SHELBY COUNTY BOARD OF COMMISSIONERS
AGENDA ROUTE SHEET

Referred to Commission Committee (name) _____

For Commission Action on (date) 6-29-09

DESCRIPTION OF ITEM: RESOLUTION APPROVING THE SHELBY COUNTY COMPENSATION POLICY FOR FISCAL YEAR 2009-2010. THIS RESOLUTION IS SPONSORED BY COMMISSIONER JOE FORD.

CHECK ALL THAT APPLY BELOW:

X This Action does NOT require expenditure of funds.

_____ This Item requires/approves expenditure of funds as follows (complete all that apply):

County General Funds: $_____ ; County CIP Funds- $_____

State Grant Funds: $_____; State Gas Tax Funds: $_____

Federal Grant Funds: $_____

Other funds (Specify source and amount): $_____

Other pass-thru funds (Specify source and amount): $ _____

Originating Department: _____

APPROVAL:

	(Type your name & phone #.)	(Initials)	(Date)
Dept. Head:	Michael Lewis 545-4359		06/18/09
Elected Official:			
Division Director:	Grace Hutchinson 545-4429		6/18/2009
CIP – A&F Director:			
Finance Dept.	Mike Swift 545-4449	MAS	6/18/09
County Attorney:	Kelley Thomas 545-4179	KT	6/18/09
CAO/Mayor:	**James F. Huntzicker 545-4514**		6/18/09

Item # _____

Prepared By: Mike Lewis

Commissioner _____

Approved By: Kelley Thomas
Asst. County Attorney

RESOLUTION APPROVING THE SHELBY COUNTY COMPENSATION POLICY FOR FISCAL YEAR 2009-2010. THIS RESOLUTION IS SPONSORED BY COMMISSIONER JOE FORD.

WHEREAS, it is desirous of the County to maintain a compensation policy which is fair and equitably administered for its employees;

WHEREAS, the Shelby County Civil Service Ordinance requires the Administrator of Human Resources to prepare a schedule of compensation for the classified service for submission to the Civil Service Merit Board for review and the Shelby County Board of Commissioners for approval;

WHEREAS, the policy as attached does not provide for an annual adjustment for employees; and

WHEREAS, the recommended policy is a guide on pay matters for use throughout Shelby County and is attached hereto and incorporated herein as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, that the Compensation Policy for Fiscal Year 2009-2010 as per the attached Exhibit A, which is incorporated by reference, be approved.

_____
A C Wharton, Jr., County Mayor

Date: _____

ATTEST:

_____
Clerk of County Commission

ADOPTED: _____

EXHIBIT A

SHELBY COUNTY

GOVERNMENT

Effective July 1, 2009

Fiscal Year 2009 - 2010

COMPENSATION POLICY

SYNOPSIS:

The Compensation Policy for fiscal year 2009 – 2010 is presented as an adaptation of the previous compensation policy incorporating and replacing, as appropriate, recent modifications to the County Civil Service System ordinance. It also includes some clarifying language that does not materially affect existing pay policy standards. The last section of the policy (Section XVII Fiscal Year 2009 - 2010 Pay Plan Directives) sets forth basic Commission directives regarding annual general increase and the recognition of current resolutions concerning the continuation of the hiring freeze and other position control matters. All of the above is highlighted in the draft policy attached.

SHELBY COUNTY GOVERNMENT

COMPENSATION POLICY

I. GENERAL COMPENSATION PLAN STANDARDS

A. PURPOSE

The purpose of this policy is to establish a compensation plan and procedures for administration of rates of pay for new hire, promotion, demotion, reclassification, and other pay situations.

B. PHILOSOPHY

The Compensation Policy exists as a fair and equitable system for administering pay for Shelby County Government employees and to provide clear, concise, procedures that are applied and utilized uniformly.

C. RESPONSIBILITY

1. Management Responsibility

Elected Officials, Division Directors and Management in Shelby County Government are responsible for administering the provisions of this Compensation Policy.

2. Human Resources Department

The Human Resource Administrator shall have the authority and responsibility for the overall development and administration of the Compensation/Salary Policy and Classification System for Shelby County Government.

It is the responsibility of each Department Official to maintain an up-to-date copy of this Compensation Policy and related information for employee access.

II. CIVIL SERVICE MERIT SYSTEM

The Civil Service Merit System of Shelby County Government was enacted by law to provide for a fair and consistent human resources management system for all employees.

Created by the Tennessee Private Acts of 1971 (Chapter 110), the Civil Service Merit System provides for a unified human resources system that operates under the direction of a five-person citizen board chosen by the elected officials of Shelby County Government.

