

POLICY

SUBJECT: Compensation
NUMBER: HR-417-18
APPLICABLE TO: All DJS Employees

APPROVED: _____ /s/ signature on original
Sam Abed, Secretary
DATE: _____ 2/15/18

- I. POLICY**
Maryland Department of Juvenile Services (DJS) provides for the consistent and equitable administration of compensation practices in accordance with applicable federal and state laws, regulations, and guidelines. This policy applies to all Offices/Regions/Facilities within DJS. Each Office/Region/Facility within DJS shall work with the Office of Human Resources to ensure the fair, equitable, and consistent application of this policy.
- II. AUTHORITY**
- A. Md. Code Ann., Human Services, §9-203 and §9-204
 - B. Md. Code Ann., State Personnel and Pensions, Titles 7 and 8
 - C. Salary Guidelines for the Standard Salary Plan issued by the Department of Budget and Management (DBM)
 - D. American Correctional Association (ACA) Standard, 4-JCF-6C-12
- III. DIRECTIVES/POLICIES RESCINDED**
None
- IV. FAILURE TO COMPLY**
Failure to comply with the Department's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.
- V. STANDARD OPERATING PROCEDURES**
Standard operating procedures have been developed.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
New policy issued.	2/15/18

PROCEDURES

SUBJECT: Compensation
NUMBER: HR-417-18
APPLICABLE TO: All DJS Employees

APPROVED: _____ /s/ signature on original
Lynette Holmes, Deputy Secretary
DATE: _____ 1/23/18

I. PURPOSE

To provide guidelines for the compensation practices for DJS staff.

II. DEFINITIONS

Career Change Demotion means a voluntary demotion from one classification to a classification in a different occupational area with a lower maximum rate of pay, if the lower paid classification is experiencing recruitment difficulties.

Demotion means an employee is changed from one classification to a different classification with a lower maximum rate of pay.

Increment means an annual increase from one step to the next higher step within a salary grade.

Initial Appointment means an employee's first appointment in State service or a returning former Maryland State employee who does not fit the definition for reinstatement under Md. Code. Ann., State Personal & Pensions, § 2-601.

Midpoint means a step midway between the minimum and maximum rates of a salary grade as defined by DBM.

Promotion means an employee advances from a position in one classification to a different position in a different classification with a higher maximum rate of pay.

Reclassification means the change of a position from one classification to another classification and may be to a classification with a higher salary, lower salary or the same salary.

Recruitment Difficulty means the inability to fill a position with a qualified individual in a

reasonable period following a good faith effort to create an applicant pool. Characteristics of recruitment difficulty include multiple recruitment efforts, small applicant pools of qualified individuals (generally three or fewer), or demonstrated labor market shortages in specific occupational areas.

Salary Adjustment means a change of salary for all positions within a classification.

Third quartile means a step representing the 75th percentile of a salary grade as defined by DBM.

III. PROCEDURES

A. **General**

1. Employees are compensated according to the pay plan for their classifications. This policy applies to positions compensated on the Standard Pay Plan. The Standard Pay Plan salary schedules that are applicable to DJS employees are the Standard Salary Schedule (Grades 5-6), and the Physician Salary Schedule (Grades 1-10).
2. The provisions of this policy do not apply to certain positions compensated on the Executive Pay Plan governed by Maryland Annotated Code, State Personnel and Pensions Article, Title 8.
3. The DJS Office of Human Resources (OHR) will calculate salary in accordance with the State Salary Guidelines and this policy, and then will inform the Appointing Authority or designee and the employee of the salary.
4. OHR will ensure employees receive authorized increments as provided in the State budget and in accordance with State Salary Guidelines and other Department of Budget and Management (DBM) directives.
5. OHR shall inform employees who are denied an increment of the reason for the denial and the appropriate appeal procedure. If the increment is denied due to performance, the employee shall be given a **Notice of Denial of Increment for Reasons of Performance (Appendix 1)**.

B. **Salary upon Appointment**

1. The step to be offered current or former State employees, whether designated as a non-Management Service or Management Service position, shall be based on State guidelines for promotion, transfer, demotion, or reinstatement, whichever is applicable.
2. OHR shall make the determination of the specific step to be offered an initial appointment to State service based on providing an increase of 6% over the candidate's current salary. The candidate must produce two pay stubs to verify the salary. If the salary recommended by the Office/Region/Facility exceeds 6%, or the candidate can not verify the salary, the Appointing Authority must justify the reason for the salary. OHR shall complete the Request for Advanced Step and secure approval from the Appointing Authority.

