position are conclusions drawn from facts showing the nature of the duties performed, the methods of work involved, the authority exercised, and a variety of other circumstances under which the work is performed.

3.2 The following discusses fundamental classification factors which may cover a variety of positions encountered in State service. Analysts must use judgment when determining which factors should be applied in developing a set of allocation guidelines. The following allocation factors are not meant to be all inclusive since staff should feel free to develop other factors which may be job specific (e.g., the factor, "number of funds and appropriations" for accounting classes).

GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

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CLASSIFICATION	DEVELOPMENT OF ALLOCATION GUIDES	180

- *Variety and Scope of Responsibility* - refers to the number of tasks which make up a position. Variety and scope become relatively unimportant factors where each task or problem is itself of a limited degree of difficulty (i.e., some clerical positions, janitors, etc.). As the level of difficulty of the tasks making up the combination increases, variety may become more significant.
- *Supervision and Guidelines Received* - measures the extent to which tasks performed, actions taken, and decisions made are controlled or limited by supervision or by established law, policy, procedures, guidelines, or technical practices. Refer to C&P Guide, Section 170, with respect to the meaning of the terms: "Under Supervision," "Under General Supervision," "Under Direction," etc.
- *Supervision Exercised* - measures the nature and extent of the authority and responsibility for the supervision of the work of others. This is reflected by the scope and variety of activities covered, the amount of planning, organizing, directing, assigning work, instructing, training, and disciplining of employees required. The number of employees supervised may be used as a guide to differentiate between different supervisory levels. Refer to C&P Guide, Section 170, with respect to different terminology to describe this factor: "to have technical supervision," "to supervise," "to direct," "to plan, organize, and direct," etc.
- *Complexity of Work* - oftentimes this is a critical allocation factor especially when attempting to distinguish between full-journey and super-journey levels (i.e., Associate and Staff Specialist). Some elements to consider when determining the complexity of work are:
 - ⇒ status of work or state of development of problem when first presented to employee;
 - ⇒ selection of assignments for employee;
 - ⇒ analytical and problem solving requirements;
 - ⇒ the extent to which plans or actions must be initiated, developed, or decided upon by the employee;
 - ⇒ variety and scope of work (e.g., audits of individuals vs. audits of large corporations).

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CLASSIFICATION	DEVELOPMENT OF ALLOCATION GUIDES	180

It should be noted that it is very useful to indicate typical tasks associated with the various levels of complexity ascribed to different classes within a series.

- *Knowledge and Abilities Required* - measures the knowledge, skills, and abilities which the individual must bring to the job. The subject matter of the work and the nature of the problems to be solved are indicative of the educational background, and the degree of mentality, skill, and analytical ability needed.
- *Responsibility for Decisions and Actions* - measures the nature and extent of the authority and responsibility for recommendations, decisions, commitments, or actions. Subject matter, nature of review, and result of error are considered in evaluating positions in this factor.
- *Personal Contacts/Relationships* - measures type of contact required (employee's own supervisor vs. department director or outside public officials); scope of the subject matter dealt with in the contacts (explaining straightforward procedures vs. negotiating procedures and policies); and the tact, poise, persuasiveness, skill required in the contact.
- *Working Conditions/Environment* - refers to the physical characteristics/surroundings of the job that make specific demands upon a worker's capacity. These may include: work location (inside, outside, or both); machines, tools, equipment required to operate; special physical demands (climbing, lifting, etc.); noise and/or vibration; special hazards or dangers; and other atmospheric conditions.
- *Consequence of Error* - evaluates the significance of an error, omission, or wrong decision in the carrying out of job duties. In evaluating this factor, the following should be considered:
 - ⇒ impact of the error (e.g., time, inconvenience, inefficiency, money, equipment, health, or life and death);
 - ⇒ scope of the error (i.e., is the error strictly internal or does it affect other units, the public, or both?);
 - ⇒ probability for error to occur (i.e., is there frequent and/or detailed review of work?);
 - ⇒ degree of difficulty in correcting or reversing the error.

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- *Area of Responsibility* - refers to the geographic or program area over which the position has responsibility. For example, does the position have statewide or regional responsibility for a given program; or is the position in a headquarters setting with departmentwide responsibility vs. in an institutional setting?
- *Administrative Responsibility* - measures the extent to which the position is involved in such administrative tasks as: developing and monitoring program goals and objectives; developing and monitoring program budget; and performing personnel, contracts, and business services related activities.

4. Format for Allocation Standards

4.1 Existing allocation standards indicate that various formats are acceptable and effective.

4.2 The different types of formats include:

- Straightforward narrative (e.g., Machine Operator standards).
- Matrix (e.g., Labor Relations series), the most common and easiest to read and apply.
- Complex (Data Processing classes), the standards of which require the department to complete forms for additional information.

5. Procedures

5.1 Time Frames

Development of effective allocation standards can be a lengthy process. Development of allocation standards for servicewide classes can take anywhere from five months to a year.

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5.2 Historical Research

Prior to start of project, research available historical information, e.g., Board Items, establishing/revising the classes; prior studies; previous 625s, etc. Review of existing allocation standards for other similar classes or class series may be helpful with respect to selecting the format and factors to be used.

5.3 Use of Subject Matter Experts

Pertinent personnel and program staff should be utilized for their expertise and input. Consideration can be given to establishing task forces and/or developing questionnaires in order to gather valuable information from these sources.

5.4 Job Description Forms

Sometimes it is necessary to have a sample of incumbents fill out job description forms in order to gain more detailed information with respect to the allocation factors.

5.5 Meet with Personnel Management Liaison (PML) Group

If the project involves a servicewide class, the Department of Personnel Administration analyst will typically meet with the PML group to enhance the level of cooperation staff will need from personnel managers to make the project or study a success.

6. Inclusion of Allocation Guidelines Statement in Class Specifications

The following statement is to be included as a footnote on all new and revised class specifications for which current allocation guidelines exist in a separate document. The footnote indicator (*) should appear on the "Definition" heading for single classification specification and the "Definition of Levels" heading for series specification.

"Additional information regarding functions performed, complexity factors, and scope of responsibility is contained in a separate document titled 'Allocation Guidelines.'"



GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	SALARY ANALYSIS FOR BOARD ITEMS	200

200. SALARY ANALYSIS FOR BOARD ITEMS

A Salary Analysis (Part C. of the Classification Proposal Request Process) (Attachment 1) is required for all new classes or proposed changes to existing salary levels. The Salary Analysis is an essential source of information considered by the Department of Personnel Administration (DPA), Labor Relations Officer (LRO) in negotiations over salary. This section describes the major considerations that need to be included in a salary analysis.

The Classification and Compensation Division (CCD) analyst must consult with the appropriate Labor Relations Division staff and the CCD analyst responsible for the affected bargaining unit prior to completion of salary analyses. Departments with delegated authority must coordinate this consultation effort through their assigned CCD analyst. Preliminary consultation is recommended prior to commencing classification work when represented or supervisory classes are involved. These consultation efforts serve the purpose of avoiding possible misunderstandings between DPA and employee unions; or with DPA's negotiating strategy. **Only the DPA LRO has the authority to negotiate the salary range for a classification.**

The salary analysis and any supporting documents are **confidential** and are not to be submitted to, nor shared with, persons or organizations outside of DPA except as deemed appropriate by the DPA LRO. Salary-related material is not included in the Board Item package that is sent to the State Personnel Board for approval.

1. Salary Analysis for Revised Classes

The majority of classification revisions, such as updated specification language or minor changes to the minimum qualifications, are unlikely to impact salary. In these instances, the analysis (Part C) may not be required. However, if the proposed revisions substantially change the concept of the class(es) in a way that necessitates a salary change, the entire Part C. Salary Analysis Form must be completed. The analysis should address whatever changes have taken place since the last classification or salary action. The previous salary is typically accepted as having adequately addressed the level of responsibility and having identified appropriate salary ties at the time of the class establishment or last salary adjustment.

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2. Salary Analysis for a New Class

2.1 New Class in an Existing Series

The salary for a new class in an existing series will typically be proposed based upon the relationship of the new class to other classes in the series and possibly to related classes in other class series.

Generally, classes within a series are recommended for establishment with approximately a 10 percent differential. Specialist level classes within a series often will have a proposed salary at parity with the first and/or second supervisory level within the same series.

If the classification proposal results in a working level class being supervised by a class at the same salary level, then consideration may be given to recommending a salary for the supervisory class at a level slightly higher than the nonsupervisory class (usually about 5 percent). See Section 335, Reporting Relationships, for additional discussion regarding this subject.

2.2 New Class, New Program

When trying to determine the correct salary for a new class in a new program area, departments should first attempt to find comparisons in related class series in State service. The salary analysis would include a description of how the proposed class is related to an existing class in the same bargaining unit. Internal equity/comparisons "tend" to take precedence over an outside salary tie.

If it is not feasible to establish salary relationships with State classes, but there are similar positions in public jurisdictions or private industry, a survey should be conducted to find what these entities pay for work similar to the proposed civil service class. The determination of the proposed salary should be based upon the following:

- The comparability of the duties in industry or public jurisdictions to the proposed class within State service.
- The salary relationship that exists in other jurisdictions and how this is similar/dissimilar to the proposed salary.

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- Similar structures and salary relationships in State service, if applicable.

A direct match with outside salaries typically should not be made where the State service salaries for other related classes are generally lower. Otherwise, a proposed salary resulting from a direct outside match might cause internal salary relationship problems within the State compensation plan.

EXAMPLE: In reviewing the salary for a proposed class of Intensive Care Unit Nurse, the average percentage difference found outside State service between the Intensive Care Unit Nurses and the full journey level Registered Nurses would probably be the percentage difference recommended between the proposed class and Registered Nurse in State service.

3. **Hourly and Daily Salary Rates (Excluding Trade Rates)**

Hourly and daily salary rates (rather than monthly rates) are generally appropriate only for those classes where employees work on an irregular or intermittent basis such as Student Assistants, Examination Proctors, etc. (This does not apply to employees in a monthly salaried class who are paid by direct hourly conversion and receive corresponding holiday credits.)

3.1 Determine whether an hourly or daily salary rate should be established by application of the following general guide:

- An hourly rate is typically established for intermittent classes that are subject to the provisions of the Fair Labor Standards Act (FLSA), Work Week Group 2 (WWG2).

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CLASSIFICATION	SALARY ANALYSIS FOR BOARD ITEMS	200

- A daily rate is typically established for intermittent classes that are exempt from FLSA (e.g., attorneys, doctors, or teachers). If it is likely that the FLSA exempt employee would work changing increments of time on each scheduled work day, then the employee should be paid a proportion of the daily rate for hours worked. (See Section 8 of the Civil Service Pay Scales titled Variable Pay Schedules for examples.)

3.2 Recommendations on the hourly or daily rate should be closely coordinated with the DPA LRO to address FLSA and benefit issues.

4. Salary for Managerial Classes

4.1 Essentially the same considerations used for rank-and-file and supervisory classes should be applied when preparing salary analyses for managerial classes. The salary placement of a managerial class will be based upon internal relationships more often than upon direct comparisons with salaries of related classes outside of State service.

4.2 Because of statutory ceilings on the pay of exempt and constitutional officer salaries, some civil service salaries tend to “bump” into the salaries of these top level positions. This compression of salary levels is called compaction. Frequently, there is not room for the typical 10 percent or 5 percent salary differential over salaries of subordinate classes.

EXAMPLE: If a newly proposed managerial class reporting to the department director creates a situation where there is only 5 percent between the Director and the next lower level, the Director may request that the new class be given as much “space” as possible between the new class and the immediate subordinate. This could result in only a few dollars per month differential between the Director and the newly proposed class. In such a situation, the proposed establishment of a salary that is clearly compacted may be appropriate.

4.3 Salaries for managerial classes should be three-quarters percent (.0075) above comparable supervisory or high level specialist classes when such relationships exist.

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- 4.4 The salary ranges for managerial classes are established with only three salary steps. Once the minimum rate is recommended, the two subsequent steps should be in 5 percent increments.
- 4.5 The DPA LRO will use the Salary Analysis to make a decision on the salary rate for the excluded class.
5. Work Week Group (WWG) Considerations (overtime compensation) – See Section 275. The DPA LRO has the final authority to negotiate (if necessary) or establish the classification's assigned work week group in consultation with the CCD analyst, DPA policy, and FLSA considerations.



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<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	ALTERNATE RANGES	220

220. ALTERNATE RANGES

1. Alternate Range Definition

An alternate range is an additional range of pay established for a classification which represents compensation for:

- Satisfactorily completing the duties appropriate for the classification for the period of time noted in the criteria of the alternate range; or
- Possessing the education/experience/skills/competencies as defined under each alternate range criteria for each classification.

Classifications with alternate ranges are referred to as deep classes (e.g., Staff Services Analyst).

An alternate range differs from a pay differential in that a pay differential is tied to working conditions and/or possession of a specified license, degree, etc., while an alternate range is tied to "time in grade" (the period of time an employee is in a particular level of a classification), education, or experience. Refer to the C&P Guide, Section 230, for a more detailed definition of a pay differential. [See Government Code Sections 19826 and 19829 and the Department of Personnel Administration (DPA) Rules 599.674, 599.676, and 599.681.]

1.1 Authorization Required

Many of the alternate ranges contain language which stipulates that when the requirements of the particular criteria are met and upon the recommendation of the appointing authority, the employee shall receive a rate under the provisions of the appropriate DPA Rule.

The following salary rules are applicable to alternate ranges:

- 1.1.1 DPA Rule 599.674(a), (b), or (c), (Rate on Movement Between Classes with Substantially the Same Salary Range) when the differential between salary ranges is less than two steps (10 percent).
- 1.1.2 DPA Rule 599.676 (Rate on Movement to a Class with a Higher Salary Range) when the differential between salary ranges is two steps (10 percent) or more.

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In some instances, both rules will apply to a single deep class which has more than two alternate ranges with varying salary differentials. Alternate Range 129 provides an example of this.

- 1.1.3 Rule 599.681 (Movement Between Alternate Ranges) is no longer referenced when establishing new deep classes. It is, however, still needed for some existing deep classes where the alternate range criteria is silent on salary movement.

Some departments have developed their own form to document the alternate range recommendation as noted above; others use the PSD 609 or STD 609 and simply notate that the change in salary is an alternate range change. The State Controller's Office does not automatically generate forms for changes in alternate ranges like it does for a merit salary adjustment; therefore, it is incumbent upon the department to initiate the appropriate documentation.

1.2 Concept and Standards for Alternate Ranges

A "deep" class is a single classification in which every position allocated to that classification can be assigned any duty within the class concept. Placement in an alternate range is based upon the individual's skill and experience as defined under each alternate range criteria. Alternate ranges are designed to recognize increased competence to perform the duties of the class based upon experience in the class. The employee does gain status in the alternate range as though each range were a separate classification.

The following criteria are used to determine when it is technically possible to either consolidate two or more classifications into a single deep classification or to establish a new deep classification.

- A single test of fitness can be used for the classifications or levels included in the deep class; and

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- Promotion to the highest level in the deep class is virtually automatic.*

* There are no examinations for movement between alternate ranges; however, the employee must meet the requirements for movement as prescribed in each alternate range criteria.