The Shelby County Code of Ordinances specifies the following regarding classified and unclassified positions:

Sec. 12-28. Unclassified and classified services.

(a) The job positions of the county are hereby divided into the unclassified and classified services.

(b) Those employed in positions deemed to be included in the unclassified service are not included and not covered under the provisions of the civil service merit system. The unclassified service shall include[1]:

(1) Officials elected by popular vote and persons appointed to fill vacancies in such elective offices;
(2) Members of duly established boards and commissions of the county;
(3) Any person retained by the county on a consulting basis and/or any professional person hired in his/her professional capacity as determined by the board;
(4) Any employee of the county whose employment is on a temporary basis;
(5) Any person who provides services to the county on a volunteer basis or who receives no compensation for such services;
(6) Such person occupying the position of department head, deputy department head, chief clerk, manager responsible for policy-making, personal assistant to a department head or personal secretary to a department head as is designated by an appointing authority and approved by the board. The intent of this provision is to restrict positions in the unclassified service to those which involve sensitive policy-making duties. In granting its approval the board shall consider this intent as well as the size of the department in question. A list of these additional positions shall be prepared and maintained by the secretary.
(7) All county employees of the Shelby County Head Start Program.

(c) The classified service shall comprise all offices and positions of employment for the county not specifically included in the unclassified service.

(d) Unclassified positions are excluded from the civil service merit system and are considered non-civil service. The classified/unclassified status of a job position is determined when the job position is initially established and/or each time the duties, responsibilities and scope of the position are reviewed by human resources. The classified/unclassified status may be changed as initiated by the appointing authority upon determination by the administrator of human resources that the job position duties, scope and relationship to the appointing authority have changed significantly to warrant such change in status. The board must approve a position change from classified status to unclassified status.

(Priv. Acts 1971, Ch. 110, § 9; Priv. Acts 1984, Ch. 192, § 2; Ord. No. 281, 2-23-94)

[1] The Private Acts of 1971, Ch. 110 § 9 originally included persons employed by the county board of education. Shelby County Charter reference: Article VI, § 6.02.

III. CATEGORIES OF EMPLOYEES

A. Status

Refers to the terms and conditions of employment with Shelby County Government. The word 'appointment' refers to the employment /assignment of a person into an approved job position.

1. **Regular Permanent**
   An employee designated as a regular employee may be a full-time or part-time employee. This employee will have successfully completed the new employment probation period.

2. **Durational**
   A Durational Employee is an employee who is employed for a specific period (i.e., grant, contract or project) of twelve months or longer. Durational employees receive all benefits and are considered to be in the classified service and the equivalent of permanent employees except for the term nature of their employment.

3. **Temporary**
   A Temporary employee is an employee whose time of employment is for **less than twelve (12) consecutive months and receives no benefits**. A temporary may be full-time or part-time employee. A temporary employee employed for twelve (12) months must be separated from the payroll for a minimum of two weeks before being reemployed.

B. Type (Classified/Unclassified)

Type refers to classified and unclassified as described in Section II above.

1. **Classified**
   Regular and Durational employees who have successfully completed new employment probation. These employees are subject to provisions of the Civil Service Merit System specifically adopted for employees in the classified service.

2. **Unclassified**
   These employees are not subject to the provisions of the Civil Service Merit System adopted for employees in the classified service and serve at the pleasure of the elected official/appointing authority.

Temporary employees and elected officials are also unclassified.

The Civil Service Merit System also provides for the following:

a. **Provisional Appointment**

Provisional Appointment is defined as a temporary appointment by the appointing authority , only in the absence of an adequate number of candidates on the eligible applicants listing. The provisional appointee must meet the minimum training and experience requirements of the position.

- Such provisional appointments shall not exceed ninety (90) calendar days.
- Provisional appointees receive no benefits.

b. **Emergency Appointment**

An Emergency Appointment may be made where a bona fide "emergency" exists and a position must be filled immediately.

- Such appointments are time limited not to exceed ninety (90) calendar days. In no case, shall the same person be appointed for more than 100 working days during any twelve (12) month period.
- Emergency appointments may be made without regard to the appointee's training and experience.
- Vacancies which result from maternity leave, retirement, military leave and similar actions are not be considered as emergencies.

c. **Change in Type**

A request to change the type and/or status of an employee must be submitted to Human Resources for review and approval and presented to the Classification/Civil Service Merit Board for approval as applicable.