3. When a new employee is appointed at an advanced step due to recruitment difficulty, current employees who are in the same classification, unit, facility, or geographic area may be advanced to the same step as the new employee, with the approval of the appropriate DJS Deputy Secretary and DBM where applicable. If the salary to be offered exceeds that of other employees in the same classification, unit, facility, or geographic area and a recruitment difficulty exists, the salary review will include the cost of increasing the step of current employees to that of the new hire. OHR will notify the Appointing Authority or designee of the results of the salary review and consult to determine the maximum salary to be offered.
4. An initial appointment to State service may be at any step in the established range of a classification up to and including the midpoint for positions not designated as Management Service, or up to and including the third quartile for positions designated as Management Service. If the salary to be offered exceeds the midpoint of the scale for a non-Management Service or the third quartile for a position, OHR shall complete the Request for Advanced Step and obtain the approval from the Appointing Authority.
5. A salary placement above midpoint for a Non-Management Service position requires the approval of the Secretary of DBM. A salary placement above third quartile for a Management Service position is subject to authorization by the Deputy Secretary of Support Services and the approval of the Secretary of DBM. OHR will submit supporting documentation from the Appointing Authority to get the authorization of the Deputy Secretary for Support Services.
6. Within applicable constraints, the Appointing Authority may propose a plan establishing a uniform hiring salary for all initial appointments in specified classifications. The plan shall be based on results of past recruitment activities, labor market data, availability of funds, and other relevant information. The Director of OHR will conduct a recruitment study and will recommend to the Deputy Secretary for Support Services the findings. With the approval of the Deputy Secretary of Support Services, the Director of OHR will submit the plan to DBM and with DBM approval, the Director of OHR will authorize implementation of the plan.
7. OHR shall review all initial appointments above midpoint or third quartile respectively for impact on current staff and available funds, recruitment difficulty, and outstanding qualifications possessed by the selected applicant, which exceed those of other applicants. OHR shall share the results of this review with the Appointing Authority before further processing. If the Appointing Authority wishes to proceed with the selection, OHR shall compile the required documentation and seek the necessary authorizations and final approval by DBM before an offer is made.
8. When OHR grants an employee appointed to a non-Management Service position an advanced step because of recruiting difficulty and the

employee vacates that job or position, OHR may recalculate his/her salary to provide credit only for length of State service; benefit of the advanced step may not carry to the new position when recruiting difficulty is no longer applicable.

9. Only OHR shall make offers of official salary.

C. Emergency Temporary and Contractual Appointments

1. Contractual employee salary shall be determined in accordance with the applicable salary regulations and guidelines.
2. When transferring to a budgeted position, a contractual employee with six months or more of contractual service shall receive service credit for purposes of establishing step placement in the budgeted position.

D. Salary after Reclassification

1. When an employee is reclassified to a class one salary grade higher, the employee shall be placed at the lowest step that provides at least a 6% increase in annual salary.
2. When an employee is reclassified to a class two or more salary grades higher, the employee shall be placed at the lowest step that provides at least a 12% increase in annual salary.
3. When an employee is reclassified to a class with the same salary grade, the employee's salary will remain the same.
4. When an employee is reclassified to a class with a lower salary grade, the employee is placed in accordance with the guidelines for the applicable type of demotion.
5. When an employee is reclassified in the implementation of a new classification or classification series for which a higher salary grade is prescribed, the employee shall be placed at the lowest step that provides a 6 % increase in annual salary.

E. Salary after Transfer and Reassignment

When an employee moves from one position to another position in the same salary grade, the employee's salary will remain the same.

F. Salary after Reinstatement

1. When an employee is reinstated to the same classification that was held at the time of separation, the employee shall receive the current salary grade of the classification. Determination of the employee's step shall be in accordance with the Salary Guidelines for the Standard Salary Plan issued by DBM.
2. When an employee is reinstated to a different classification from the one held at the time of separation, the employee's grade and step shall be in accordance with the Salary Guidelines for the Standard Salary Plan issued by DBM.

G. Salary after Promotion

1. When an employee is promoted to a classification one salary grade higher, the employee shall be placed at the lowest step that provides at least a 6% increase in annual salary.
2. When an employee is promoted to a classification two or more salary grades higher, the employee shall be placed at the lowest step that provides at least a 12% increase in annual salary.