1.3 Section 11 of the Pay Scales

Section 11 of the Pay Scales is titled "Alternate Ranges" and includes all alternate ranges and the criteria for each. The majority of these alternate ranges are either deep classes or apprenticeship classes. A number of these, however, are pay differentials which were established and given an alternate range number. Refer to Attachment 1 of Section 230 for a listing of the alternate range numbers which are considered pay differentials. Refer to Section 230 of the C&P Guide for instructions regarding the appropriate steps to establish a pay differential.

1.3.1 Newly established alternate ranges are "numbered" in succession of the last established alternate range. Generally, the number is assigned by DPA at the time the proposed classification specification is typed (all classification specifications are prepared by DPA regardless of the level of delegation of personnel management functions).

1.4 Board Item Issues for a Deep Class

Deep classes are established through the Board item process and approved by the State Personnel Board (SPB).

1.4.1 The "Classification Considerations" section of the Board item forms should cite the criteria noted above in item 1.2, describe how the class meets those criteria, and the various levels with the proposed class.

1.4.2 The proposed alternate range criteria should always be included in the Recommendation section of the Board item.

1.4.3 A resolution, making an exception to SPB Rule 431, must be included in the Board item when a deep class is established.

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The purpose of this resolution is to allow incumbents to move, by transfer, to or from a deep class under the same eligibility that would apply if each range of the deep class were, itself, a separate class. Without this resolution, incumbents cannot gain transfer, demotion in lieu of layoff, or reinstatement (both mandatory and permissive) eligibility above Range A of the deep class, regardless of what range in the class they reach.

The resolution which provides exception to SPB Rule 431 cannot be used for movement to classes which have alternate ranges under the jurisdiction of DPA [e.g., Alternate Range Criteria 45 which provides extra pay to incumbents in the classification of Sergeant, California Highway Patrol (CHP), who are assigned full time as flight observers in the flight program of CHP].

- 1.4.4 Include Footnote 21 in the appropriate class data information (refer to C&P Guide, Section 100, regarding Board item instructions) to denote (in updated Pay Scales) the classification is being adopted as one which is an exception to SPB Rule 431. (Basically, this means the class is a "deep" class.)
- 1.4.5 When employees move, through resolution in a Board item, from one classification to either a newly established or a revised deep class, salary movement instructions must be provided. (See C&P Guide, Section 100, for more information regarding the Board item process and the forms, etc., needed.) Do NOT include salary instructions in the body of the Board item itself.
- 1.4.6 If a Special In-Grade Salary Adjustment (SISA) is appropriate for a range(s) of a deep class, add the SISA footnote to the applicable salary range(s). See C&P Guide, Section 240, regarding SISAs.

GUIDE TO CLASSIFICATION AND PAY POLICIES AND PROCEDURES

<i>MAJOR AREA</i>	<i>SUBJECT</i>	<i>SECTION NUMBER</i>
CLASSIFICATION	PAY DIFFERENTIALS	230

230. PAY DIFFERENTIALS

Definition: Pay differentials are qualifying pay criteria for special competencies or working conditions such as, but not limited to, the following:

- Recruitment and Retention
- Professional or educational certification
- Work location or shift assignment
- Performance-based pay
- Temporary responsibilities
- Special license or skills or training
- Incentive-based pay
- Other special pay

Normally the base pay of classification is considered total and full compensation for the proficient and effective performance of the duties and responsibilities of the assigned class. In some instances, a subgroup of positions has unique circumstances that distinguish it from other positions of the same class. These unique circumstances support a separate higher level of pay beyond what is considered appropriate for the class. The circumstances may include a different or unusual work location or assignment, a temporary more difficult assignment or responsibility, a special professional or educational certificate, a special license, etc. Pay differentials may be established to respond to these situations as well as to recruitment and retention problems. The justification for a recruitment and retention pay differential is discussed below. Pay differentials should not be established for longevity except when it is considered necessary to retain the services of valued employees and when there is no other specific job-related criteria.

The majority of pay differentials are located in Section 14 of the California State Civil Service Pay Scales. However, in some circumstances, pay recognition for situations that would normally be covered by pay differentials are described in the Alternate Range Section 11 of the Pay Scales. These pay criteria are more appropriately treated as pay differentials (Attachment 1) and will eventually be converted to the appropriate category. (For further information on Alternate Ranges, see C&P Guide, Section 220.)

Pay Scale Section 14: Pay differentials are the responsibility of the Department of Personnel Administration (DPA). The format of the pay differentials include: *the effective date; Collective Bargaining Unit Identifier and classes affected; applicable salary rate and conditions; and specific criteria for eligibility.*

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Salary Movement: DPA Rules 599.674 or 599.676 are used to determine the rate of pay for an employee when promoted from a class with a pay differential. The pay differentials may also include specific conditions regarding salary when there is movement from one class to another. Some pay criteria specifically state that an employee's movement to another class will be calculated on the combined rate (base salary plus pay differential) for the purpose of determining salary movement.

1. Establishment or Revision of Pay Differentials

These are typically initiated through the collective bargaining process, but may also be the result of a classification proposal. The Classification and Compensation Division (CCD) analyst is responsible for overseeing the technical analysis for pay differentials received through collective bargaining and/or from departments. Departments interested in establishing or revising pay differentials need to provide information on the management need to their CCD analyst in order to substantiate the request.

1.1 Process

- A completed Pay Differential Transmittal (Attachment 2) is submitted to or prepared by the CCD analyst. An actual draft of the proposed pay differential may be submitted as an attachment.
- The CCD analyst reviews or prepares an analysis and recommendation, which includes coordination with the Labor Relations Division (LRD), and obtains appropriate approvals on the Pay Differential Transmittal. *LRD determines the need for Executive Office review.*
- The CCD analyst coordinates the feedback and/or implementation of the pay differential with the requester (e.g., department or LRD) as appropriate.
- The CCD analyst forwards the Pay Differential Transmittal and attachments to the appropriate CCD staff member (Section I Pay Letter Coordinator) for processing. *The effective date for all newly established, revised, or abolished pay differentials should be on the first of a pay period in order to facilitate the State Controller's Office processing.*

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- A copy of the documentation shall be maintained in the CCD Pay Differential File for the appropriate year and bargaining unit affiliation.

1.2 Justification for Pay Differential Establishment

In determining the need for pay differential, it is necessary to consider the special or unique circumstances and the additional benefit or value to the State:

- The circumstances must impact some but not all of the positions. (The circumstances should not involve higher level skills and/or abilities that would normally be measured or assessed through testing. This consideration is mentioned to avoid the use of pay differential criteria to circumvent or take the place of civil service examinations.)
- Special or unique circumstances may be present in the work or assignment. For, instance, the work or assignment may entail additional risk or danger, have other unusual or special conditions, or be located in a hard-to-reach or remote location. In some situations, the employee may be working under the same or similar work conditions as all others in the class, but may possess a related license, certificate or training that enables him/her to perform work more efficiently or effectively.

In these situations, prevailing practice in private and public settings dictate that some form of additional compensation is appropriate.

1.3 Professional or Educational Certification, Special License or Training

In some professions, the possession of a special certificate or registration can command a higher level of pay because it is required for the job or because it has other intrinsic value (i.e., it is indicative of higher level skills and abilities). If it is a requirement of the class and built in the minimum qualifications, a pay differential is not appropriate. In considering the pay differential, it is important that the value of certificate or registration be assessed. If it is unrelated to the work assignment or if no nexus between the possession of the certificate and work outcome can be established, a pay differential is not necessary.

In assessing the value of a certificate, its requirements should be reviewed to determine how it relates to the work of the class:

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- The requirements should be essential or clearly beneficial for the performance of the job or assignment. If it is unlikely that employees would ever use the additional skills or training associated with the certificate, a pay differential is not necessary.
- The requirements should be rigorous. If the certificate is easily obtained (i.e., can be obtained by attending a class or seminar), it does not support establishment of a pay differential.

1.4 Recruitment and Retention

A Recruitment and Retention (R&R) Pay Differential is provided when it is demonstrated that the base pay of a class is not sufficient pay for the recruitment and/or retention of employees. In presenting a request for establishment of an R&R Pay Differential, the following information should be provided in the basis for request (see Attachment 2, Page 2):

1.4.1 General information regarding the R&R Situation

Provide a general description of the problem. Provide the title of the impacted class, bargaining unit, number of authorized positions and number of vacancies for the class for the specific geographic area. Include, if available, historic information regarding the frequency and duration of vacancies. Include a list of other departments that have positions/vacancies in the same area. (This information is available on PIE). Describe the geographic area and the competing labor market.

1.4.2 Description of Recruitment Problems

Indicate in detail the department's efforts to hire or promote staff. Indicate the number and frequency of exams that were conducted for the class. For the most recent exams, indicate the number of applicants, the number who tested, the size of the resulting lists, the number offered employment, the number who declined, and reasons if available. Provide other related information to explain or illustrate special recruitment efforts.

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1.4.3 Description of Retention Problems

Provide detailed information regarding attrition from the class. Indicate for the number of authorized and filled positions, the number of incumbents who have left. Indicate if they promoted or transferred to other State jobs; if they left State service employment to other public or private employment; retired, changed careers, or left for other reasons. If available, provide information obtained in exit interviews.

1.4.4 Prevailing Rate of Pay for Similar Work-

Conduct an informal survey of the major employers in the area from which prospective employees are recruited. Provide information regarding the number of positions, the starting level of pay and the pay range for the class or occupation.

1.4.5 Examples

Provide anecdotal comments related to actual experiences related to hiring and/or retaining staff in the class and in the area.

1.4.6 Related Information

Provide any other information regarding pay, benefits, or cost of living in the area. Describe how it compares to other geographic areas.

All of the above information will be considered. In some situations, some of the above information may not be available. Nonetheless, CCD's review considers the information as a whole for the purpose of determining if an R&R Pay Differential is the appropriate response. In some cases, an individual Hire-Above-Minimum rate (Section 250), special recruitment efforts, class or pay restructuring, or other actions may respond to the need. The impact of the proposed R&R on related classes and departments should be assessed to ensure that it does not cause related problems.

Recruitment and Retention problems that impact all positions of a class are typically addressed by special salary adjustments. Section 290 addresses the justification for "Special Salary Adjustments."

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2. Pay Program Review

Prior to proposed changes in the pay program, CCD analysts are responsible for identifying and reviewing existing pay differentials which may be considered "nonpermanent" within their area of assigned Bargaining Unit responsibility (Attachment 3). As an example, within Bargaining Unit 1, the Bilingual Differential Pay is *likely* to be ongoing; although the Lottery Sales Incentive is *likely* to be in need of review. *The DPA LRD may also request that CCD review any pay differential as part of the pay program review.*

2.1 Process

- A Pay Differential Transmittal (Attachment 2), is prepared by the requester, typically the CCD analyst, LRD, or possibly departmental management.
- The CCD analyst reviews the pay differential history, consults with LRD, and obtains justification from the department(s) regarding the need to continue, modify, or abolish the differential.
- The CCD analyst completes the analysis and recommendation portion of the transmittal, incorporating departmental and LRD's feedback, and obtains appropriate approvals. *LRD determines the need for Executive Office review.*
- The CCD analyst coordinates any changes regarding the pay differential with the department or LRD as appropriate.
- The CCD analyst forwards the Pay Differential Transmittal and attachments to the appropriate CCD staff (Section I Payletter Coordinator) for processing. *The effective date for all newly established, revised, or abolished pay differentials should be on the first of a pay period in order to facilitate the State Controller's Office processing.*
- A copy of the documentation shall be maintained in the CCD Pay Program File for the appropriate year

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3. **Additional Guidelines for Determining Pay Differential Deductions or Inclusion in Benefit Pay**

The Pay Differential Analysis (Page 2 of the Pay Differential Transmittal) requires completion of the Pay Differential Summary Sheet. This requires that a determination be made on how the pay differential will be treated regarding the type of pay, inclusion in benefit pay, and other deductions. The following elements include a brief explanation of the pay element and/or related examples:

3.1 **Elements**

- ***Pro-Rated:*** Payment is assessed on a proportional basis related to time worked. As an example, if an employee only works 50 percent of the month, the pro-rated pay differential will be calculated based only on the time worked.
- ***Flat Rate:*** Fixed; unvarying. As an example, a flat rate may be established and applied on an hourly basis, or it may be established as a monthly rate, where regardless of the amount of time worked, the pay differential is still applied.
- ***Subject to Qualifying Pay Period (QPP):*** A QPP requires 11 days worked in a pay period. Typically, pay differentials are not subject to a QPP; however, there may be appropriate rationale for inclusion (e.g., see META Instructor Pay – Unit 12).
- ***Tenure and Time Base Eligibility:*** Review various time bases (full time; part time, etc.) and tenure (permanent; temporary) for applicability. Generally all tenure and time bases are eligible; however, there may be appropriate rationale for exclusion [e.g., see Fair Labor Standards Act (FLSA) Exempt Employee Differential for Extremely Arduous Work and Emergencies or Physical Performance Incentive Pay, Advanced Education Differential, and Motorcycle Differential Pay - Unit 5].

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- *Subject to Public Employees' Retirement System (PERS) Deduction:* DPA has authority under Government Code (GC) Section 20023 to make the determinations on applicability for inclusion in PERS. Typically, if the work is considered to be regular and ongoing, the pay differential will be determined as appropriate for inclusion in PERS [e.g., see Bilingual Differential Pay (considered regular and ongoing) versus Canine Differential Pay (work and assignment varies)].
- *Overtime:* If a classification is covered by the FLSA, the rate of the pay differential **must be included** in the pay calculation. *If the class is not covered by the FLSA, overtime is not applicable.*
- *Industrial Disability Leave (IDL) and Enhanced IDL:* Included if the work is regular and ongoing or considered part of a regular assignment at that time. GC Section 19871.1 states that an employee who is receiving IDL benefits shall continue to receive all employer benefits which he or she would have received, had he or she not incurred disability. (Enhanced IDL is only applicable to those classes in work situations covered by this benefit.) (For example, refer to Avalanche Control Pay - Unit 12.)
- *Nonindustrial Disability Insurance:* Generally included if the work is regular and ongoing; not applicable if work is temporary or performed on an irregular basis.
- *Lump Sum - Vacation/Annual, Sick Leave, and Extra:* Generally included if the work is regular and ongoing; not applicable if work is temporary or performed on an irregular basis. The term "Extra" refers to Compensating Time Off hours accumulated.

Summary of Alternate Ranges, which include Pay Differentials

Located in Section 11 of the California Civil Service Pay Scales

DISCUSSION OF RESPONSIBILITY: Typically, the State Personnel Board (SPB) has oversight responsibility for Alternate Range Criteria. However, within the Alternate Range Criteria there are some exceptions where the Department of Personnel Administration (DPA) has responsibility because the Alternate Range is actually a pay differential, and where SPB and DPA have shared responsibility. (As an example, even though a class may be identified with a Footnote 21, "Deep Class," a closer review of the criteria may reflect a joint responsibility between DPA and SPB.)