C. Collective Bargaining Employees

1. Collective Bargaining Groups

Employees covered by a negotiated Memorandum of Understanding between Shelby County Government and the following groups:

- AFCSME Corrections, Local 1733
- AFCSME Sheriff, Local 1733
- AFCSME Head Start, Local 1733
- Building Security Officer Unit and Teamster Local, 1196
- Fire Fighters Association, Local 2585
- International Brotherhood of Electrical Workers-Craft, Trades, and Labor, Local 474
- International Brotherhood of Electrical Workers-Support Services, Local 474

- Shelby County Deputy Sheriff Association

Employees covered by a Memorandum of Understanding are covered by provisions of this policy not specifically addressed in the applicable Memorandum of Understanding.

Salary Schedules for Collective Bargaining Unit employees are on file in Human Resources Compensation.

2. Pay Adjustments

Employees covered by a Memorandum of Understanding receive pay adjustments based on agreed rates in the Memorandum of Understanding.

Pay adjustments are processed through the Compensation section of the Human Resources Department.

Employees covered under a bargaining unit shall receive the same percentage general salary increase approved for all permanent Shelby County employees by the Shelby County Commission for a given fiscal year.

Unless specified otherwise by the Memorandum of Understanding, Bargaining Unit employees should have a current annual performance evaluation with a rating of at least 'Achieves/Competent'. The employee performance evaluation must be documented and filed in the Human Resources Department within the last six (6) months.

IV. ORGANIZATION LEVELS AND MANAGEMENT HIERARCHY

Elected Officials are responsible for all personnel actions within their offices and adherence to the Compensation Policy.

The minimum salaries of Elected Officials are set by the State of Tennessee Legislature. Salary increases are approved according to state provisions. If so dictated, Elected Officials and Judges receive annual increases according to state policy each year as issued by the appropriate state regulatory agency or office; otherwise, these officials fall under the provisions of this Compensation Policy. The Mayor's salary is set by the Shelby County Board of Commissioners.

The Shelby County Government hierarchy/reporting structure reflects the following for the Mayor and an Elected Official's office:

MAYOR	**ELECTED OFFICIAL**
CAO/CFO	
Division Director	Chief Administrator

Administrator	Administrator
Deputy Administrator	Deputy Administrator
Manager	Manager
Supervisor	Supervisor
Professional	Professional
Administrative/Clerical	Administrative/Clerical

This reporting structure represents a general structure that may be found in large offices but does not reflect the reporting structure for every area or department. The difference in organizational structure and positions is based on duties and responsibilities of the positions, their scope and impact, and the complexity of duties performed.

V. UNCLASSIFIED EMPLOYEE APPOINTMENTS

A. Approved Positions

Employees who are unclassified must be placed in **approved job classifications** with a grade assignment and associated range in the Shelby County Classification System.

New positions must be evaluated for grade assignment and title.

Unclassified positions to be filled by appointed employees are not normally posted and employees do not generally go through the employment process.

B. Rates of Pay

Compensation should be consulted prior to the completion of an appointment letter.

- The rate of pay should be based on the candidate's level of education and experience in relation to the minimum qualifications for the position.
- The rate of pay should not exceed the maximum of the salary range assigned to the position and may not exceed the budgeted rate of pay (please note that this may require a budget adjustment prior to implementation).
- Internal equity with employees in the same position and equal or greater years of experience should be considered as part of determining the rate of pay for the appointed employee.

C. Appointment Letter

After agreement on the rate of pay, a letter of appointment should be forwarded to Compensation. The Appointment Letter should include:

- Name
- Job Title
- Position Information
- Department
- Salary
- Effective Date of the Appointment

D. Salary Petitions or Letters of Agreement

After hire, employees who are designated as **unclassified** have pay administered through a Salary Petition or Letter of Agreement developed each fiscal year. A **Salary Petition** is filed by the Elected Officials for the purpose of establishing the number, job title and authorized salaries for **unclassified appointed** employees within the Elected Official's office.

Compensation reviews the salary petition for conformance to the compensation policy and the Finance Department reviews the petition for compliance with the adopted budget. Compensation then prepares a response of agreement or disagreement with the salary petition request. The County Attorney's Office facilitates the final review and completion of all responses to salary petitions. Salary Petitions are filed by the Elected Official with the court to have the salaries approved by a judge.

In lieu of a Salary Petition, a **Letter of Agreement** may be filed between the Elected Official and Mayor of Shelby County. The Letter of Agreement establishes the number, job title and authorized salaries of unclassified appointed employees for the Elected Official's office. Compensation reviews the Letter of Agreement for conformance to the compensation policy and the Finance Department reviews the petition for compliance with the adopted budget. After determination that the Letter of Agreement is in compliance with Compensation Policy, the approved document is filed in Compensation to assure compliance throughout the fiscal year, and also filed with the Court, as required by state law.