H. Salary after Demotion

1. When an employee is demoted as a form of discipline, the employee shall be placed at the step in the lower grade, which gives credit for service in the higher classification plus credit for service in any classification not having a lower maximum salary than the classification to which the employee was demoted.
2. When an employee accepts a voluntary demotion, the employee shall be placed in the lower paid classification at the pay rate closest to, but not more than, the employee's current salary.
3. When an employee accepts a career change demotion, the employee shall, if possible, be placed in the lower paid classification at the lowest step as approved by the Appointing Authority, which provides no loss in pay.

I. Increments

1. If funds are available in the State budget, a one-step increase shall be granted to an employee paid in a salary grade who is rated Satisfactory or above on the employee's midyear or final Performance Planning and Evaluation appraisal immediately preceding the employee's increment date. Once the maximum rate of the salary grade is attained, no additional steps will be paid.
2. An employee with an entry-on-duty date or who was reinstated between July 1 and December 31 has an increment date of July 1.
3. An employee with an entry-on-duty date or who was reinstated between January 1 and June 30 has an increment date of January 1.
4. When an increment is denied for any of the reasons specified in the Code of Maryland, State Personnel and Pensions Article or a related regulation, the employee is not eligible for a step increase until the employee's next increment date.

J. Salary Adjustment of a Classification

When an employee is in a classification that is adjusted from one salary grade to a higher salary grade, the employee shall retain his/her current step in the higher salary grade.

IV. RESPONSIBILITY

Administrators are responsible for implementation and compliance with this procedure within 30 days of issuance.

V. **INTERPRETATION**

The Deputy Secretary for Support may approve exceptions to this policy that are consistent with the requirements of applicable State laws, regulations, and guidelines.

VI. **LOCAL OPERATING PROCEDURES REQUIRED**

No

VII. **DIRECTIVES/POLICIES REFERENCED**

No policies referenced.

VIII. **APPENDICES**

1. Notice of Denial of Increment for Reasons of Performance



Successful Youth • Strong Leaders • Safer Communities

DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review and Understanding

SUBJECT: Compensation
NUMBER: HR-417-18
APPLICABLE TO: All DJS Employees

I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINT FULL NAME

DATE

WORK LOCATION

SEND THE ORIGINAL, SIGNED COPY TO THE DIRECTOR OF THE DJS OFFICE OF HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL FILE.

State of Maryland
Department of Budget and Management
Office of Personnel Services and Benefits
301 West Preston Street
Baltimore, Maryland 21201

NOTICE OF DISCIPLINARY ACTION

To Employee: You or your representative may appeal this disciplinary action to the Cabinet Secretary of your department (if your agency is not headed by a Cabinet Secretary, appeal must be made to the agency head). The appeal **must** be in writing and filed within 15 calendar days after your receipt of this written notice. Md. Code, State Personnel and Pensions Art. ("SPP"), § 11-109(c). Should you file a timely appeal, your Cabinet Secretary or agency head shall issue to you a written decision on your appeal within 15 days of its receipt (SPP § 11-109(e)); however, the failure of your Cabinet Secretary or agency head to issue a written decision within 15 days constitutes a denial of your appeal. SPP § 11-108(b). Unless that decision is the final administrative decision, within 10 days of a denial you may appeal to the next level of the disciplinary process, where you will have the opportunity to have a hearing on your appeal if it is not resolved. SPP § 11-110.

To Agency: **COMPLETE IN DUPLICATE.** Give one copy to the employee; and retain one copy for your files. Do not send copy to Department of Budget and Management.
This action must be processed via the DBM Office of Personnel Services and Benefits electronic Statewide Personnel System (SPS).

Name of Employee	Classification	SPS Employee ID No.
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Check appropriate box and complete:

Pursuant to Title 11, subtitle 1 of the State Personnel and Pensions Article, and COMAR 17.04.05.04, the above-referenced employee:

- is reprimanded.
- forfeits ____ Annual Leave days.
- is suspended without pay for ____ work days from _____ through _____.
- is denied an annual pay increase effective _____.
- is demoted to _____ at _____, effective _____.
(Classification) (Salary Level)

DATE OF INCIDENT THAT PROMPTS THIS DISCIPLINE: _____

DATE WHEN INCIDENT WAS DISCUSSED WITH THE EMPLOYEE: _____

Explain what the employee did that merits disciplinary action (state the facts): (Attach pages as necessary)

Cite the law(s), regulation(s), or policy(ies) violated:

Copy to Employee: _____ In Person Mailed to: _____
(Date) _____

(Date) (Name of Department) (Name and Signature of Appointing Authority)