- *Questions on the interpretation or responsibility of the Alternate Range Criteria may be directed to your DPA Analyst for further clarification or guidance.*

GUIDE REGARDING ALTERNATE RANGE RESPONSIBILITY

Responsibility of DPA:

4	5	7	8	9	13	14	15	19	28	29	32	35
40	41	42	43	45	47	54	58	59	60	61	62	64
66	67	73	79	89	98	104	108	109	112	135	142	154
161	163	166	167	169	186	190	191	192	193	194	198	207
208	209	216	234	241	285	310	322	326	333	334	346	356
378	401	405										

Shared Responsibility between DPA and SPB -

11	46	68	92	102	106	120	153	239	249	251	276	289
308	342	343	355	369	370	371	373	374	375	376	377	382
383												

Update: March 2000



State of California
Department of Personnel Administration
Classification and Compensation Division

**PAY DIFFERENTIAL
TRANSMITTAL**

1. REQUESTING AGENCY Department: Employee Organization: LRD: Other:						
2. TYPE OF PAY DIFFERENTIAL REQUEST <input type="checkbox"/> Establish <input type="checkbox"/> Abolish <input type="checkbox"/> Revise <input type="checkbox"/> Pay Program Review						
3. REASON FOR PAY DIFFERENTIAL (check all that apply) <input type="checkbox"/> Working Condition <input type="checkbox"/> Negotiation <input type="checkbox"/> Special Competencies <input type="checkbox"/> Classification Proposal <input type="checkbox"/> Other (describe) <input type="checkbox"/> Recruitment/Retention						
4. IMPACTED/SUBJECT CLASS(ES)	SCHEM CODE	CLASS CODE	CBID	# OF EES - IMPACTED	PAY DIFF REQUESTED	PAY DIFF RECOMMENDED
5. DOES REQUEST REQUIRE EXPENDITURE OF UNBUDGETED OR SUPPLEMENTAL FUNDS? <input type="checkbox"/> YES <i>IF YES, ATTACH FORM 137</i> <input type="checkbox"/> NO <i>IF NO, EXPLAIN:</i>						
6. ARE THE SUBJECT CLASSES USED ONLY BY YOUR DEPARTMENT? <input type="checkbox"/> YES <input type="checkbox"/> NO <i>IF NO, PROVIDE THE OTHER USER DEPARTMENT(S):</i>						
7. DPA Contact / Requester				PHONE		
8. Departmental Personnel Officer				DATE		
FOR DPA USE ONLY						
RECOMMENDATION: <input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED (SEE "PAY DIFF RECOMMENDED" COLUMN) ___ Compelling (Implement now if funds available.) ___ Effective Date _____ ___ Hold for consideration with next pay program.					DATE ANALYST: PROGRAM MANAGER LABOR REL. OFF. EXECUTIVE OFFICE	

PAY DIFFERENTIAL ANALYSIS

INSTRUCTIONS: Respond to each of these questions and return with the signed transmittal to assigned DPA analyst.

1. **BASIS FOR REQUEST** (Describe the reasons which support the establishment, revision, abolishment, or continuation of a Pay Differential. Describe the purpose, specific conditions, or circumstances that warrant the type of Pay Differential requested (e.g., special license or certificate, bilingual skills, work location, etc.)

2. **COMPARABLE PAY DIFFERENTIALS** (Identify existing or related Pay Differentials. Discuss historical or current classification relationships. Discuss potential impact on other classes if Pay Differential approved.)

3. **COMPLETE PAY DIFFERENTIAL SUMMARY SHEET** or "draft" Pay Differential proposal. (If necessary, provide an explanation and/or justification for the criteria and applicable conditions regarding the Pay Differential.)

4. **SUMMARY OF REQUEST** (Discuss how Pay Differential will address/resolve problem. Discuss alternatives considered.)

FOR DPA USE ONLY

SUMMARY OF FINDINGS/CONCLUSIONS (Provide comments elicited from Labor Relations, Department, or other entities as deemed appropriate.)

RECOMMENDATION (Explain rationale for approval or denial.)

PAY DIFFERENTIAL - SUMMARY SHEET

TITLE OF DIFFERENTIAL: _____ EFFECTIVE DATE (1ST OF PAY PERIOD): _____

CLASS

DEPARTMENT

CLASS	DEPARTMENT
_____	_____
_____	_____
_____	_____

CRITERIA:

IF APPLICABLE, SHOULD PAY DIFFERENTIAL BE:

PLEASE INDICATE IF ALL TIME BASES AND
TENURES ARE ELIGIBLE:

PROBATIONED: YES NO

YES NO

FLAT RATE: YES NO

SUBJECT TO
QUALIFYING PAY PERIOD YES NO

RATE (Indicate old and new rates where applicable):

SUBJECT TO PERS DEDUCTION: YES NO

INCLUSION IN RATE TO CALCULATE THE FOLLOWING BENEFIT PAY:

OVERTIME YES NO IDL YES NO

EIDL YES NO NDI YES NO

LUMP SUM VACATION/ANNUAL YES NO SICK LEAVE YES NO

EXCESS HOURS YES NO OTHER: _____



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SECTION 14:

PAY DIFFERENTIALS

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BARGAINING UNIT 19	PAY DIFFERENTIAL NUMBER
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Institutional Worker Supervision Pay (IWSP) Differential.....	67
Night-Shift Differential Pay – Unit 01, 03, 04, 05, 06, 07, 09, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, Excluded, and Legislative Counsel Employees	85
Out-Of-Class Assignment Pay – Unit 19	100
Recruitment and Retention Annual Differential Pay – Calipatria and Centinella State Prisons – Units 01, 03, 04, 06, 09, 10, 12, 13, 15, 16, 17, 18, 19, 20, and Excluded	135
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Recruitment and Retention Differential Pay – Developmental Centers Units 03, 04, 07, 15, 16, 17, 18, 19, 20, and Excluded.....	136
Recruitment and Retention Differential Pay – Unit 19.....	150
Recruitment and Retention Differential Pay – Unit 19 and Excluded Employees	151
Temporary Supplemental Salary Adjustment Differential.....	182
Van Pool Incentive Units 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and all Excluded Employees	188
Recruitment and Retention – Pharmacist Classes – Unit 19 and Excluded Employees	199
Recruitment and Retention Annual Differential Pay – Pharmacist classes – Unit 19 and Excluded Employees.....	214

BARGAINING UNIT 20	PAY DIFFERENTIAL NUMBER
Bilingual Differential Pay – All Bargaining Units and Excluded Employees	14
Certified Nursing Assistant Emergency Medical Technician-D Certification Differential – Unit 20	26
Dental Assistant Certification Pay – Unit 20	38
Educational Differential Pay – Unit 20	46
Night-Shift Differential Pay – Unit 01, 03, 04, 05, 06, 07, 09, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, Excluded, and Legislative Counsel Employees	85
Out-Of-Class Assignment Pay – Units 01, 03, 04, 11, 20 and 21	91
Recruitment and Retention Differential Pay – Avenal, Chuckawalla Valley, and Ironwood Units 01, 02, 03, 04, 06, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and Excluded Employees	132
Recruitment and Retention Annual Differential Pay – Calipatria and Centinella State Prisons – Units 01, 03, 04, 06, 09, 10, 12, 13, 15, 16, 17, 18, 19, 20, and Excluded	135
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Recruitment and Retention Differential Pay – Licensed Vocational Nurses – Unit 20.....	152
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Van Pool Incentive Units 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and all Excluded Employees	188
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BARGAINING UNIT 21	PAY DIFFERENTIAL NUMBER
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Out-Of-Class Assignment Pay – Units 01, 03, 04, 11, 20 and 21	91
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EXCLUDED	PAY DIFFERENTIAL NUMBER
Advanced Education Differential – Unit 05 and Excluded Employees	1
Advanced Education Differential and Senior Pay – Unit 05 and Excluded Employees	3
Assistant Chief Counsel and Chief Counsel II, CEA Pay Differential Excluded Employees	8
Assistant Chief Differential – Excluded Employees	9
Attorney Differential Pay – Excluded Employees	11
Avalanche Control Pay – Unit 12 and Excluded Employees	12
Bay Area Recruitment and Retention Pay Differential – Unit 01 and Excluded Employees	13
Bilingual Differential Pay – All Bargaining Units and Excluded Employees	14
Business Building Incentive (BBI) Program – Unit 01 and Excluded Employees	16
Caltrans Maintenance Supervisor/Tree Maintenance Supervisor, Caltrans Bonus Pay – Excluded Employees	18
Canine Differential – Unit 05 and Excluded Employees	19
Canine Officer Differential Pay – Unit 06 and Excluded Employees	20
Canine Differential Pay – Unit 07 and Excluded Employees	21
Career Supervisory Assignment/Career Management Assignment Recognition Pay for Exceptional Performance – Department of General Services	22
Career Supervisory Assignment/Career Management Assignment Bonus Pay – Department of General Services	23
CEA Recognition Pay (CalPERS Only)	24
CEA Physician, Surgeon, and Dentist Differential – Excluded	25
Chief, Legislative and Public Affairs, CES I Differential Pay – Excluded Employees	28
Commercial Drivers License Differential – Excluded Employees	35
Deputy General Counsel, PERB, CEA Differential Pay – Excluded Employees	39
Diving Pay - Units 07, 09, 10, 11, 12, and Excluded Employees	42
Educational Differential Pay – Unit 17 and Excluded Employees	43
Educational Incentive Pay – Unit 06 and Excluded Employees	44
Educational Incentive Pay – Unit 08	45
Educational/Professional Differential – Excluded Employees	47
Eight and One-Half Hour/Nine and One-Half Hour Workday Pay – Unit 05 and Excluded	48
Eight and One-Half Hour/Nine and One-Half Hour Workday and Senior Pay – Unit 05 and Excluded	49
Emergency Response Bonus Pay – Unit 08 and Excluded Employees	50
Executive Assistant Differential Pay – Unit 04	52

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Field Training Officer Differential Pay – Unit 07 and Excluded Employees	56
Firearms Pay Differential – E25 Satellite Wagering Facility	57
Fire Mission Pay Differential – Units 09, 10, 11, 12, 15 and Excluded Employees.....	59
Flight-Time Differential Pay – Unit 06 and Excluded Employees	60
Flight-Time Differential Pay – Unit 07 and Excluded Employees	61
FLSA Exempt Employee Differential for Extremely Arduous Work and Emergencies Units 01, 07, 17, and Excluded Employees.....	62
Incident Command Assignment (ICA) Differential Pay – Excluded Employees.....	63
Incident Command Team (ICT) Differential Pay – Unit 08 and Excluded Employees	64
Incentive Awards Program – Unit 13 and Excluded Employees	65
Incident Management Assignment Differential – Unit 08 and Excluded Employees...	66
Institutional Worker Supervision Pay (IWSP) Differential.....	67
Hearing Reporter, Public Utilities Commission - Unit 04 and Excluded Employees ..	69
Lead Differential – Community Youth Resource Specialist.....	70
Limited Duration CEA Pay Differential.....	71
Loaned Executive Compensation Differential Pay – Excluded	72
Longevity Pay Differential – Unit 08 and Excluded Employees.....	73
Lottery Sales Incentive Bonus – Unit 04 and Excluded Employees.....	74
Lottery Sales Incentive Bonus – Unit 01 and Excluded Employees.....	75
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Mortgage Insurance Marketing Bonus – Excluded Employees.....	79
Mortgage Insurance Profit Bonus – Unit 01 and Excluded Employees.....	80
Motorcycle Differential Pay – Unit 05 and Excluded Employees.....	81
Motorcycle Differential Pay – Unit 07 and Excluded Employees.....	82
National Judicial College Differential Pay – Unit 02 and Excluded Employees	84
Night-Shift Differential Pay – Unit 01, 03, 04, 05, 06, 07, 09, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, Excluded, and Legislative Counsel Employees	85
Night-Shift Differential Pay – Office of State Printing Unit 14 and Excluded Employees	86
On-Call Differential Pay – Excluded	89
Out-Of-Class Assignment Pay – Excluded Employees.....	101
Out-Of-State Differential Pay – Units 01, 02, 04, 11; and Excluded Employees.....	102
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Personnel Management Technician/Analyst Recognition Pay, Department of Personnel Administration – Excluded Employees.....	106
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Prison Industry Authority – Enterprise Pay – Excluded Employees.....	122
Prison Industries Administrator Pay Differential – Excluded Employees.....	123
Program Technician, California State Lottery Differential Pay – Unit 04 and Excluded.....	124
Professional Competency Pay – Unit 01 and Excluded Employees.....	126
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Real Property Administrator Pay – Excluded Employees.....	129
Recruitment and Retention Annual Differential Pay Atascadero State Hospital – Excluded Employees.....	130
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Recruitment and Retention Differential Pay – Avenal, Chuckawalla Valley, and Ironwood Units 01, 02, 03, 04, 06, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and Excluded Employees.....	132
Recruitment and Retention Annual Differential Pay California Medical Facility – Excluded Employees.....	133
Recruitment and Retention Annual Differential Pay – Water and Power Dispatchers – Unit 12 and Excluded Employees.....	134
Recruitment and Retention Annual Differential Pay – Calipatria and Centinella State Prisons – Units 01, 03, 04, 06, 09, 10, 12, 13, 15, 16, 17, 18, 19, 20, and Excluded.....	135
Recruitment and Retention Differential Pay – Developmental Centers Units 03, 04, 07, 15, 16, 17, 18, 19, 20, and Excluded.....	136
Recruitment and Retention Differential Pay – Unit 01 and Excluded Employees.....	137
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Recruitment and Retention Differential Pay Superintendent, California School for the Deaf – Excluded Employees.....	159
Regional, Director, Agricultural Labor Relations Board Differential Pay – Excluded Employees.....	160
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Special Operations Unit – Fish and Game Differential – Unit 07 and Excluded Employees	174
Special Competency Pay – Excluded Employees	175
Special Recognition Differential Pay – Excluded Employees	176
Special Services Compensation – Unit 05 and Excluded Employees	177
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State Park Superintendent II Differential Excluded Employees	179
Surveillance Duty Pay – Excluded Employees	180
Staff Specialist Compensation Differential Pay (Unit 10 and Excluded Professional Scientific Classes)	181
Temporary Supplemental Salary Adjustment Differential	182
Tax Program Technician, Franchise Tax Board Differential Pay – Unit 04 and Excluded Employees	185
Van Pool Incentive Units 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and all Excluded Employees	188
Weekend Differential – Unit 06 and Excluded Employees	190
Paramedic Pay – Unit 05 and Excluded Employees	193
Workers' Compensation Insurance Supervisor I Differential	196
Eight and One-Half Hour/Nine and One-Half Hour Workday Pay/Motorcycle Pay – Unit 05 and Excluded	197
Recruitment and Retention – Pharmacist Classes – Unit 19 and Excluded Employees	199
Equity Pay – Employees Returned from CEA Positions to Civil Service Positions With No Reduction in Levels of Duties	206
Recruitment and Retention Differential – Appraisers Unit 01 and Excluded Employees	207
Non-Commercial Subsistence – Unit 09 and Excluded Employees	208
DNA Pay Differential for Bureau of Forensic Services – Unit 07 and Excluded Employees	209
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Recruitment and Retention Pay Differential – Personnel Services Specialist Series – Unit 01 and Excluded Employees	211
Recruitment and Retention Annual Differential Pay – Pharmacist classes – Unit 19 and Excluded Employees	214
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**320. COMPLETION AND USE OF FORM 625
(CLASSIFICATION/CERTIFICATION REQUESTS) AND OTHER
RELATED DEPARTMENTAL FORMS**

Form 625 (see Attachment 1) is used to request position allocation approval and certification that will be used to make the hire. It serves as documentation and basis for the requested action.

