

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> <b>Standard Operating Procedures</b>		
<b>Policy Name:</b> Salary Regulations		
<b>Policy Number:</b> 104.29	<b>Effective Date:</b> 10/24/2017	<b>Page Number:</b> 1 of 8
<b>Authority:</b> Commissioner	<b>Originating Division:</b> Administration & Finance Division (Human Resources)	<b>Access Listing:</b> Level I: All Access

**I. Introduction and Summary:**

The Georgia Department of Corrections (GDC) will provide employees equitable and adequate compensation in compliance with applicable federal and state laws, rules, and regulations. Compensation levels will be based on objective, job-related factors and the qualifications and performance of job incumbents.

**II. Authority:**

- A. State Personnel Board Rules: 478-1-.12, 478-1-.15, and 478-1-.24;
- B. GDC Standard Operating Procedures (SOPs): 104.07 Position Actions, 104.09 Filling a Vacancy, 104.14 Review of Applicant Qualifications, 104.15 Work Test and Permanent Status for Classified Employees, 104.25 Transfers-Internal and From Other State Agencies, 104.61 Performance Management, 104.64 Adverse Actions (Classified Employees), and 104.65 Adverse Actions (Unclassified Employees); and
- C. ACA Standards: 2-CO-1C-22, 1-CTA-1C-09, 1-CTA-1C-10, 4-4065, and 4-4066.

**III. Definitions:**

- A. **Advance Hires** - Employees who are hired at a salary above the pay grade minimum due to the employee possessing unique skills, fluent multi-lingual or special licensure, or due to the position having a history of recruitment problems.
- B. **Appointing Authority** - Individual specifically designated by the Commissioner to make decisions that directly affect the status of persons employed by the agency.
- C. **Conditional Pay Supplement** - A temporary supplement added to base pay that continues as long as the employee meets the qualifying conditions. These supplements are discontinued whenever the qualifying conditions no longer apply.
- D. **Criteria-Based Increase** - Increases to base salary of employees who meet established criteria. The new salary must conform to the salary range for the job to which the employee's position is allocated.
- E. **Demotion** - Movement of a qualified employee to a job on a lower pay grade within the same pay plan. When moving between two different pay plans, a pay grade is deemed lower when it's market average or midpoint salary is 5% or more below the market average or midpoint of another pay grade.

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- F. **Entrance Salary** - The minimum salary set by the pay grade to which the person is hired, promoted, transferred, or demoted.
- G. **Job Minimum** - The pay grade minimum established as the hiring rate for each job.
- H. **Job Reassignment** - When the pay grade of a job is changed.
- I. **Performance-Based Increase** - A salary increase based on an employee's performance which meets or exceeds performance standards.
- J. **Promotion** - The selection of an employee to fill a vacant position in a job on a higher pay grade, or the reallocation of the employee's current position to a job on a higher pay grade.
- K. **Rehires** - Former employees from any State Agency who return to State employment.
- L. **Salary Increase** - An increase made to the salary of an employee who meets or exceeds performance standards, when such adjustment is necessary to meet departmental objectives. The new salary must conform to the salary range for the job to which the employee's position is allocated.
- M. **Salary Reduction** - When the salary of an employee is reduced to a lower amount without a change in the employee's job or pay grade.
- N. **Transfer to a Different Job** - The selection of an employee to fill a vacant position in a different job on the same pay grade.
- O. **Transfer Within Job** - The selection of an employee to fill a vacant position in the same job.
- P. **Working Test** - A probationary period of employment for a classified employee during which the employee must demonstrate to the Appointing Authority the knowledge, ability, aptitude, and other necessary qualities to perform satisfactorily the duties of the position in which employed.

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**IV. Statement of Policy and Applicable Procedures:**

**A. Entrance Salary:**

1. New Hires: New employees will be compensated on the pay grade minimum for the job in which they are hired. Exceptions will be designated as advance hires (See A.2 below).
2. Advance Hires: The Appointing Authority must submit advance hire requests and justification to the Director, Human Resources. Approvals for compensating employees above the pay grade minimum may be based on one or more of the following factors: 1) applicants who possess unique skills; 2) jobs which have a history of difficult recruiting; or 3) limited applicant pools.
3. Rehires: Former Correctional Officers, Correctional Officers/Farm Services, Transfer Officers, Sergeants, Lieutenants, or Chiefs of Security returning to the same jobs, may be rehired to enter at target salary for the job or up to the same salary as when separated if the employee separated under good terms and performance met standards after consultation with the appropriate Region Director.

**B. Salary Adjustment:**

1. Job Reassignment: If a job is reassigned to a different pay grade, the salary of employees in positions assigned to that job will not change. Exceptions require budgetary approval and approval of the Department Human Resources Director.
2. Promotion:
  - a. Qualified employees may be selected to fill a vacant position in a job on a higher paygrade or may have their current position reallocated to a job on a higher paygrade.
  - b. Promoted classified employees must serve a twelve month working-test period.
  - c. If a classified employee is promoted to an unclassified position, the employee's status will change to unclassified. The employee must complete an Acknowledgement for Employees Changing to an Unclassified Position (Attachment 1). This signed form must be submitted with the Personnel Action Request (PA) for promotion.