Reclassifications and other administrative adjustments during the year must comply with the adopted budget for that office for that fiscal year.

E. Failure to be Reappointed/Loss of Appointment

"Fall-back" eligibility is determined pursuant to the Shelby County Code of Ordinances, Chapter 12, Article II (Civil Service Merit System).

If eligible for fall-back rights, the employee may return to a classified position as set forth more fully in the Shelby County Code of Ordinances, Chapter 12, Article II (Civil Service Merit System). Salary determination shall be consistent with what the employee **earned** at the classified level had he/she not accepted the appointment. However, in no event should there be a loss or gain in classified pay or grade when returning to classified status.

VI. JOB DESCRIPTIONS

A. Role of Job Descriptions

A job description describes an employee's specific duties and responsibilities. The accuracy of the job description is essential to the Shelby County Government classification system. Among other uses, the job description ensures proper grade assignment and placement in the hierarchy of positions county-wide.

- All positions must have job descriptions on file in Compensation.
- All employees should be provided with a copy of their job description.
- Each department head should maintain a job description on file for each employee.
- Job descriptions should accurately reflect the major duties the employee is required to perform.

B. Job Description Format

- **Job Identifier/Information**
  Includes department name, job code, job title, job grade, and FLSA designation.

- **Job Summary**
  Summarizes the major responsibility/function of the job.

- **Reports To**
  Identifies title/management level the position reports.

- **Duties and Responsibilities**
  The job description is a written statement of duties and responsibilities. It should list the major and most important tasks performed in the job. The description should not list every individual responsibility or duty of the position but should describe the major responsibilities of the job.

- The last entry in the "Duties and Responsibility" section of every job description should include the statement, "**Performs related responsibilities as required or directed.**" This statement is referred to as the "Disclaimer". It encompasses those job responsibilities that are not specifically listed in the job description.

- **Minimum Qualifications**
  Education, training, experience, licensing or certifications and any other qualifications necessary to perform the job should be included in the minimum requirements. These requirements must be the

minimum required to perform the job. These requirements should not be based on the incumbent in the position.

- **Knowledge, Skills and Abilities Required**
  List special or unique knowledge, skills, and/or abilities required to perform the job

C. Job Description Changes

When job responsibilities change, the job description should be updated and sent to Compensation for review.

A **significant change** in the major responsibilities requires a job evaluation to ensure the correct grade assignment. (See "Job Evaluation" section)

It is the responsibility of management to ensure job descriptions are accurate, up-to-date, and on file in Compensation.

VII. FAIR LABOR STANDARDS ACT

A. Overview

The Fair Labor Standards Act of 1938, as amended (referred to as "FLSA" or "Act"), provides for minimum standards for both wages and overtime entitlement, and spells out administrative procedures by which covered work hours must be compensated. Included in the Act are provisions related to child labor, equal pay, and portal-to-portal activities.

B. Exempt vs. Non-exempt

An *FLSA exempt* employee is one who *is not covered* by the minimum wage and overtime provisions of the FLSA.

An *FLSA nonexempt* employee is one who *is covered* by the minimum wage and overtime provisions of the Act. Non-exempt employees are eligible for overtime.

C. Overtime

It is the philosophy of Shelby County Government that overtime is distributed as fairly and equitably as possible among employees covered by this Policy who are in the job classification needed to do the work within that department. **Employees who are designated as non-exempt**, as defined under the provisions of the FLSA by Human Resources, are eligible to receive overtime pay at one and one-half times the normal rate of pay.

D. Compensatory Time

Compensatory time off may be provided in lieu of overtime pay. Overtime pay refers specifically to the overtime pay thresholds for job classifications pursuant to the FLSA. Such overtime pay rates will not be less than one and one-half hours for each hour of employment for which overtime is worked.

FLSA status is designated on Shelby County Government job descriptions. For further information contact Compensation.

VIII. JOB EVALUATION

A. Overview

A job evaluation is an analysis of the duties and responsibilities of the job. The job evaluation identifies and determines the value of the job in relation to all other jobs based on both internal and external factors. In a job evaluation, only the job is evaluated and not the person holding the job. The job evaluation does not consider the employee's performance or the years of service of the employee. A job evaluation should not be used as a predisposition for a salary adjustment.

If pay is a concern, a request for a salary review should be submitted to Compensation (See "Pay Exceptions" section).

A job evaluation provides for the grouping of positions which contain similar duties and responsibilities and which require similar qualifications, knowledge, skills and abilities.

A job evaluation is initiated when a new position is developed or the duties of an existing position are significantly and substantially changed on a permanent basis.