1. The following requests must be forwarded to the Department of Personnel Administration (DPA) for approval unless the department is delegated position allocation decision authority which supersedes this requirement:
 - 1.1 All allocations for positions designated Modified Classification Review (MCR) NONE.
 - 1.2 Initial allocations of positions to classes designated in the Pay Scales as MCR II; refill of vacant positions designated in the Pay Scales as MCR II whenever there has been a change in the duties or reporting relationship since the latest or most recent allocation.
 - 1.3 When there are significant changes in the duties or reporting relationship of a filled position designated MCR II or MCR NONE.
 - 1.4 When the requested effective date is backdated more than 60 work days, regardless of MCR designation.
2. A Form 625 need **NOT** be submitted to DPA for allocations for which the appointing department has delegated authority or for the following specific allocations:
 - 2.1 Initial allocation of positions designated in the Pay Scales as MCR I; or refill of MCR II positions with no change in duties.
 - 2.2 Emergency Appointments. GC Section 19888.1 provides the basic authority for making these types of appointments for up to 60 working days in accordance with the State Personnel Board (SPB) Rules 300 through 304.

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2.3 Voluntary Experience. Volunteers are not employees since they do not hold positions in the State civil service. Therefore, volunteers may not receive civil service appointments for their volunteer service.

3. **Required Form 625 Package**

All Forms 625 submitted to DPA for review and approval must be accompanied by a current and proposed duty statement, a current and proposed organization chart, and a memorandum of justification. Under MCR or other delegated authority, copies of the duty statements, organization charts, and justification memoranda must be maintained in an orderly and systematic manner by the department and kept on file for audit. Justification of all actions taken is required whether it be a statement describing the change that occurred and the basis for the change or simply completing the appropriate boxes in the 625 Form.

3.1 **Duty Statement**

Duty statements must describe the current duties and include percentages of time and/or frequency breakdowns (if the work varies cyclically). When several positions perform essentially the same duties, descriptions of specific area of responsibility for each position should be included to differentiate one from another.

One duty statement is sufficient when a position is being refilled with no changes in duties. However, if the duties of the position have changed due to a new function, or is upgraded or downgraded in place, "current" and "proposed" duty statements are required.

To the extent possible, ambiguous words such as complex, coordinates, analyzes, reviews, monitors, etc., should be avoided or clearly defined. (What are the factors that contribute to complexity; what are the anticipated results or purpose of the analysis, review, coordination, etc.). Whenever possible, relevant factors to the position should be quantified (e.g., size of budget, revenues, number of clients, etc.)

Many allocation guides and class specifications contain specific criteria which positions must meet. The applicable criteria should be addressed in the duty statement. Available allocation guides are listed on Attachment 2.

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3.2 Organization Chart

Organization charts must include all changes proposed and be dated and signed by executive-level management or designee. The positions should include all actual budgeted (not future) positions, with full civil service titles, time bases, and indication of whether positions are filled or vacant. Reporting relationships should be displayed. Unit and section names (e.g., Budget Support, Fiscal Systems, etc.) should be indicated. The position to be allocated should be clearly identified (reflecting assigned position number).

One chart is sufficient when a position is being refilled with no change in duties, when the position is assigned to a new function, or when a position is being upgraded or downgraded in place. If the organizational structure is proposed for change, two charts are required: a *current* chart showing the reporting relationships of the position prior to reclassification, and a *proposed* chart showing the reporting relationships of the position subsequent to reclassification.

When reviewing an allocation request, it is necessary to look at the entire organization, rather than just the proposed position. Occasionally, a position may appear to support a requested allocation when viewed in isolation but when the organization is viewed as a whole, the responsibilities and reporting relationships of other positions may be affected by or have an effect on the proposed new allocation.

3.3 Memorandum of Justification

The justification memo is intended to amplify/clarify the duty statement and organization chart. A memorandum of justification should provide relevant background information and describe how the proposed position classification satisfies the specification and allocation standards for the class. It should describe how the duties fit into the role of the unit or the mission of the department. For position reclassification or establishment, an explanation of "what has changed" (organizational mission, workload, structure, etc.) should be provided. For servicewide classes, comparisons with other departments or units having similar organizational structure, size, or sensitivity should be included.

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4. **Number of Copies/Distribution**

The original Form 625 and one copy with all attachments should be sent to DPA. Upon approval of the requested action, DPA staff will sign and date both forms, retain the original for DPA files, and return the copy to the department.

5. **Effective Date**

Form 625 should be submitted in sufficient time, typically ten work days, for DPA staff to make a classification decision prior to the effective date of the appointment. Additionally, departments are urged to submit requests requiring both the Form 607 to the Department of Finance (DOF) and Form 625 to DPA simultaneously.

5.1 **Backdated Effective Date**

Requested effective dates which are *more than 15 work days* prior to receipt by DPA are considered exceptions. Therefore, backdates of between 15 and 60 work days for classes designated as MCR II (initial allocation or with a change of duties) or MCR NONE require departments to certify in writing (Memorandum of Justification) that the following standards were satisfied as of the requested effective date:

5.1.1 The duties existed and were consistent with the requested class.

5.1.2 The incumbent was performing the duties of the requested class and would have been reachable on the eligible list or had other eligibility for appointment to the class.

5.1.3 DOF had approved the funding for the subject position.

5.1.4 SPB adopted the requested class.

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5.2 In addition to the above justification, departments are required to provide the following information for all *backdates beyond 60 work days*, regardless of the MCR designation:

5.2.1 The circumstances which resulted in the delay of the Form 625 to DPA.

5.2.2 How the employee was notified of the assignment in question (i.e., was the employee given a specific appointment date in writing; did the employee sign and date documents relating to the appointment, etc.).

5.3 Backdated Promotions

Higher-level duties must not be assigned until it is known that the employee is eligible and reachable on the promotional list. The specific date of assignment must be documented. Authorization to promote an employee should be obtained from either DPA or the department's personnel office, as appropriate, **prior** to the assignment of higher-level duties. Failure to adhere to the backdating guidelines could result in denial of backdated promotions and out-of-class (OOC) situations.

5.4 Backdated Career Executive Assignment (CEA) Level Changes

Backdates which precede either the incumbent's list eligibility or the date DOF authorized funding for the subject position **CANNOT** be approved.

Changes in the level for **existing** CEA positions may not be made on a retroactive basis except: backdates of up to 60 working days *may* be approved if the department can clearly demonstrate that the incumbent was performing the higher-level duties on the date requested. An example would be an organizational change which elevated the CEA position to a higher reporting relationship within the department. Backdates for CEA positions cannot be approved when the duties changed gradually over time and there was no point or event that could clearly be identified as impacting the level of the position.

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6. **Appointment Tenure**

The Form 625 must indicate if the position will be filled by either a permanent, Limited Term (LT), or temporary (TAU) appointment; or a Training and Development (T&D) Assignment.

- 6.1 LT appointments are made as the result of reinstatement, transfer, or certification from civil service employment lists to meet various LT staffing needs. Departments are delegated (in accordance to MCR criteria) the responsibility to make one-year LT appointments and may extend them to two years when the statutory requirements clearly have been met. (The two-year maximum may be extended by departments as outlined in SPB pinkie dated June 15, 1995. LT appointments are described in GC Sections 19080 to 19083 and specific SPB rules.)
- 6.2 TAU appointments are made in the absence of an employment list and cannot be in effect for more than nine months in any 12 consecutive months. DPA's responsibility is to review the appropriateness of the position allocation. When proposing TAU appointments, departments must adhere to specific GCs and SPB rules and delegation procedures as instructed by SPB.
- 6.3 T&D Assignments are used to formalize temporary changes of assignment which are intended for training and developmental purpose. The temporary change of assignment may be within a department or to a different department. The purpose must be clearly articulated in the agreement. It should serve to broaden the employee's skills and abilities, prepare him/her for career change, or improve advancement opportunity. Both releasing manager and hiring manager must agree to the T&D Assignment since both are obligated to its provisions.
Note: Temporary loans or assignment changes that occur within a department which entail the performance of duties and responsibilities of the employee's assigned classification should not typically be recorded or considered as T&D Assignments. Doing so obligates the department to provide the employee a right to terminate the assignment and a right of return to the employee's former position/assignment.

The period of training, temporary loan, or personnel exchange cannot exceed two years for each assignment.

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T&D Assignments typically are made on a lateral basis except where a desired occupational change to a higher paying class simply cannot be accomplished without a T&D Assignment. However, the T&D class cannot be in the same class series as the employee's present class and cannot be used to circumvent a promotional eligible list.

6.3.1 Normal MCR and delegation criteria apply to T&Ds. For example, if the position in which the training is to be received is designated MCR NONE or MCR II (initial allocation or with a change in duties), DPA staff must approve the allocation.

7. Other 625 Actions

7.1 Special Consultant Appointment

This is a nontesting class used to make TAU appointments to meet short-term needs for highly specialized services that cannot be accommodated within the regular civil service classification and examining structure. See Section 340 for additional documentation requirements for Special Consultants.

7.2 New Programs Consultant

This class is used for initial TAU appointments to long-term positions *pending the establishment of a permanent* classification. See Section 125 for additional information on New Programs Consultants.

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7.3 Retired Annuitant Appointment

This is an appointment of a retired person using his/her reinstatement eligibility. The position classification is based on the nature of the assigned duties and responsibilities. Thus, the proposed position classification will determine the need for submitting the Form 625 to DPA. Authority and requirements for retired annuitant appointments are set forth in the Government Code and the Personnel Management Policy and Procedures Manual Section 360. Employment of a retired annuitant as a CEA is permitted only when filling established existing CEA position allocations.

7.4 Changes in Employee Benefits due to Reclassification Actions

The Benefits Division, DPA, should be notified, in writing, of all reclassification actions where an employee's benefits will be affected. For instance, reallocation of an employee from a management designated class to a supervisory class. See Section 155 of the C&P Guide for additional information.

8. Servicewide Classes - Special Requirements

The following servicewide classes require the completion of special forms either by the department or DPA staff. These forms should be legible, completed accurately, contain sufficient information to justify the decision made, and fully document any agreements made regarding the position's approval or refill.

- **BUSINESS SERVICE OFFICER SERIES/Related Classes** - Require completion of the "Business Service Position Allocation Worksheet" for all new allocations and changes in duties and responsibilities for existing allocations in the series and related classes. Allocation guidelines and instructions to complete the forms are provide in Personnel Management Liaison Memorandum Reference #89-06, April 17, 1989. (See Attachment 3.)

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- INFORMATION TECHNOLOGY CLASSES, SENIOR LEVEL AND ABOVE – Requires that the Department demonstrate the methodology used in upgrading existing classifications and allocating new positions. Allocation requests should be submitted with the justification memo to the appropriate department Classification and Compensation Division (CCD) Analyst for processing and review from the IT classification review committee.



ALLOCATION GUIDES
(Revised April 1999)

<u>Classification</u>	<u>Dates</u>
Account Clerk Series	03-01-88
Accounting Administrator	11-04-85
Accounting Classes (Professional & Technical)	03-01-88
Administrator I, II, III, IV (FTB)	11-01-82
Analytical Classes	
Analyst/Associate Governmental Prog. Analyst	11-28-77
Management Svs. Assistant/Technician	02-27-81
Staff Services Analyst/Manager/Junior Staff	01-24-78
Bookkeeping Machine Operator Series	04-22-68
Business Service Officer Series and Related Classes	04-17-89
CEA Allocations, CEA Levels	07-24-79
Chief Plant Operations III & Procurement (CDC)	03-22-84
Computer Operator Series	10-87
Control Cashier I, II (VR)	08-92
Data Processing Manager Series	08-89
Disability Program Manager I, II, III (EDD)	07-10-80
Dispatcher Clerk Communication Operator	09-99
Education Project Series Special Consultant (Education)	03-19-71
Electrical Engineering Technician	
Employment Development Specialist I, II (EDD)	07-10-80
Employment Program Manager I, II (EDD)	07-10-80
Employment Program Supervisor I, II (EDD)	07-10-80

<u>Classification</u>	<u>Dates</u>
Energy Commission Specialist Series	1990
Environmental Technician	06-21-94
Executive Assistant	01-08-88
Executive Secretary (See Secretary)	01-19-79
Fair Employment & Housing Consultant I, II	06-07-83
Financial Aid Series	05-89
Governmental Audit Series	
Graduate Student Assistant	01-15-81
Health Record Technician III (Developmental Svs.)	06-16-83
Heavy Equipment Maintenance Series (Parks & Recreation)	08-19-83
Information Systems/Programmer Analyst	08-89
Information Systems Technician Series	10-87
Key Data Operator Series	01-05-77
Labor Relations Series	10-13-89
Legal Assistant (EDD, Social Svs., General) See: Paralegal	
Legal Analyst (EDD, Social Svs., General) See: Paralegal	
Machine Operator Series	06-29-76
Maintenance & Operations Supervisor I, II, District Fairs	03-13-81
Manager Series, DMV - Field Office Positions	01-10-89
Manager Series, DMV - Field Headquarters Positions	02-24-87
Management Svs. Technician (See Staff Services Analyst)	02-27-81

<u>Classification</u>	<u>Dates</u>
Materials and Store Supervisor	05-89
Mechanical Engineering Technician	
Medical Stenographer/Transcriber	01-06-78
Office Assistant/Technician Series	03-89
Office Services Supervisor Series	12-14-81
Paralegal (EDD)	02-05-92
Paralegal (Franchise Tax Board)	10/05/90
Paralegal (General)	03-21-90
Paralegal (Justice)	12/21/98
Paralegal (Social Services)	05-93
Park Maintenance Chief	09-89
Personnel Technician	10-10-78
Procurement & Svs. Officer III (See: Chief Plant Operations III)	
Program Administrator Hospital Operations (Mental Health)	07-30-85
Program Technician (Business Taxes) (BOE)	
Program Technician (Employer Tax Services) (EDD)	07-10-80
Program Technician (General Concept)	01-05-78
Program Technician (Tax Payer Services) (FTB)	11-01-82
Public Health Nutrition Consultant (Health Services)	01-27-88
Public Utilities Regulatory Analyst	09-91
Regional Administrative Technician/Officer I (Parks & Recreation)	11-16-82
Research Analyst, Research Program Spec., & Research Manager	04-04-84

<u>Classification</u>	<u>Dates</u>
Sanitary Engineering Series	04-04-84
Secretary	01-19-79
Senior Legal Analyst (EDD, Social Svs., General) See: Paralegal	
Senior Legal Typist/Secretary Series	05-99
Senior Psychiatrist	06-15-65
Servicewide Consultant for Data Processing Classes	09-30-89
Special Investigator Ratios	08-22-83
Staff Counsel IV	08-16-93
Staff Services Analyst (See Analytical Classes)	
Staff Services Manager (See Analytical Classes)	
State Park Superintendent Series	01-01-91
Storekeeper (See Materials & Stores Supervisor)	
Student Assistant (See Graduate Student Assistant)	
Supervising Assistant (See Graduate Student Assistant)	10-15-81
Supervising Program Technician (See Program Technician)	
Supervising Telephone Operator	08-03-83
Supplement to Data Processing Allocation Guides	11-23-88
Systems Software Specialist Series	08-89
Tax Administrator I, II, III (EDD)	07-10-80
Tax Auditor I, II, III, IV (EDD)	07-10-80
Tax Auditor Series (BOE)	07-10-80
Tax Compliance Representative	01-03-78
Total Quality Management Coordinator/Manager Positions	07-02-93
Utilities Engineer Series	12-89

Classification

Dates

Waste Management Engineer Series (Health Services)

08-29-83

Word Processing Technician Series

03-29-83



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POSITION ALLOCATION	AUDITS - INDIVIDUAL POSITION	355

355. AUDITS - INDIVIDUAL POSITION

1. **Purpose**

The purpose of individual position audits is to determine whether the position is properly allocated at either the existing or proposed classification. The audit may be initiated in situations where the information obtained for the position is insufficient to make a determination of the position's classification.