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- d. Retroactive payments are not permitted.
  - e. Upon promotion, an employee's salary will be increased by at least 5% but no greater than 10% without the approval of the Department HR Director.
  - f. Salaries meeting the new job minimum, which is more than 10% above the employee's current salary, will not require additional approval.
  - g. Upon promotion, an employee may voluntarily agree to accept no increase in salary; however, that salary will not be below the minimum for the new job. Prior to a promotion without increase, the employee will complete a written statement acknowledging the conditions of the promotion. The written statement will be maintained in the employee's local and official personnel file.
  - h. An employee whose salary is above the pay grade maximum for his or her current job will not be eligible for an increase at the time of promotion, unless the maximum salary for the new pay grade is greater than the employee's salary prior to promotion.
3. Demotion:
- a. Status of a classified employee after a demotion will be working test, unless the employee previously held permanent status in the new job, then the status will be permanent.
  - b. Demotion (Voluntary):
    - i. If an employee prefers to be assigned to a position in a job on a lower paygrade, the Appointing Authority may make such demotion. This would occur when a qualified employee applies for and is selected to fill a vacant position in a job on a lower paygrade; or the employee agrees to perform newly assigned duties that require the current position to be reallocated to a job on a lower paygrade.
    - ii. An employee must submit a written statement for a voluntary demotion, identifying the job and acknowledging the loss in pay. This statement must be attached to the PA for the demotion.



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- d. For an employee remaining on their current position, in addition to the PA referenced above, a separate PA and Position Information Form to reallocate the position to a higher/lower level job must be prepared and submitted to the CHRM Job Evaluation Unit.
5. Transfer:
- a. An employee who is transferred to a new job on the same pay grade will be paid on the same salary which the employee received prior to transfer.
  - b. Employees who are laterally transferred with no change in salary may be eligible for special salary considerations under Flexible Salary Administration (See IV.C. below).
- C. Flexible Salary Administration: Conditions may exist whereby adjustments to salary become necessary. Such adjustments may be processed as either criteria-based adjustments or conditional pay supplements.
- 1. Criteria-Based Increase: Criteria-based increases are used for the following:
    - a. Permanent changes in responsibilities that do not warrant reallocation of the position to a job on a higher pay grade. Such changes must be documented in the performance plan, reflecting significant changes in variety, complexity, or scope of responsibilities/competencies through job growth.
    - b. Establishing equitable salary relationships among employees performing the same type and level of work. Factors that should be considered include education, skills, competencies, and/or contributions to the agency's objectives.
    - c. Retaining high-performing employees and reducing turnover as a result of labor market changes when incumbents are performing duties key to business objectives of the agency.
    - d. Requests for new criteria-based plans, with supporting justification, must be submitted to the CHRM Job Evaluation Unit.
    - e. Plans for criteria-based adjustments are finalized by the CHRM Job Evaluation Unit and are filed with the DOAS Human Resources Administration.

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2. Conditional Pay Supplement: Conditional pay is administered for the following:
    - a. Skills, working conditions, scope of responsibilities, or other factors differentiating position responsibilities from those more generally described in the official job description. Conditional pay should be discontinued whenever the qualifying conditions no longer apply.

**Examples:** Correctional Officers who are members of Correctional Emergency Response Teams; employees with direct involvement in the execution of offenders.
    - b. Requests for new conditional pay plans, with supporting justification, must be submitted to the CHRM - Job Evaluation Unit.
    - c. Plans for Conditional Pay Supplements are finalized by the CHRM - Job Evaluation Unit. Each plan must be approved by the Office of Planning and Budget and DOAS/HRA.
    - d. Conditional pay will not be included as a basis for calculating pay upon promotion, demotion or transfer. Conditional pay must be used in calculating FLSA overtime payment for nonexempt employees.
- D. Performance Based Increases:
1. An employee is eligible for a salary increase based on performance that meets or exceeds minimum criteria established by the agency. The Commissioner will determine, in accordance with the intent and appropriations of the General Assembly, when increases will be available to employees and how the increases will be applied to the employees' base salary.
- E. Salary Reductions:
1. Salary reductions may be made for disciplinary purposes, budgetary purposes, or on a voluntary basis. If salaries are to be reduced on a voluntary basis, there must be a written agreement signed by the affected employee and maintained in the employee's local and official HR file.
  2. A salary reduction may be effectuated by a five (5) % reduction or more to current salary. Salary reductions, may in some circumstances, such as an adverse action, be lower than the pay grade minimum salary. Typically, salary cannot be lower than the pay grade minimum if an adverse action is not involved.

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3. An employee whose salary has been reduced on a voluntary basis will retain eligibility for the salary received prior to the reduction. The Appointing Authority may restore such salary the first day of any pay period following reduction after receiving approval from the Director of Human Resources.

**V. Attachments:**  
 Attachment 1, Acknowledgement for Employees Changing to an Unclassified Position.

**VI. Record Retention:**  
 Upon completion, Attachment 1 shall be retained permanently in the HR File.