If a position has been reviewed for correct grade assignment, the position cannot be submitted for another job evaluation for at least 12 months since the last job evaluation.

Temporary employees cannot be reclassified as a result of a job evaluation.

B. Job Analysis

The basis of a job evaluation is the job description. An accurate listing of the major duties and responsibilities of the job must be assembled to begin the process. An analytical review is then initiated to determine, among other factors, the complexity of the position, the scope and effect of the position, guidelines governing the work performed and supervisory controls.

A written analysis that identifies and analyzes the primary duties and responsibilities of a position is developed. A grade is then assigned which places the job in the hierarchy of existing positions. Job evaluations establish grades which maintain equity between jobs.

C. Procedure to Request a Job Evaluation

A written request to the Human Resources Administrator from the Elected Official, Division Director or Chief Administrative Officer or their designee to evaluate the position for proper classification must be provided.

The request should include:

- A job description or a listing of job duties and responsibilities.
- An organizational chart depicting the position within the department or area.

D. Approvals

Once the request is submitted, Human Resources Compensation will ensure the completion of an accurate job description and determine grade assignment. It is essential that the integrity of the job evaluation system is maintained to ensure equitable grade assignments and to help build confidence that grade assignments are free from irrelevant influence.

[*The Classification Committee of the Civil Service Merit Board is responsible for hearing/reviewing the establishment, reclassification, and appeal of grade assignment for positions grade 49 or above. Grade assignments are also confirmed by the Civil Service Merit Board.*]

IX. JOB GRADES/SALARY RANGES

A. Job Grades

The grade of a position is a numerical level in the Compensation Classification Plan. The grade is assigned through a job evaluation of the position. The job evaluation determines the relative value of positions within a hierarchy of positions. The grade assignment of each position carries a range of pay for the position. The pay level of each employee is determined by the employee's job title/position and corresponding grade assignment. However, pay for employees within the same job title may vary based on length of service, experience, promotion or other factors.

B. Salary Ranges

Based on the duties and responsibilities involved, each non-bargaining unit position is assigned a job grade. Each job grade is assigned a range of pay consisting of a minimum to a maximum amount.

There are 29 grades in the Pay Range Structure of Shelby County Government. The grades range from 35 to 63.

The salary ranges were established to allow for flexibility in hiring experienced individuals and to ensure Shelby County Government's ability to compete with other organizations to obtain qualified individuals in a competitive job market.

The minimum of the salary range represents the lowest salary applicable for jobs assigned to that particular grade. The maximum of the salary range represents the highest salary applicable for jobs assigned to that particular grade. The midpoint of the range generally reflects the market rate for the job.

No employee shall be paid below minimum of the designated salary range for the job.

The Pay Structure is reviewed annually by Compensation to determine market competitiveness.

X. BONUS AWARDS

Annual bonus pay awards may be considered for employees with outstanding performance subject to allocation of funding availability in the adopted fiscal year budget.

XI. GENERAL ADJUSTMENTS

An annual general adjustment occurs when the Shelby County Board of Commissioners approves a general pay adjustment for all eligible County employees.

A. Eligibility

All permanent employees are eligible for the General Adjustment.
To complete eligibility for the adjustment, employees are required to have a current annual performance evaluation with a rating of at least "Achieves/Competent". The employee performance evaluation must be documented and filed in the Human Resources Department within the last six (6) months proceeding the effective date of Compensation Policy.

Temporary employees are not eligible for the General Adjustment.

Employees on leave of absence or who have a major disciplinary action within the last 12 months are not eligible.

The Mayor's salary is set by the Shelby County Board of Commissioners.

Bargaining unit employees shall receive the same percentage general salary increase approved for all permanent Shelby County employees by the Shelby County Board of Commissioners for the fiscal year, unless specified otherwise by the Memorandum of Understanding.

B. Original Employment Probation

Employees hired at the salary grade minimum who have not completed the original employment probation period of six months at the effective date of the general increase remain at their current rate of pay until the probationary period is completed. At the completion of the probation period they shall receive the general adjustment provided performance is at the "Competent/Achieves" level. A written performance appraisal documenting performance proficiency is required.

C. Performance Probation

If an employee's job performance has been determined to be below competent or not meeting standards and documented, an employee may be placed on performance probation for a set period of time that is sufficient (generally 90 days) to allow the employee to improve performance.

At the end of that time, another written evaluation should be conducted to determine if the employee's performance is at an acceptable level. If the performance has improved and it is documented by the performance review, a salary change should be initiated to provide the general adjustment effective the first day of the pay period the performance review is completed and submitted. A general adjustment will not be provided unless the required documentation is provided.