2. **Need for Audit**

An audit may be initiated as a result of the following situations:

- 2.1 A request to approve or verify the allocation of a position to an existing class. The position may be either vacant or filled at the time of the request.
- 2.2 A grievance from an employee alleging out-of-class work, or a request from an employee that requires analysis of an employee's duties and responsibilities in order to determine the proper classification.
- 2.3 A request from a Program Manager for the establishment of a new class to which a position or positions are to be allocated.
- 2.4 A review of the classification plan requiring auditing of individual positions.
- 2.5 The department's delegation plan stipulates that audits be conducted.

3. **Types of Individual Audits**

There are two types of individual position audits: desk audits and paper audits.

4. **Desk Audits**

These are conducted by interviewing the incumbent in the position in person or via telephone. This is primarily conducted by departmental analysts in order for them to properly allocate the position, whether the position is proposed for upgrade, or to create a new classification. As necessary, the Classification and

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Compensation Division (CCD) staff may conduct desk audits, if the information received from the department (duty statement and organization chart) is insufficient to make an appropriate allocation decision.

4.1 Persons Contacted for the Desk Audit

It will be necessary to contact the incumbent in the position to be classified. In rare instances, where there is no incumbent, the person audited would be in another position performing the same duties, if applicable. The incumbent's supervisor should also be contacted by the analyst to obtain a different perspective of the job and gain a better understanding of its role in the unit.

4.2 Preparing for the Desk Audit

Several items need to be considered in preparation for the individual audit.

4.2.1 Request the incumbent to prepare a Job Description Form, if a detailed position description has not been provided [Department of Personnel Administration (DPA) Std. 651, see Attachment 1].

4.2.2 Based on the allocation factors being considered, the analyst should determine which materials or operations should be specifically reviewed during the audit and for what reasons.

4.2.3 Decide which aspects of the job need to be directly observed and which can be covered by discussion with the incumbent, in order to determine their significance.

4.2.4 The analyst should develop a list of specific questions to ask the employee, based on critical allocation factors for the class, and concentrating on those areas needing the most clarification.

4.3 Prior to conducting the audit, the analyst should communicate the following information concerning the audit to the incumbent:

4.3.1 The purpose of the audit.

4.3.2 The areas to be covered.

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4.3.3 A list of materials that should be available at the time of the audit.

4.3.4 Additional special requests (tours, meetings, etc.).

4.3.5 The estimated amount of time required for the audit (approximate).

4.4 Materials and resources used in the audit vary, and the analyst should be aware of their existence prior to conducting the audit. These resources could prove helpful in assisting in determining the position's proper allocation.

4.4.1 Class specifications.

4.4.2 Allocation standards for a class.

4.4.3 Staff within CCD at DPA.

4.4.4 Position descriptions or duty statements.

4.4.5 Previous audit reports.

4.4.6 Approved rough drafts establishing classes.

4.4.7 Pay Scales in the California State civil service.

4.4.8 Other staff members (departmental and DPA).

4.4.9 Personnel Information Exchange or other data bases.

5. **Conducting the Audit**

When conducting the audit, the analyst should take all pertinent materials (specifications, allocation standards, prepared questions) that they may want to refer to during the audit. It is best to meet individually with the incumbent, making them feel at ease. Meeting with the incumbent's supervisor can be done after the analyst has completed auditing the incumbent. Ensure that the incumbent understands that the audit is being conducted to obtain information that will help classify the position, and not to evaluate their performance in the job. It is desirable to discuss the duties and responsibilities of the job with the incumbent, then cover the allocation factors if applicable. The employee should

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be given the opportunity to fully contribute information regarding the duties of the job. The analyst should ask for specific examples whenever possible. Thorough notes should be taken during the conversation. At the conclusion of the audit, the analyst should always ask the incumbent if they have any further information they would like to add, and the analyst should leave their telephone number, should the incumbent desire to provide further information.

6. **Paper Audits**

Paper audits include review of the duty statement of a particular position, organization chart, and any background information submitted, or the review of a Job Description Form (Std. 651, see Attachment 1) which has been completed by the individual in the position. An assessment is made to determine whether the duties and description of the employees' work are appropriate for the proposed classification. Typically, duty statements and related materials are reviewed to determine proper classification, and job audit forms are requested when a duty statement does not provide adequate information for the analyst to classify the position.

7. **Analysis and Conclusion**

After sufficient information has been gathered, the analyst should compare this information with the class specification and allocation standards, and arrive at a conclusion as to whether the class is appropriate for the position. Conclusions that may be reached and the resulting procedures are as follows:

- 7.1 The duties and responsibilities of the position meet the allocation standards for the class, the request should therefore be approved.
- 7.2 The position's duties and responsibilities clearly do not meet the allocation standards for the class requested, but instead appear more appropriate for another class. The Personnel Office should be notified of this finding in a detailed written description of the analysis and the reasons for the conclusions reached. The options in this situation are to:

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7.2.1 If possible, adjust the duties and responsibilities of the position to meet the allocation standards for the class requested, or

7.2.2 Use the class allocation identified as appropriate by the analyst.

7.3 If the position's duties and responsibilities do not clearly fall within the allocation standards of either the class requested or other existing State classes, the analyst should determine one of the following:

7.3.1 Whether a new class is needed for the position. Other alternatives should be explored prior to recommending this option.

7.3.2 Which class or classes are relatively close in concept to the position being analyzed and which aspects of the job would need to be changed to meet the allocation standards for these classes.

7.3.3 The analyst should document their analysis explaining why the requested allocation cannot be made and outline the alternatives above.

7.4 If a position is determined to be misallocated, see C&P Guide, Section 360, "Correcting Misallocations."

8. Audits - DPA Tracking System

8.1 DPA Reports of Audited Positions

CCD staff should document individual position audits on the attached form (see Attachment 2). Both sides of the form should be completed for all misallocated positions. The reverse side of the form may be used to document properly audited positions at the option of the analyst.

8.2 Sending Individual Audits to File

Individual Audits should be sent to file when properly allocated, or upon final correction/resolution of misallocations. CCD staff should complete a File Route Sheet, when submitting individual audits to file. All pertinent background material should be included with the audit file. Individual Audits are filed in the Department file, under the subheading "AUDITS,

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INDIVIDUAL POSITION (Fiscal Year _____)." CCD staff should include their initials on the bottom of the File Route sheet in case the file clerk has any questions.

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REPORT OF AUDITED POSITION INSTRUCTIONS

MCR Audit: For misallocated positions only, complete both sides of this form. Provide a copy of the reverse side of this form to department with your audit report.

Individual Position Audit: For misallocated positions, complete both sides of this form. For properly allocated positions, complete the reverse side only for your audit records.

FOR MISALLOCATED POSITIONS ONLY

- (1) Section (1, 2, 3, or 4)
- (2) Dept. Abbreviation Code
- (3) Division
- (4) Location (City/Institution/etc.)
- (5) Incumbent's Last Name
- (6) Current Class
- (7) Current Class Code
- (8) Correct Class
- (9) Correct Class Code
- (10) MCR Audit? Yes No
- (11) Date of Audit ____ / ____ / ____
- (12) Date to be Corrected ____ / ____ / ____
- (13) Date CAP Approved ____ / ____ / ____
- (14) Has misallocation been corrected? Yes No
- (15) Date Corrected ____ / ____ / ____
- (16) Comments _____

DEPARTMENT OF PERSONNEL ADMINISTRATION - CCD
REPORT OF INDIVIDUAL POSITION AUDIT

DEPARTMENT: _____
DIVISION: _____
LOCATION: _____
(City/Institution/etc.)

INCUMBENT NAME: _____
CURRENT CLASS: _____
DATE OF AUDIT: _____
IS POSITION PROPERLY ALLOCATED? Yes ___ No ___ (If no, also complete other side)
IF NO, CORRECT CLASS: _____
DATE NOTICE SENT: _____

HOW WAS INFORMATION OBTAINED:

- ____ Organization Chart
- ____ Duty Statement
- ____ Desk Audit
- ____ Discussion With Department
Name and Title _____
- ____ Other _____

ANALYSIS:

ANALYST _____ DATE _____

REVERSE SIDE

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375. OUT-OF-CLASS (OOC) ASSIGNMENTS

1. Definition

For excluded and most rank-and-file employees, OOC work is defined as more than 50 percent of the time performing the full range of duties and responsibilities allocated to an existing class and not allocated to the class in which the person has a current, legal appointment. This means the inappropriate assignment of duties of a higher classification.

Please refer to the appropriate Memorandum of Understanding (MOU) for exact definition of OOC work

2. Alternatives to OOC Assignments

Whenever possible or practical, temporary staffing needs should be accommodated by the use of civil service alternatives rather than the assignment of OOC work. Managers and supervisors should explore the feasibility of using the following alternatives any time an OOC assignment is being considered:

- 2.1 Limited-Term Appointment
- 2.2 Temporary Reassignment of Work to Appropriately Classified Positions
- 2.3 Rotating Assignments
- 2.4 Training and Development (T&D) Assignments
- 2.5 Acting Assignments Under the State Personnel Board (SPB) Rule 302.3 (Compensable up to 60 Workdays)
- 2.6 Compelling Management Need Assignments Under SPB Rule 442 (Noncompensable)

NOTE: SPB Rule 302.3 should not be used when the acting assignment can reasonably meet the OOC provisions in a current MOU agreement or in the Department of Personnel Administration (DPA) Rule 599.810. In addition, SPB Rule 302.3, pertaining to acting assignments, should not be used in sequence with MOU or DPA Rule 599.810 (see Section 4).

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3. DPA Preapproval

OOO assignments are inappropriate in the following situations unless approved in advance by DPA:

- 3.1 To exempt positions or levels. DPA may approve an OOC assignment to an exempt position or level. However, the exempt position must first be evaluated as a civil service position and a salary determination made based on what the classification of the position would be if it were allocated to a civil service class. All OOC assignments to an exempt position must be coordinated with the Exempt Unit at DPA.
- 3.2 To supervisory, Career Executive Assignment (CEA), and other managerial positions or levels, requiring classification preapproval by DPA (classifications requiring preapproval are identified in the pay scales as NONE under Modified Classification Review [MCR]; MCR II classes may also require preapproval if the duties were not previously approved by DPA). Before considering preapproval in these situations, DPA will require the department to demonstrate that there are no viable alternatives to OOC and that there is a plan to correct the OOC by the end of 120 days.
- 3.3 To positions or levels not authorized in the department's budget. Before considering preapproval in these situations, DPA will require specific written notice from the Department of Finance that funding is available.
- 3.4 Where the employee's class specification provides for the proposed work assignment. An example would be an Assistant Section Chief acting for the Section Chief.

4. OOO Duties Assigned

Certain MOU provisions and DPA Rule 599.810 allow for short-term OOC assignments to meet temporary staffing needs. Should OOC work become necessary, the assignment would be made pursuant to the applicable MOU provision or DPA regulation (see below). Before assigning the OOC work,

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the appointing power should have a plan to correct the situation before the 120-day time period runs its course.

5. OOO Duties - Represented Employees

MOU provisions for compensating rank-and-file employees for assigned OOC duties are as indicated below:

5.1 Bargaining Units 2, 12, 15, and 17

An employee who is required to work in a higher classification for more than 15 consecutive calendar days shall receive a pay differential of 5 percent over his/her normal daily rate for that period in excess of 15 calendar days. If the employee is required to work in a higher classification for 30 consecutive calendar days or more, the employee shall receive a 5 percent pay differential over his/her normal daily rate from the first day of the assignment, not to exceed the maximum of the "to" class, (see DPA Rule 599.671). If the assignment to a higher classification is not terminated before it exceeds 120 consecutive calendar days, the employee shall receive the difference between his/her salary and the salary of the higher class at the same step the employee would receive if he/she were to be promoted to that class, for that period in excess of 120 consecutive calendar days. The 5 percent differential shall not be considered as part of the base pay in computing the promotional step in the higher class.

5.2 Bargaining Units 1, 3, 4, 10, 11, 14, 18, 20, and 21

An employee may be temporarily required to perform out-of-class work by his/her department for **"up to 120 calendar days in any 12 consecutive calendar months."** However, employees in Unit 14 may work up to "120 days calendar days" in a fiscal year. When an employee is assigned OOC work for two consecutive weeks or more, they shall receive the rate of pay they would have received pursuant to Title 2 Cal. Code of Regs Section 599.673, 599.674, or 599.676 if appointed to the higher classification. OOC pay shall not be considered as part of the employee's base pay when computing the rate due upon promotion to the higher level. All of these bargaining units, with the exception of Units 14 and 18, also limit OOC pay to work performed (a) during the one (1) year calendar period before the

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employee's grievance was filed; and (b) the time between the grievance being filed and finally decided by an arbitrator. Units 14 and 18 provide that an employee can be compensated retroactively for a period no greater than one year for an approved OOC grievance.

5.3 Bargaining Units 6, 7, 9, and 13

The same provisions apply as described for the California State Employees Association (CSEA) Units listed in 5.1 above and Bargaining Unit 12, EXCEPT that employees must be assigned OOC duties in writing. Unit 13 also provides that no employee can be compensated for more than one year of OOC work for any one assignment.

5.4 Bargaining Unit 8

No employee can be involuntarily assigned to work OOC. If the department head or his/her designee requires an employee in writing to work in a higher classification for more than 30 consecutive days (and the employee consents) the employee shall receive a pay differential of 5 percent over his/her normal daily rate of the class to which he/she is appointed for that period in excess of 30 days not to exceed the maximum of the "to" class (see DPA Rule 599.671). If a department head or designee requires in writing (and the employee consents) an employee to work in a higher classification for 60 consecutive calendar days or more, the employee shall receive a pay differential of 5 percent over his/her normal daily rate of the class to which he/she is appointed from the first day of the assignment. If the assignment to a higher classification is not terminated before it exceeds 120 consecutive calendar days, the employee shall be entitled to receive the difference between his/her salary and the salary of the higher class at the same step the employee would receive if he/she were to be promoted to the class, for that period in excess of 120 consecutive calendar days. No employee will be assigned to OOC work for more than one year. The differential shall not be considered as part of the base pay in computing the promotional step in the higher class.

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5.5 Bargaining Unit 5

There is no bargaining agreement provision allowing the assignment of OOC work.

