

**Department of Personnel Administration  
Memorandum**

**TO: Personnel Management Liaisons (PML)**

<b>SUBJECT:</b> Hiring Above Minimum Standards for Extraordinary Qualifications	<b>REFERENCE NUMBER:</b> 2010-005
<b>DATE ISSUED:</b> 02/08/10	<b>SUPERSEDES:</b> 90-07 and 90-07A

This memorandum should be forwarded to:

**Personnel Officers  
Personnel Transactions Supervisors**

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This memorandum describes standards that should be applied for recruiting new employees above-the-minimum salary rate of a class. This memorandum supersedes PML 90-07 and 90-07A.

Government Code Section 19836 authorizes DPA to allow payments above-the minimum rate in the salary range (HAM) in order to hire persons who have extraordinary qualifications. A HAM salary rate should not be requested and approved after a candidate accepts employment.

The ability to offer a competitive salary above-the-minimum salary rate of a class allows the employer to obtain the services of extraordinarily qualified employees. Department personnel applying these standards should try to strike a balance between the need to hire highly qualified individuals and the need to keep the cost to the State as low as possible.

Delegation to departments of HAM authority for extraordinary qualifications currently in effect prior to the release of this memorandum remains unchanged.

**STANDARDS**

Prior to submitting a HAM request to DPA or to approving a HAM under delegated authority for extraordinary qualifications, the request should be reviewed against the following standards:

1. Contribution to the Agency

Persons with extraordinary qualifications should contribute to the work of the department significantly beyond that which other applicants offer.

- a. Extraordinary qualifications may provide expertise in a particular area of a department's program. This expertise should be well beyond the normal requirements of the class.
- b. Unique talent, ability, or skill as demonstrated by previous job experience may also constitute extraordinary qualifications. The scope and depth of such experience should be more significant than its length.
- c. The degree to which a candidate exceeds minimum qualifications should be a guiding factor, rather than a determining one. When a number of candidates offer considerably more qualifications than the minimum, it may not be necessary to pay above the minimum to acquire unusually well-qualified people.
- d. The qualifications and hiring rates of State employees already in the same class should be carefully considered, since questions of salary equity may arise if new higher entry rates differ from previous ones.

2. Recruitment Difficulty

Recruitment difficulty is a factor to the extent that a specific extraordinary skill should be difficult to recruit, even though some applicants are qualified in the general skills of the class.

3. Current Salary and Other Job Offers

In all cases, the prospective candidate's current salary or other bona fide salary offers should be above-the-minimum rate. Current salary or other bona fide offers should be verified and appropriately documented. Current salary should have duration of at least one year.

It should be noted that current salary and/or most recent salary may not be appropriate justification for a HAM if recruitment difficulty does not currently exist for the class. For example, in a suppressed occupational area where candidates are unemployed or are facing layoff or relocation and would be willing to accept less than their current or most recent salary, a HAM may not be necessary. If a competing offer is used as justification for a HAM, the competing offer should be verified.

Competing offers from other State agencies should not be used as justification for offering a HAM rate.

4. Prior State Employment

Prospective employees with prior State service should be evaluated in the same manner as other applicants. However, to qualify for a higher rate of pay than they received in prior State employment, they should clearly have enhanced their qualifications above those they possessed in the prior State employment.

## **CURRENT STATE EMPLOYEES**

Appointing authorities may request HAMs for State employees with extraordinary qualifications under certain circumstances as outlined below:

- a. There should be a verifiable competing offer from another prospective non-State employer.
- b. A promotional relationship should not exist between the employee's current class and the prospective class.
- c. Hires made under these standards should represent a career change for the individual.
- d. It is typically necessary to offer an extraordinary HAM to recruit candidates for the class.

Departments should obtain approval from DPA in all cases. Delegated HAM authority does not apply.

## **DOCUMENTATION**

Departments should document the basis for each HAM request. HAM requests up to the third step may be approved in advance of documentation being provided to DPA. Fourth and fifth step HAMs may be expedited by DPA with a verbal approval following review of documentation. Documentation for HAMs for current State employees, regardless of amount, should be pre-reviewed and approved by DPA.

A copy of the approved request, as well as a statement of justification for delegated approvals, should be maintained by the requesting department in a separate file for post audit purposes.

Personnel staff with questions about this memo should contact our Personnel Services Branch at the phone number or email address listed above.

/s/Jerri Judd

Jerri Judd, Manager  
Personnel Services Branch