D. Major Disciplinary Action

A major disciplinary action is defined as an inappropriate action or conduct by an employee that results in demotion, disciplinary probation, or disciplinary suspension.

Employees, who are on performance probation subject to specific remedial improvement standards at the time of the general increase, must satisfy the remedial performance standards satisfactorily before receiving the general adjustment and will not be retroactive to the effective date of the general adjustment.

E. Leave of Absence

Employees who are on an approved leave of absence as of the effective date of the general increase will be covered by provisions of this Policy the day they return to active work status.

F. Termination

Employees who have terminated and ceased active work on or before the effective date of a general adjustment because of retirement or any other reason but who are still on the active payroll system because of payoff for accrued leave, etc., will not receive any increase in pay.

XII. SALARY ADMINISTRATION

A. Exclusions

- Employees in grant funded positions, where the grant has budgetary limitations.
- Employees whose salaries are set by state legislative act.
- Employees covered by a Memorandum of Understanding.

B. Employment

1. New Hires

New hire employees are generally placed at the minimum of the salary range of the corresponding grade.

a. Pay Above Minimum

Employees who bring significantly greater qualifications to the position may be hired at rates above the minimum.

Other factors that may influence a rate above minimum include recruiting problems associated with filling the position, a specialized/technical field, and/or uniqueness of the job.

Compensation must be consulted prior to a job offer with a rate above minimum, to ensure the pay rate does not create inequity with employees in the same position.

Hiring criteria may be developed by Compensation for unique positions to provide specific guidelines for hiring rates.

b. Factors To Consider When Hiring Above the Minimum Rate

- The applicant's education and work experience should exceed the minimum requirements for the position.
- Internal equity must be taken into consideration. Salaries and qualifications of current employees in the same position within the department/county should be considered to ensure that new employees with lesser qualifications are not hired with a salary greater than current employees.
- **No applicant should be hired above midpoint of the range for the position.**

c. Probation

New employees hired or rehired into a permanent or durational position must successfully complete a probationary period of not less than six (6) months.

Before the end of the probationary period, a performance evaluation should be completed to document performance during the probationary period.

Until probation is completed satisfactorily, classified employees do not attain classified status entitling them to the rights, privileges, and protection of the Civil Service Merit System.

2. **Temporary Employees**
   Temporary employees are hired at entry of the position. Any exception must be approved by the Human Resources Administrator.
3. **Reinstatement**
   Any employee who held regular or durational status, and who separated in good standing may be reinstated under the following conditions:

   - Return is within two (2) years of termination.
   - Re-entry into the County's employment system is made through the normal hiring process.

   Reinstatement will entitle the employee to service credit for time earned during the previous employment period, which will provide the employee with an adjusted service date "for benefit purposes". Civil Service status is also retained when a former employee is reinstated, which makes the employee eligible immediately for annual, sick and bonus leave as it is accrued.

   No accrued leave left on the books from the previous employment period may be retained.

   Reinstated employees return to previously held position may receive the rate of pay paid at the time of separation provided the rate of pay is within the salary range and does not exceed maximum of the range.

A former employee of County government who has been gone from employment for more than two years and is returning to County employment will be re-employed or rehired as a new employee without prior service credit or benefits. The rate of pay will be determined based on the new hire pay policy (see Salary Administration – New Hire). Employees who are reinstated and were in Retirement Plan B during their previous employment period must enter as a new employee into Plan C. Reinstated employees who were previously in Plan A receive prior pension service credit. Contact the Retirement Office for additional information.

4. **Return from Military Active Duty**
   Any employee who leaves or has left the County's employment to enter active duty with the Armed Forces of the United States and who subsequently is reinstated to a previously held position, may be reinstated at the rate of pay to which the employee would have been entitled had County service not been interrupted by service in the Armed Forces.

C. Promotion

A promotion is the advancement to a different job classification with a higher salary grade.

1. **Eligibility for Promotion**
   - Completion of the original six (6) months new employment

probation.
- At least six (6) months in the position.

2. **Pay Increase**
   The successful candidate for promotion to a higher pay grade shall receive up to a 5% increase or minimum of the new range (whichever is greater) for the promotion increase.

   No additional pay increase is provided (other than a General Increase).

3. **Probation Period after Promotion**
   Current employees who are promoted must serve a 90 or 180 day probation in the new position. The length of probation is based on department practice.

D. Demotion

A demotion is defined as the movement of an employee from a job assigned to one grade to a job with a lower grade.

An involuntary demotion will result in a reduction in salary of at least 5%, generally not to exceed 15%. If the reduction exceeds the maximum of the range, the salary will be reduced to the maximum. No employee may exceed maximum of the salary range of the grade assigned.