5.6 Bargaining Unit 16

When an employee is required to work in a higher classification for more than 15 consecutive days, the employee shall receive the rate of pay the employee would have received if appointed to the higher class for the entire duration of the assignment, not to exceed one year. OOC pay shall not be considered as part of the employee's base pay when computing the rate due upon promotion to the higher level. Approved OOC grievances shall be compensated retroactively for a period no greater than one (1) year preceding the filing of the grievance.

5.7 Bargaining Unit 19

When an employee is required to work in a higher classification for more than two consecutive weeks, the employee shall receive the rate of pay, pursuant to DPA Rule 599.673, 599.674, or 599.676, the employee would have received if appointed to the higher class for the entire duration of the assignment. The OOC compensation shall not be considered as part of the base pay in computing the promotional step in the higher class. Compensation for OOC work shall not exceed one year.

6. OOC Duties - Nonrepresented Employees

Confidential, supervisory, and excluded employees are eligible to be compensated for OOC assignments based on provisions established by DPA Rule 599.810. NOTE: Individuals designated as managerial and exempt are not covered by specific provisions governing OOC assignments and, therefore, are not eligible for OOC assignment pay; and, furthermore, no authority exists to assign such individuals OOC work. (However, managerial employees who believe they have performed OOC duties may file a claim in accordance with Government Code [GC] Section 19818.16.)

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In accordance with DPA Rule 599.810, confidential, supervisory, and excluded employees are eligible to be compensated for OOC assignments subject to certain provisions. Employees performing in a higher class for more than 15 consecutive workdays shall receive the rate of pay the excluded employee would receive if appointed to the higher class for the entire duration of the assignment, not to exceed one year. The rate of pay for an employee performing OOC duties to a CEA position is determined by the appointing power. Assignments must be made in advance and in writing. Assignments may exceed 120 calendar days with a proper certification of need statement filed with DPA (see Section 7 below).

7. Justification for OOC Assignments Which Exceed 120 Days

All OOC assignments which exceed 120 days must be reported to DPA no later than day 130 of the assignment, unless delegated to the department. DPA will not normally accept the department's failure to complete an examination as a basis for continuing the OOC assignment beyond 120 days. Extensions may be granted when the examination is in process and virtually completed. For assignments to exceed 120 calendar days, the appointing power or his/her chief deputy must file a statement with DPA on DPA Form PMS 232 (see Attachment 1) certifying that the additional OOC work is required to meet a need that cannot be met through other civil service or administrative alternatives.

8. OOO Grievances vs. OOC Claims

Employees who were not formally assigned OOC duties, but who believe they have been and/or are performing OOC work may file either an OOC grievance or an OOC claim as described below.

8.1 OOC Grievances

As stipulated in their MOUs, all represented employees (except in Bargaining Unit 5) may file grievances concerning any disputes arising from OOC assignments in accordance with the respective bargaining unit grievance procedure. The grievance process begins with the employee preparing an OOC grievance form as specified in the contract. In order for a department to approve and pay an OOC grievance, it must be reviewed and responded to at the designated department level. Grievances which are denied at the department level of review, may be appealed to DPA, the final level of review.

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If an OOC grievance has been approved at the designated levels within the department, it is no longer required that the grievance be sent to DPA for a final level of review.

8.2 OOC Claims

Represented employees in Bargaining Unit 5 and nonrepresented employees who believe that they have been assigned OOC duties may file an OOC claim within 30 days of the completion of the alleged OOC duties. Nonrepresented employees may file an Excluded Employee Grievance Form 631 (see Attachment 2).

The department's third level will respond within 30 calendar days of receiving the OOC claim. The claimant may appeal the response to DPA within 30 days. OOC claims must be reviewed and approved by DPA as a final level of review before they can be processed for payments. Reimbursement payments are calculated based on applicable bargaining unit OOC payment provisions and DPA Rule, respectively.

9. Timelines - Filing of OOC Grievances and Claims

An OOC grievance or claim must be determined to be timely in order to be reviewed. The grievance/claim must be dated and must be filed in writing at the first level. For **grievances**, the appropriate contract must be referenced for filing requirements (most MOUs, including CSEA, require that the grievance be filed within 14 days of the last day of the alleged OOC work). OOC **claims** must be filed within 30 days of the cessation of the alleged OOC duties (DPA Rule 599.904).

10. One-Year Limitation on Retroactive OOC Grievances/Claims

In accordance with the provisions of GC Section 19818.16(a), retroactive payment of an OOC grievance or claim shall be awarded for a period no greater than one year preceding the filing of the grievance or claim.

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11. OOO Grievances/Claims - Standards of Review

11.1 General Standards

In determining whether or not the assigned work is in a higher classification, the kind and variety of duties performed, and the relative amount of time which the employee spent performing these duties must be evaluated in the same way that a position reallocation request is evaluated. An employee will be found to be working in a higher classification only when he/she is performing the full range of duties of the higher class on a regular and consistent basis (at least 50 percent of the time) and the position meets all of DPA's classification allocation guidelines to warrant allocation to the higher class.

11.2 Specific Standards

An employee is not considered to be working OOC if he/she meets any one of the criteria below:

11.2.1 He/she is performing the full range of the duties described in the employee's class. In other words, an employee who is performing the duties of his/her class the majority of the time is not considered to be working OOC even though these duties may substantially overlap those of another class at the same or higher level.

11.2.2 The employee is performing the prescribed duties on a compelling management need assignment, a T&D Assignment, in an apprenticeship or other training classification, or when performing duties different from the employee's regular duties because of injury, illness, or return-to-work program.

11.2.3 If DPA approves a change in allocation standards and an employee claims that he/she was working in a higher classification prior to the effective date of the change in the standards.

11.2.4 SPB establishes a new class which describes duties that were previously properly allocated to another class and an

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employee claims that he/she was working in a higher class prior to establishment of the class.

- 11.2.5 The claim is based upon alleged accelerated movement in a deep class series (e.g., Staff Services Analyst, Ranges A, B, and C) or from the trainee to/through journey level of a class series.

12. **Board of Control (BOC)**

Employees should not be advised to pursue OOC claims through BOC. The proper recourse is for employees to follow the administrative process associated with OOC grievances and claims as described above. If the employee is represented by a bargaining unit contract and the contract specifies that DPA is the final level of review in OOC, then the decision rendered by DPA is the final decision.

13. **Payment of Grievances/Claims**

- 13.1 For OOC grievances where departments are authorized to approve and pay direct (as specified in the bargaining unit contracts), payment can be made via the Form 674 process.
- 13.2 For grievances and OOC claims which must be reviewed and approved by DPA as the final level of review, reimbursements are paid through the Controller's Premium Pay Unit. When DPA certifies approval of a specific time period for OOC work, the "Release of All Claims" form and the payment form are initiated by DPA and sent to the personnel office in the employee's department for calculation of the correct amount for the OOC payment.



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CEA	CATEGORY CRITERIA	400

400. CRITERIA FOR ASSIGNING POSITIONS TO THE CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY

1. Statutory Definition

Government Code Section 18547 states that “‘Career Executive Assignment’ means an appointment to a high administrative and policy-influencing position within the State civil service in which the incumbent’s primary responsibility is the managing of a function or the rendering of management advice to top level administrative authority. Such a position can be established only in the top managerial levels of State service and is typified by broad responsibility for policy implementation and extensive participation in policy evolution. . . .”

While the terms in this definition are fairly broad, they convey the intent that CEAs are to be limited to the highest, most critical positions in State civil service. These are the positions that have continuous, direct interface with department Directors and constitute, in their respective departments, the Director’s top management team. They should have a decisive role at their departments’ highest policy-making levels and should have regular involvement in departmentwide program management, such as that which results from participation in a Director’s cabinet or executive staff.

2. Distinguishing Characteristics

The depth and breadth of the role of the individual in the development and implementation of policy is a critical consideration in determining whether a position meets the statutory requirement for having a high level policy-influencing role.

Consequently, in describing the policy role of a position, departments should provide as much detailed information as possible, including a description of:

- The program area(s) in which an individual will have a policy-influencing role and examples of specific policy issues with which the individual will be involved.
- The extent to which the policy-influencing role affects programs which are critical to the department’s mission and the extent to which the role has an impact which extends beyond internal departmental programs.

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- The sensitivity, criticality, and complexity of the policy issues as well as the degree of public, media, and legislative interest and concern.
- The extent to which the individual has continuous and direct interface with the department/agency head. Where the organizational chain-of-command indicates that the proposed CEA allocation reports through one or more additional CEA or exempt positions to the agency/department head, departments should clearly distinguish between the policy roles of the respective CEA or exempt positions.

3. Guidelines for Allocation to the CEA Category

In order to determine if the proposed position meets the statutory definition of a CEA, consider the following:

To determine the high administrative and top managerial nature, evaluate the following factors for each position.

3.1 Managerial Responsibility

CEA positions are responsible for the administration of departmental programs and policies. In order to ensure that incumbents have time for policy involvement and program administration, CEA positions should have at least two levels of subordinate professional supervisors.

3.2 Policy Influence

CEA positions are statutorily defined as "policy influencing." To determine the actual policy impact of a position, consider the nature of the policies with which the position is involved, i.e., (does policy pertain to departmental mission or administrative functions such as personnel, budgets, etc.) who is impacted by these policies, whether the position develops, recommends, or makes final decisions regarding the adoption of the policies, or whether the position is responsible for the implementation of the policies and programs related to basic departmental mission accomplishment. Considering these factors, the policy influence of the position should be significant and comparable to other CEA positions within the department and/or other departments with similar functions. Significant policy influence and involvement are mandatory aspects of CEA positions. CEA positions must possess the authority to directly influence policies pertaining to the departmental mission.

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3.3 Organizational Level

(This factor will be influenced by departmental size and geographical location.) Since the statutory definition limits CEA positions to those that are of a "high administrative and top managerial" nature, CEA positions must be placed within the top four organizational levels of the department. Positions below the fourth organization level are not eligible for assignments to the CEA category.

Use the following as guidelines when evaluating this factor:

- Small departments (less than 1,000 employees) should have their key executive positions concentrated at their first (Director/Chief Deputy) and second organizational levels, except in control agencies, where positions clearly meeting the statutory definition of a CEA may occur at the third organizational level.
- Medium departments (1,000 to 4,000 employees) should also have most of their CEA positions concentrated at the first and second organizational levels, although the larger or more complex departments within the range can justify third level CEA positions.
- Large departments (more than 4,000 employees) typically have many CEA positions at the first three organizational levels. In the largest departments with decentralized functions or highly diverse functions, consider the functional unit as an independent entity for the purpose of identifying the size and appropriate organizational levels for CEA allocations. Also, in large departments without chief deputy positions, the Director and Deputy Directors may be considered one organizational level.

3.4 Scope

This factor will also be influenced by the size of the department. The scope involves the overall responsibility assigned to the position. Consider the size of the department, the size and composition of the subordinate professional staff, the nature of the departmental mission and the proportion of the mission that the position is responsible for, and the total number of CEA and exempt positions in the department. This factor indicates how the department disseminates managerial responsibility and the strength of the policy influence assigned to the position. The scope of responsibility should be significant and comparable to other appropriately designated positions within the

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department or other State service departments with similar responsibility.

4. Specific Criteria

Within the general factors discussed above, the following criteria should be used to evaluate the appropriateness of assigning specific positions to the CEA category.

4.1 Positions at the first and second organizational levels which manage major functions or provide management advice to top level administrative authority are normally appropriate for assignment to the CEA category.

- a. Positions at the first organizational level are department heads, executive officers and, typically, Chief Deputy Directors. In departments that are administered by boards or elected officials, the first level shall include deputies or executive officers who have departmentwide management authority.
- b. Positions at the second organizational level will typically be division chiefs or Deputy Directors responsible for several major divisions.
- c. Special adviser positions at the second level may be included in the CEA category when such positions render broad management advice that significantly impacts a wide spectrum of departmental policies. Adviser positions that are exclusively limited to a particular specialty or program area should not be allocated to the CEA category unless they meet the standards for program sensitivity contained in Section 4.2c below. Also, in cases where a department has more than two or three high level advisers, careful consideration should be given to the extent to which the concentration of policy responsibility in such positions may weaken the policy-influencing role of line positions in the same program or department.
In cases where each member of a board or commission utilizes such an advisor, it will be presumed that there is little need for additional staff advisory CEA positions. Because exempt positions often provide special expertise and policy advice to top level administrative authority, the number and reporting relationships of exempt employees should be carefully considered when assigning civil service positions to the CEA

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category based upon their responsibilities for rendering management advice.

4.2 Positions at the third organizational level may be assigned to the CEA category only if they have responsibility for managing a major function, as described below. Positions at this level will be decided on a case-by-case basis, and all of a department's third level positions will not normally be assigned to the CEA category. In order to be assigned to the CEA category, positions at this level must meet the following criteria:

- a. Positions at the third organizational level which are properly assigned to the CEA category can include chiefs of major divisions in large departments (usually more than 4,000 employees) who report to the Director's office through one of several Deputy Directors, each of whom is responsible for a number of distinct divisions. It is important to note that all third level division chief positions should not necessarily be assigned to the category and that attendance at division chief staff meetings does not, in itself, justify a CEA allocation, particularly when the department's top level cabinet or executive staff is composed of positions at and above the Deputy Director level.
- b. Positions at the third level reporting to adviser and special assistant positions (which are at the second organizational level) may not be assigned to the CEA category.
- c. In some instances, positions responsible for extremely sensitive and critical line programs within a line division may be assigned to the CEA category. Extreme program sensitivity is shown by intense legislative interest, as illustrated by the need to testify before legislative committees on a regular basis, and regular major news media coverage. Positions assigned to the CEA category based on their extreme sensitivity and criticality must be periodically reviewed by the Department of Personnel Administration (DPA) staff to ensure that the positions still possess these attributes. If the program sensitivity diminishes, these positions should be returned to the general civil service and allocated to an appropriate general civil service class.

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- d. Positions in organizations which report directly to the Governor in which the incumbent's primary responsibility is rendering of advice to top level administrative authority that significantly impacts statewide programs. This occurs only where positions affect decisions to create, expand, decrease, eliminate, or otherwise substantially modify State programs outside their department.
- e. Assistant division chief positions may not be assigned to the CEA category unless they fully meet the criteria outlined in Section 4.2c above or, on other than a temporary basis, have full supervisory responsibility for positions meeting any of these CEA criteria.

In addition, positions at the third level that otherwise meet the criteria for fourth level CEA positions (see Section 4.4 below) can also be assigned to the CEA category.

4.3 Positions responsible for managing a hospital, institution, district, or region may be assigned to the CEA category when these units perform a wide range of major program activities with a high degree of independence of action and report to the first or second organizational level. (See 4.4, of this Section, below for discussion of fourth level institution or region heads.)

4.4 It is DPA's general policy that positions at the fourth or lower organizational level should not be assigned to the CEA category; however, on a limited basis, exceptions may be granted to this policy for fourth level positions when a department has unique or highly unusual needs. Following are examples of situations that may justify fourth level CEA positions:

- a. The department's program is administered and carried out primarily through an extensive field organization in which the heads of major regions and institutions are at the third level. These positions should otherwise meet the criteria outlined in Section 4.3 above. In the largest departments (generally more than 7,500 employees) deputy regional or institutional administrators may also be included in the CEA category when all of the following conditions are met.

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- (1) Where either: (1) the region's or institution's policy formulation activity is concentrated in its first and second organizational levels and determined by a small management team (usually four or less) responsible for all program and administrative areas of the region or facility; or (2) the incumbent has a "Chief Deputy" relationship to the regional or institutional administrator and has direct line management responsibility for all or most of the region's or institution's programs.
 - (2) The region or institution has a very large staff (generally more than 1,500 employees) and has considerable independence for the complete administration of a broad range of departmental programs. Such independence exists when the regional/institutional administrator has the authority and the need to make substantial adaptations of departmental programs and policies to meet relatively unique local needs.
 - (3) Where, for reasons of equity and consistency, it is desirable to classify all of the deputy regional/institutional administrators in a department at the same level; all such positions otherwise meeting the standards outlined above may be included in the CEA category if the majority of the department's regions/institutions have more than 1,500 employees.
- b. Managers in large departments (generally, more than 4,000 employees) who are responsible for line programs that have extreme sensitivity as outlined in Section 4.2c. These instances should be extremely rare. When CEA positions are approved on this basis, they will be reviewed periodically to determine if the position is retaining this high degree of sensitivity.
 - c. In large departments (and generally limited to those with more than 7,500 employees) managers of programs that are so large and that have such an important departmentwide impact that they would clearly have division level status if they were in an average-sized department. Such programs must have at least two levels of professional level management below the program manager.

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- d. Positions immediately below the department's division chief level that have comprehensive policy-setting responsibility, on a statewide basis, for very extensive local governmental operations. This occurs only where the State has very strong and independent control over such operations and does not include instances where the State is essentially interpreting and applying policy and statutory direction from the Federal Government. It also excludes instances in which the State controls only a portion of a local activity or provides guidance or support without having actual control.

4.5 A project manager of an information technology or engineering construction project may be a CEA if the incumbent is to develop and/or strongly influence the development of policy pertaining to the mission of the department. Such a position would normally be at the second organizational level but may be at the third level on extremely large, complex, and/or sensitive projects. The position must meet the following criteria:

- Be designated head of the project and be responsible for the overall completion of the project.
- Have a direct impact on accomplishing the mission of the department.
- Be responsible for management of large staff of State, contract, or other employees and multimillion dollar budget.
- Have a direct impact on the health, safety, welfare, and/or other vital interests of the public and/or other primary customers.
- Receive strong media and Legislative interest.
- Be of such complexity that few persons in State service possess the capacity to accomplish the project successfully.

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- Have such a consequence of error that failure could result in the loss of life, loss of millions of dollars, negative media coverage, loss of faith by the public, and other customers, litigation, or civil or criminal investigations.

4.6 The flexible selection and retention techniques which are part of the CEA program are intended to encourage the development of general managerial skills and the interdepartmental movement of persons with such skills. In addition, it is clearly in the best interests of State service for an appointing authority to have an adequate number of well-qualified candidates from which to choose when filling top level managerial positions. In order to ensure that both of these concerns are met, the following criteria should always be considered when assigning positions to the CEA category:

- a. Positions which require highly specialized, rather than general managerial, knowledge, skills, and abilities, as indicated by a severely limited candidate group (i.e., less than five), will not normally be assigned to the CEA category. Instead, a general civil service class should be established and an examination with an open feature should be conducted.
- b. Positions which require highly specialized, rather than general managerial, knowledge, skills, and abilities, as indicated by a very small viable candidate group (i.e., less than ten) within State service may be filled either by CEA or general civil service appointment, as the needs and best interests of State service dictate. In such cases, a general civil service class should be established at the same time that a position is assigned to the CEA category. This will allow the appointing authority to fill the position with a person outside the State civil service if a sufficiently well-qualified candidate cannot be found within State service. (See C&P Guide Section 420.)

5. **Other Considerations**

5.1 When applying these criteria to determine if a position may be assigned to the CEA category, it is necessary to evaluate the position's duties and responsibilities in relation to those of all other positions in the department. Such an overall organizational review must consider not only other CEA positions, but exempt and general civil service positions as well. If the basic functions of two or more such positions

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overlap, then the level of duties and responsibilities of each position is diminished.

5.2 Positions which are not appropriately included in the CEA category will not be designated as CEA simply because they are placed at high organizational levels. The basic organizational structure of the department must be consistent with good management and personnel practices.

5.3 Departments have occasionally used some of the duties and responsibilities, which have previously been used to support the assignment of currently authorized CEA positions to the CEA category, to support the assignment of another position to the CEA category. Such an action tends to diminish the level of duties and responsibilities of the original CEA position and may result in lowering the CEA level of this position or in its removal from the CEA category. Such actions may also affect general civil service positions in a similar manner and may result in reclassification of such positions to lower general civil service classes.

6. **Establishment of New CEA Band Positions**

A department should develop a key position description, duty statement, and organization chart for each position to be established. These should be forwarded to the State Personnel Board with a cover memorandum that highlights the policy role of the position. It is critical in cases where the incumbent of the new CEA position will report to another CEA to distinguish between the policy role of each of the positions.

7. **Retired Annuitants**

A retired annuitant shall only be appointed to a CEA position if the position has been established by the State Personnel Board and the retired annuitant is to perform the approved duties of the CEA position. A retired annuitant should always be appointed to the class, be it CEA or civil service, that is appropriate to the duties to be performed. A retired annuitant, of course, must have reinstatement eligibility for any class to which appointed.

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8. Reporting Requirements

- 8.1 By October 1 of every year, departments shall submit reports to DPA and the Department of Finance that show each position the incumbent's name; the position number; the level of the position (Level 1, 2, 3, 4, or 5); the top salary rate of the level of the position; and the actual salary paid to the incumbent.
- 8.2 DPA maintains, on an ongoing basis, CEA files and CEA database of existing and established CEA positions within each department and agency. These files are available to the Governor's Office for review and to other State departments and agencies for comparisons. Therefore, when changes occur (i.e., position numbers, title change, duties, level change, etc.), each individual department **must** provide to their respective Classification and Compensation Division analyst an updated CEA Position Database Input form, Duty Statement, Key Position Description, and Organizational Charts.



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CEA	RED CIRCLE RATES	440

440. RED CIRCLE RATE - CAREER EXECUTIVE ASSIGNMENT (CEA)

This is a rate of pay authorized to facilitate an employee's adjustment to a lower salary. A red circle rate may be authorized to (1) a former CEA appointee who is reinstating to a civil service classification, or (2) a CEA with no prior civil service who participated in a promotional exam and is being appointed from a list without a break in service, or (3) a CEA appointee who is being reduced to a lower CEA salary rate.

1. Legal Authority

1.1 The Department of Personnel Administration (DPA) Rule 599.988 mandates a red circle rate for an employee who has ten years of State service, one of which is under a CEA appointment(s) and who is terminated from a CEA, if the termination was not voluntary nor based on unsatisfactory performance. DPA Rule 599.988 also allows the permissive granting of a red circle rate to an employee who meets the preceding criteria and who voluntarily terminates the CEA appointment. The red circle rate is based upon CEA salary rate received from which termination occurs, less 5 percent.

1.2 Government Code Section 13332.05 describes the intent of the Legislature in granting funds for CEA red circle rates:

"No funds may be encumbered for paying a civil service employee a salary which is above the maximum of the salary range of the employee's present classification for a period of more than 90 calendar days following termination of a career executive assignment appointment. The intent of the Legislature in permitting payment above the maximum of the salary range for the 90-day period is to facilitate the employee's adjustment to a lower salary level. The provisions of this section shall not apply with respect to an employee who accepted any career executive assignment appointment on or after June 20, 1976, and before July 1, 1977, and any employee meeting that requirement, who is otherwise eligible, shall receive a salary rate pursuant to the provision of Rule 548.25, adopted by State Personnel Board on May 18, 1976, based upon the highest career executive assignment level held by the employee during that period."

[Note: State Personnel Board Rule 548.25 was repealed August 28, 1985 and renumbered Department of Personnel Administration Rule 599.988.]

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2. 90-Day Red Circle Rate

2.1 A 90-day red circle rate is 90 calendar days and applies to an employee being terminated from a CEA appointment, or who is being reduced to a lower CEA salary rate, and who does not have a bona fide CEA appointment within the "window period" of June 20, 1976 through June 30, 1977. The employee must meet the criteria listed below:

- a. Have at least ten years of total State service; and
- b. Have at least one year of total CEA service. CEA time served immediately before and after an exempt or a civil service appointment shall be qualifying for meeting the one-year requirement. However, time served in an exempt appointment shall not count towards the one-year total CEA service requirement.

2.2 An employee who meets the above criteria shall be eligible for a salary rate above the maximum of the class to which the employee is mandatorily reinstated. The red circle rate is based upon the last CEA salary rate received from which termination occurs, less 5 percent. The department to which the employee is reinstated requests and pays for the red circle rate.

3. Extended Red Circle Rate

3.1 An extended red circle rate applies to an employee being terminated from a CEA appointment where any CEA appointment was accepted within the "window period" of June 20, 1976 through June 30, 1977. The employee must meet the criteria listed below:

- a. Termination is not voluntary nor is it based on unsatisfactory performance; and
- b. The employee had a bona fide appointment during the "window period" of June 20, 1976 through June 30, 1977; and
- c. CEA service has been continuous since the qualifying "window period" appointment.

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- 3.2 An employee who meets the above criteria shall be eligible for a salary rate above the maximum of the class (red circle rate) to which the employee is being mandatorily reinstated or is being appointed from a promotional list. The red circle rate is based upon the highest CEA held by such employee during the "window period," less 5 percent. The extended red circle rate will be in effect until absorbed by any salary changes.
- 3.3 The eligibility for an extended red circle rate based on any "window period" appointment may be used only once. An employee who received a "window period" appointment, and who has since received an appointment to a regular civil service class no longer qualifies for an extended red circle rate.

Documentation

Departments with delegation must document requests for red circle rates based on the criteria stated above and file for audit purposes. Documentation should include: 90-Day Red Circle Rate Request (Attachment 1), Request for Verification of State Service (Attachment 2), Notice of Termination/Reinstatement Letter, and a copy of Employment History (after the Position Action Request has been processed).

Departments without delegation must submit requests for 90-Day Red Circle Rates based on the criteria stated above to your department's Personnel Management Technician at DPA. This includes a memo requesting the red circle rate and a copy of the Notice of Termination/Reinstatement Letter.



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EXEMPT POSITIONS	POSITION EXEMPT FROM CIVIL SERVICE	600

600. POSITIONS EXEMPT FROM CIVIL SERVICE

1. Definition

Under Article VII of the State Constitution, all State officers and employees must be in the civil service unless specifically exempted in Section 4 of that article. The following are the exemptions. Each is referred to as the appointment authority.

SECTION 4. The following are exempt from civil service:

- (a) Legislative officers and employees.
- (b) Judicial Branch officers and employees.
- (c) Elected officials plus a deputy and an employee selected by each elected officer.
- (d) Members of boards and commissions.
- (e) A deputy or employee selected by each board or commission.
- (f) State officers appointed by the Governor or the Lieutenant Governor.
- (g) A deputy or employee selected by each officer under Section 4(f).
- (h) University of California and California State College officers and employees.
- (i) Teaching staff of schools under Department of Education -- or the Superintendent of Public Instruction Jurisdiction.
- (j) Member, inmate, and patient help in State homes, charitable or correctional institutions, and State facilities for mentally ill or retarded persons.
- (k) Members of the militia while engaged in military service.
- (l) District agricultural association officers and employees, employed less than six months in a calendar year.

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- (m) In addition, the Attorney General may appoint or employ six deputies or employees, the Public Utilities Commission may appoint or employ one deputy or employee, and the Legislative Council may appoint or employ two deputies or employees.

2. Appointing Authority

The letter of the paragraph under Article VII, Section 4 of the State Constitution which specifies the appointing power of an exempt position is referred to as the appointing authority. Thus, an appointee of the Governor is sometimes referred to as an "F" appointment. An appointee of an "F" is a "G." A member of a board or commission is referred to as a "D" appointment, and an appointee of a board is an "E," and so on.

3. Entitlement

The code section in the law that specifies that an appointment may be made is referred to as the exempt entitlement. For example, Government Code (GC) Section 11710 (a) reads: "There is hereby created in the executive branch the Department of Information Technology, that shall be managed by the Director of Information Technology, who shall be appointed by the Governor, with the consent of the Senate, and who shall serve at the pleasure of the Governor." GC Section 11710 (a) authorizes the Governor to appoint the Director of Information Technology; therefore this is the authority for the exempt entitlement to appoint the Director. The authority is "F" because the Governor is making the appointment. Under the Constitution, the "F" appointee would be authorized to make a "G" appointment and both would share the same entitlement.

4. The Creation of Additional (or New) Exempts

New authorizations to appoint additional exempts may be created in several ways.

- 4.1** A new or revised law may authorize the Governor to make additional appointments.

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4.2 The Governor may convert a vacant civil service managerial position in a line agency under the Governor's direction, to an exempt position under GC Section 12010.6 (see Attachment 1 for exclusions to this provision). Since the Governor would be making the appointment, the appointee would be exempt under Section VII 4(f). These are referred to as "converted positions."

4.3 A revision to the State Constitution may add new authorizations.

5. GC Section 12010.5

"G" exempt entitlements may be redistributed among executive agencies.

GC Section 12010.5 (Attachment 1) allows the Governor to redistribute the appointments made under Section VII 4(g) among executive agencies. These are sometimes referred to (albeit incorrectly) as "borrowed" or "loaned" positions. These positions are not new to State service but are new to the receiving agency.

6. Exempt Position Request (EPR)

The EPR (Attachment 2) was designed to provide the Governor's Office and DPA with the information needed to process the paperwork associated with an exempt appointment. Part I is filled out by the requesting department and includes:

6.1 **Information on the Appointee:**

Name
Proposed Salary
Proposed Appointment Date

6.2 **If a Current Employee:**

Class code of the classification to which currently appointed
Current salary rate
Current employing department

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6.3 Exempt Pay Scale Information:

If an existing exempt classification is being used, it often must be revised to reflect new duties and responsibilities. This often includes salary and other changes that must be made in the Exempt Pay Scale. If a new classification is being created for a new entitlement, only the proposed information should be filled out and the appropriate new exempt class box should be checked.

6.4 Routing:

The EPR should be signed and sent forward to the department's agency for approval (if appropriate) and then to the Governor's Office, Appointments Unit. A duty statement and organization chart must be attached as part of the package. A copy of the package must be sent to the DPA Exempt Unit at this time. Upon review and approval by the Governor's Office, the EPR will be forwarded to DPA.

7. An Overview of the Exempt Approval Process

The following is a summary of the exempt appointment and salary process:

The Governor's Office reviews candidates proposed by the agency and/or who are in the Governor's Office applicant file. When an acceptable candidate is approved, the responsible executive (agency secretary or department director) is notified of the approval and, in turn, must notify the personnel officer so that the necessary transactions can take place to put the appointee on the payroll.

7.1 The personnel office forwards the Exempt Position Request (EPR), duty statement, and organization chart through the agency (if appropriate) to the Governor's Office, Appointments Unit. At the same time, a copy is sent to the Department of Personnel Administration (DPA) Exempt Unit.

7.2 The Appointments Unit reviews the EPR and determines that the information on the appointee is correct. The approved EPR is forwarded to DPA.