When an employee initiates a transfer to a lower graded position by request or through applying internally for posted jobs, the pay rate is determined based on consideration of pay rates of current employees with equal or greater years of experience in the same job classification in the department where the employee is transferring.

E. Temporary Demotion

A Temporary Demotion may be imposed for a specified period of time for having committed a major infraction (major disciplinary action). After completion of the designated period of demotion, the employee is returned to original status.

Normal demotion guidelines apply.

F. Return to a Previously Held Position

Current employees who return to a previously held position within six (6) months may return to the rate of pay earned prior to the promotion to include any recently awarded general adjustment. No gain in salary resulting from the promotion is to be realized if the employee served less than six months in the promoted classification.

A salary reduction may be required as a result of

- disciplinary action or
- change in grant funding.

Such pay reductions must be approved by the Appointing Authority and the Human Resources Administrator.

G. Lateral Transfers

A lateral transfer is defined as movement of an employee from one position to another with the same pay grade. This type of movement results in no change in pay.

H. Reassignments

An employee, at the discretion of the appointing authority or a designated representative, may be reassigned from one position to another in the same class provided the employee meets or exceeds the minimum acceptable qualifications of the position. The employee shall retain the same status and pay in the new position that he/she had in the previous position in the same class. An employee who is reassigned does not have the right of appeal.

I. Bargaining Unit

Pay of Bargaining Unit employees are governed by the Memorandum of Understanding for their respective group.

J. Displaced Employees

Employees who become displaced by a reduction in the work force and are subsequently placed in a new classification in a lower pay grade are to be placed between the minimum and midpoint of the range in their new pay grade. Salary is set based on consideration of pay rates of current employees with comparable years of experience. The final rate of pay is contingent upon

- internal equity;
- budgeted funds being available and the salary being available; and
- consistency with the Salary Petition or Letter of Agreement, where applicable.

K. Grant Changes

1. Change in Position

Employees who experience changes to their position based on grant funding will have their pay set based on the new position and pay grade assignment. Promotion, demotion, or transfer policy will apply based on availability of funds.

2. Return to Original Position

Employees who return to their original position within 24 months due to the restoration or renewal of grant funds may be placed at their previous pay grade and rate, provided funds are available.

L. Change in Job Type or Status

At any time it is contemplated that a job position may change in type (i.e. classified to unclassified, or vice versa), or change in status (i.e. permanent to temporary, full-time to part-time, regular to durational, or vice versa); the prospective change must be submitted to the Human Resources Administrator for review and approval as applicable.

M. Certifications/Licenses

Pay for certification is generally not provided.

XIII. PAY EXCEPTIONS

Requests for exceptions to the Compensation Policy must be made in writing to Administrator of Human Resources. Full documentation detailing the rationale and circumstances of the request must be included. The request must be approved by the Elected Official and/or their designee. The Administrator of Human Resources has final approval of pay exception requests.

A. Equity Adjustments

A pay adjustment for equity purposes may be made as a result of a review/study by Compensation. Such an adjustment is designed to ensure equity in pay levels internally and/or externally. An equity adjustment is not designed to provide a reward for job performance, long term service or other reasons of this nature.

B. Salary Compression Adjustments

Salary compression may result from a subordinate with a higher salary because of special skills or market demands being compensated higher than the management level to which the subordinate reports. The immediate management level may be eligible for up to a 5% salary increase above the subordinate to alleviate salary compression.

In the event the subordinate is paid additional pay for possession of license or certification, the management level shall not be paid additional unless the management position is required to posses the same or higher credential of that skill set.

C. Out of Class

Out of class assignment is defined as a temporary condition that requires an employee in a lower graded position to perform the duties of a higher graded position. Medical leave of absence, job vacancy, budget restraints are typical types of conditions that may result in an out of class assignment. The following conditions apply.

- The employee assumes at least half of the major duties and responsibilities of another position.
- The assumed duties are clear distinctions from the other position.
- The situation must be temporary.

- Temporary employees are not eligible for out of class if permanent employees are available to assume the additional duties.

The assumption of the additional duties must be fully documented

An employee must be assigned an out of class assignment of at least 60 days prior to becoming eligible to receive out of class pay.

Up to a 5% salary adjustment may be provided. At the end date of the assignment, the increase in pay will be withdrawn.

The effective date for pay eligibility for performing out of class work is the date approved by Human Resources based on timely notification by the department of the 'out of class' pay need as described above.

XIV. EMPLOYMENT SEPARATION

Employment separation may be voluntary (i.e. resignation) or involuntary (i.e. layoff; discharge for cause). The separation date is the effective date of the resignation or discharge as approved and recorded in the master personnel file.

A classified civil service employee may be dismissed for just cause. Any termination for cause can be appealed to the Civil Service Merit Board, if the employee has successfully completed new employment probation.

Unclassified employees are not eligible for appeals before the Civil Service Merit Board.

Final Pay at Separation

1. Payment of final earnings resulting from employment separation will be made in one check no later than the next pay date following termination. This payment will include all accrued annual and bonus time for exempt employees. Compensatory time may be included for employees with non-exempt status (with documentation). This does not apply to any employee retiring under the Shelby County Retirement System.

2. Accrued but unused annual leave, bonus days and compensatory time must be verified and computed by the terminating department. Leave calculations will be submitted on the subsequent payroll sheet and forwarded to the Finance Department.

3. It is the responsibility of the department to forward immediately to the Human Resources Department, the appropriate forms that indicate termination as soon as the date of termination is known. No payment for leave is permissible without a written resignation or other appropriate termination document.

4. Should accrued annual leave, bonus days, and/or compensatory time extend final pay for more than one pay period, the terminating department should pay out the employee with one check for all remaining pay.

5. The amount of the final pay will be charged to the appropriate salaries and labor account of the terminating department.

6. In no event, will an employee at the time of job severance be paid vacation pay if the employee has not successfully completed the new employment probation.
7. The maximum amount of payout for annual leave at termination is one and one-half times the amount of leave the employee can earn in one year.

8. Retiring employees on leave cannot accrue additional leave of any kind.

XV. LEAVE PAY POLICY

A. Annual Leave Pay Policy

Pay in lieu of vacation is not permitted, except at termination.

B. Sick Leave Pay Policy

For the purpose of calculating leave credit, credit includes all continuous work time spent as a full-time or part-time regular or durational employee of the County. Continuous permanent service with the City of Memphis, Attorney General, or Agricultural Extension Service immediately prior to a direct transfer to County employment is also creditable. This does not include temporary service.

This sick leave credit is relinquished once an employee terminates employment.

XVI. The Compensation Policy is a guide on pay matters for a given year. This policy is approved annually by the Board of Shelby County Commissioners. The Administrator of Human Resources, subject to the approval of the County Mayor, is authorized to make any necessary administrative interpretation concerning the Compensation Plan not inconsistent with any existing personnel law.

Notwithstanding the provisions of the Civil Service Merit Act, this Compensation Policy supersedes previous salary policies, personnel systems, plans or guidelines and will remain in effect until a subsequent plan is approved by the Board of Shelby County Commissioners.

XVII Fiscal Year 2009 - 2010 Pay Plan Directives

A. General Increase

No general increase is authorized for this fiscal year.

B. Hiring

Hiring is limited to a demonstrated critical need affecting County services and/or operations conditional on availability of funds and/or the authorization of the funding source consistent with prevailing resolutions adopted by the Shelby County Board of Commissioners.

C. Reclassifications

Approved job evaluations resulting in reclassification to a higher salary level are not authorized unless otherwise provided by the approved budget of the funding source, consistent with prevailing resolutions adopted by the Shelby County Board of Commissioners

SHELBY COUNTY GOVERNMENT
SALARY RANGES
2009-2010

GRADE	MINIMUM	MIDPOINT	MAXIMUM
63	$110,109	$132,131	$154,153
62	$100,556	$120,667	$140,778
61	$91,832	$110,199	$128,565
60	$83,865	$100,638	$117,411
59	$76,589	$91,907	$107,225
58	$70,265	$84,318	$98,371
57	$64,463	$77,356	$90,248
56	$59,688	$71,626	$83,563
55	$55,652	$66,783	$77,913
54	$52,011	$62,413	$72,815
53	$48,608	$58,330	$68,051
52	$45,851	$55,021	$64,191
51	$43,466	$52,159	$60,852
50	$41,396	$49,675	$57,954
49	$39,425	$47,310	$55,195
48	$37,548	$45,058	$52,570
47	$35,772	$42,927	$50,080
46	$34,116	$40,939	$47,762
45	$32,592	$39,111	$45,630
44	$31,128	$37,354	$43,579
43	$29,676	$35,611	$41,546
42	$28,340	$34,008	$39,676
41	$27,050	$32,460	$37,870
40	$25,800	$30,960	$36,120
39	$24,600	$29,520	$34,440
38	$23,500	$28,200	$32,900
37	$22,460	$26,952	$31,444
36	$21,470	$25,764	$30,058
35	$20,500	$24,600	$28,700
34	$19,800	$23,760	$27,720
33	$10,800	$15,800	$20,800