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- 7.3 DPA prepares an Exempt Pay Letter if a change to the Exempt Pay Scale is necessary. The department is sent a copy with the approved EPR attached.
- 7.4 DPA returns a copy of the approved EPR to the department if no Pay Letter is necessary.
- 7.5 DPA forwards a copy of the Pay Letter to the State Controller's Office (SCO) to update SCO system/pay scales so appointment can be processed.

8. The Appointment Process

The following procedures should be followed for the appointment of all exempt positions in executive branch organizations, including both gubernatorial (F) and director (G) exempt personnel:

- 8.1 The Governor's Office, Appointments Unit maintains names, applications, and resumes of individuals interested in working for the administration. When you need to fill an exempt position, the Appointments Secretary or Deputy Appointments Secretary assigned to your organization must be consulted to determine if the Governor's Office has candidates who should be considered for the position.
- 8.2 Cabinet members and/or department directors shall be primarily responsible for interviewing candidates for exempt positions. The Chief of Staff, Appointments Secretary, or Deputy Appointments Secretary may also choose to interview a prospective appointee.
- 8.3 After conducting interviews and selecting the candidate or candidates you wish to recommend, send a memorandum to the Governor's Office, Appointments Unit. The memorandum should include pertinent information that is not necessarily included on the candidate's application or resume. Please include the names and identifying information (including the names of recommending individuals whose opinions you believe the Governor may value) of those candidates who were not selected.

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- 8.4 The Appointments Unit will notify the responsible agency secretary and/or department director as to whether the candidate meets with the Governor's approval. Again, even persons recommended for appointment to agency secretary/department director's ("G") positions must be reviewed and approved by the Governor's Office.
- 8.5 The agency secretary/department director should then notify the appropriate personnel officer to begin the process of placing the appointee on the payroll.
- 8.6 The appointment of an exempt candidate as a Special Consultant while pending appointment or approval by the Governor's Office is strictly forbidden without the approval of the Director of DPA. Such an appointment results in the individual performing the duties of the exempt position prior to the exempt appointment. If not appointed, the individual must be released from State service and may not have a job to return to.

9. Converted Exempt Entitlements

The power to select key administrative personnel is an invaluable tool and resource by which the Governor may insure that his or her policies and programs are being effectively carried out by individuals in whom the Governor has personal confidence. Given the limited number of exempt entitlements, it is imperative that no conversions either to or from exempt status be undertaken or sought without the written, verbal, and/or prior approval of the Appointments Secretary.

10. Boards and Commissions

There are over 400 boards and commissions many of which are contained within agencies and departments. The Appointments Unit will process and review applications for such positions before making recommendations to the Governor. The input of agency secretaries and department directors may be sought and, of course, shall be duly considered.

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11. Appointments Records and Applications

All persons who are recommended for appointment to either exempt positions or boards and commissions should submit their original applications to the Governor's Office, Appointments Unit. Abstracts of information contained on applications may be produced for review by agency secretaries and department directors upon request.

12. The Conversion Process

This process is provided for by GC Section 12010.6 and is available to line agency departments only, i.e., departments whose directors are directly appointed by the Governor. Boards, commissions, and departments headed by elected officials are not eligible to use this process.

The department must identify a vacant position that has been designated managerial by DPA or have a vacant position that DPA can legitimately reclassify to a managerial class. Once the position is identified, the regular appointment process is followed. The EPR must indicate that a new exempt class is being proposed based on the conversion of a vacant civil service managerial position and the position number of the civil service class must be included.

If a department wishes to return an exempt position to civil service, **approval must be obtained from the Governor's Office.** The Governor's Office and DPA will determine if the exempt class used by the position should be abolished or inactivated on a temporary basis. In no case can the exempt class be used after the position has returned to civil service unless a new conversion is approved or, if the return was temporary, until the Governor's Office is notified and DPA reactivates the exempt class.

13. Modified Classification Review (MCR)

DPA has discontinued the use of the MCR process for exempt classes. All exempt appointments must be approved by the Governor's Office (except appointees of other elected officials) and are therefore the equivalent to NO MCR. The MCR notation is NONE. The only exceptions are classifications used in the Governor's Office, which are MCR I. All appointments require that the Exempt Position Request (EPR) be filled out.

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14. Classification and Salary Setting

GC Section 19825

“(a) Notwithstanding any other provision of law, whenever any state agency is authorized by special or general statute to fix the salary or compensation of an employee or officer, which salary is payable in whole or in part out of state funds, the salary is subject only to the approval of the department before it becomes effective and payable. . . (b) The Legislature may expressly provide that approval of the department is not required.”

DPA carries out its responsibilities when it receives the EPR, duty statement, and organization chart. Salary issues are resolved with the Governor’s Office, Appointments Unit, if necessary, and an Exempt Pay Letter is sent to the SCO when a change in the Exempt Pay Scale is needed. If requested by the Appointments Unit, DPA will review the duties and responsibilities of the position. The review would be similar to the analysis done on a civil service position. For the most part, exempt classes are assigned to one of the existing exempt salary levels (Attachment 3). In some cases, particularly for lower level positions, a direct salary tie is made to civil service classes. Exceptions vary depending on individual circumstances. DPA may ask the department for additional information based on the criteria below.

14.1 General Criteria Used in Analysis:

Degree of Authority (set priorities)

- Establish and implement statewide policy.
- Establish and implement departmental policy.
- Review and approve programs for other jurisdictions.
- Establish rules.
- Adjudicate claims; hear and dispose of appeals.
- Have regulatory and/or compliance function (institute disciplinary civil and/or criminal actions).

Scope of Responsibility (as demonstrated by)

- Scope of programs (# of programs, # of elements, and variety of programs).
- Impact of program (population affected, public service, protection, or licensing).

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Sensitivity of Programs

- Legislative interest.
- Advocate group interest.

Staff

- Department size.
- Professional/clerical.

Budget (administer funds)

- Federal (flow through) _____ percent.
- State or other _____ percent.

Complexity

- Takes into consideration all of the above with particular emphasis placed on the departmental and statewide policy setting and implementation authority.

Other

- Legislation introduced.
- Advisory.
- Informational.



Exempt Position Request

Instructions: Complete and send through the agency (if appropriate) to the Appointments Unit of the Governor's Office who will forward it to DPA. An advance copy should be sent to DPA.

I.a. Appointee Information

Proposed Appointee	Appointment Date	Salary	Salary Range	Level
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If the appointee is currently a state employee:

Class Code	Current Salary Rate	Current Employing Department
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I.b. Exempt Pay Scale Information

Current Information and Proposed Changes, if any: (Current information is available on Controller's CSP Screen or the DPA P.I.E.)

	Schem Code	Class Code	Title				
Current:							
Proposed:							
	Salary	Exempt Level	Authority/Entitlement	WWG	MCR	CBID	Footnotes
Current:							
Proposed:							

- New exempt class based on new legislation (attach a copy of the legislation).
 New exempt class based on the conversion of a civil service managerial position under Gov. Code 12010.6.

If new conversion, Civil Service Class to be Converted	Position Number
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Definitions of Commonly Used Appointing Authorities

- C - Constitution Officer or Appointee (Not Gov. or Lt. Gov.)
 D - Board or Commission Member
 E - Appointee of a Board or Commission
 F - Governor's (or Lt. Gov.'s) Appointee
 G - Appointee of a Governor's Appointee

- Modified Classification Review (MCR):**
 NONE Review required when refilled.
 I No review required.
- CBID:**
 E97 Confidential
 E98 Supervisory
 E99 Managerial
 E79 Managerial Specialist (Non-supervisory)

I.c. Requesting Department

Requester's Title	Department	
Requester's Signature	Telephone Number	Date

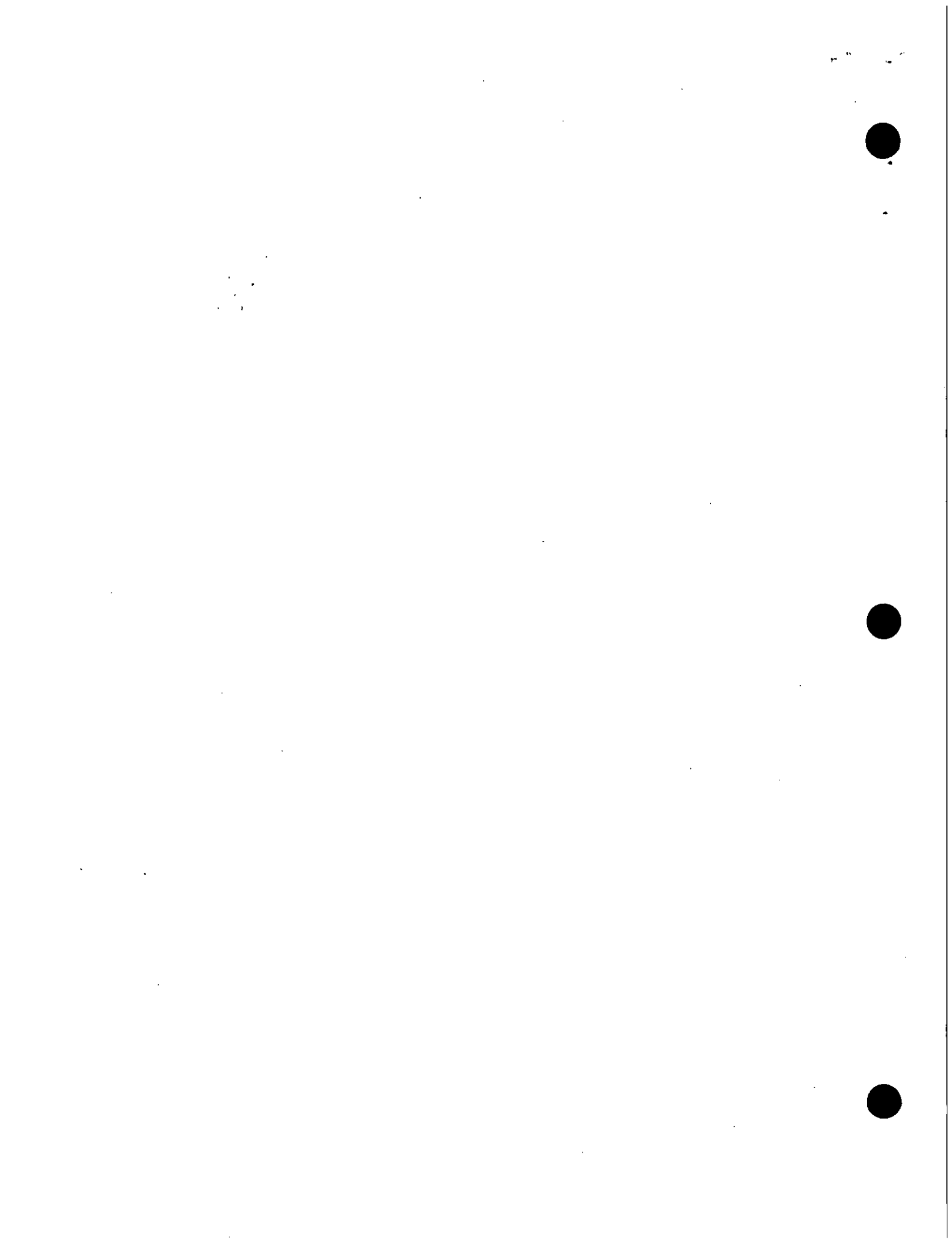
II. Agency Approval

Name and Title of Approving Official	Agency Name	
Signature of Approving Official	Telephone Number	Date

III. Governor's Office Approval (Send to Appointments Unit, Attn. Susan Pritchard)

Comments:

Name and Title of Approving Official	Telephone Number
Susan Pritchard, Appointments Administrator	445-4541
Signature of Approving Official	Date



Exempt Salary Chart

September 2000

Exempt Category	Level Definitions	Statutory		DPA Exempt			Civil Service Excluded			
		Monthly Salary	Annual Salary	Monthly Min.	Monthly Max.	Annual Min.	Annual Max.	Level Definition	Monthly Minimum	Monthly Maximum
I. Management Positions:										
A.	Cabinet	10,951.00	131,412	10,124	10,950	121,488	131,400			
B.	Major Department Director	10,271.25	123,255	9,497	10,272	113,964	123,264			
C.	Chair - Major Boards	9,818.17	117,818	9,079	9,818	108,948	117,816			
	Member - Major Boards	9,515.92	114,191	8,797	9,516	105,564	114,192	Legal & Medical		11,113
D.	Major Chief Dep. (CEA V Equiv.)			8,681	9,388	104,172	112,656	CEA V		8,493 - 9,362
E.	Medium Department Director	9,062.75	108,753	8,379	9,062	100,548	108,744			
F.	CEA IV Equivalent			8,201	8,870	98,412	106,440	CEA IV		8,025 - 8,845
G.	Ex. Officers, Major Boards			7,988	8,640	95,856	103,680			
	Chair - Medium Boards	8,609.75	103,317	7,960	8,609	95,520	103,308			
H.	Maj. Dept. Deputy Director			7,818	8,456	93,816	101,472	CEA III		7,648 - 8,432
	Small DD & Mbr. Med. Bds.	8,307.75	99,693	7,680	8,305	92,160	99,660			
I.	Asst. Agency Secretary I			7,448	8,056	89,376	96,672			
J.	Asst. Director (Line Program)			7,105	7,684	85,260	92,208	CEA II		6,954 - 7,668
K.	Asst. Agency Secretary II			6,778	7,330	81,336	87,960			
L.	CEA I Equivalent			6,462	6,988	77,544	83,856	CEA I		5,493 - 6,975
M.	SSM III Equivalent			6,160	6,661	73,920	79,932	SSM III		6,032 - 6,651
N.	SSM II/III Equivalent			5,878	6,356	70,536	76,272			
O.	SSM II Equivalent			5,604	6,061	67,248	72,732	SSM II (M)		5,493 - 6,058
								SSM II (S)		4,963 - 5,987
II. Non-management Positions										
P1.				5,580	5,748	66,960	68,976			
P2.	SSM I (Supervisory) Equiv.			5,318	5,478	63,816	65,736	SSM I		4,520 - 5,453
P2A	SSM I (Non-supervisory)			5,038	5,189	60,456	62,268			
P3.				4,834	4,978	58,008	59,736			
P4.	Assoc./AA II Level			3,937	4,750	47,244	57,000	Assoc./AA		3,917 - 4,727
P5.	SSA - Rg. C/AA I			3,271	3,937	39,252	47,244	SSA - Rg. C		3,257 - 3,917
P6.	SSA - Rg. B			2,733	3,271	32,796	39,252	SSA - Rg. B		2,715 - 3,257
P7.	SSA - Rg. A			2,510	2,981	30,120	35,772	SSA - Rg. A		2,510 - 2,981
P8.	Mgt. Svcs. Tech.			2,137	2,510	25,644	30,120	MST - Rg. A		2,221 - 2,617
P9.	(Grad) Student Assistant			1,850	2,137	22,200	25,644	GSA - Rg. A		1,909 - 2,058
Q1.	Executive Secretary II			2,936	3,567	35,232	42,804	Ex. Sec. II		2,897 - 3,522
Q2.	Executive Secretary I			2,631	3,342	31,572	40,104	Ex. Sec. I		2,664 - 3,238
Q3.	Secretary			2,331	2,902	27,972	34,824	Secretary		2,368 - 2,879

