

Chapter: Salary Actions
Title: Types of Status Changes

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New

ACA Standard(s): 4-JCF-6C-01, 6C-12

(a) **Policy.**

The Texas Juvenile Justice Department (TJJD) changes employee salaries and provides salary benefits according to rules set by the Texas Legislature.

(b) **Rules.**

(1) **Promotion.**

Promotion is a change in duty assignment of an employee from a position in one classification to a position classified in a higher salary group requiring higher qualifications and higher levels of responsibility. For career ladder/salary adjustment promotion refer to PRS.15.07.

- (A) An employee promoted to a higher salary group shall receive a salary increase of at least a rate one increment or 3.4% higher than the salary rate before promotion or the minimum rate of the new salary group, whichever is a larger amount.
- (B) In exceptional circumstances, with justification, the executive director or the deputy executive director may authorize a salary increase up to the same step/range that corresponds to the employee's former salary.
- (C) For the impact disciplinary action may have on an employee's eligibility for a promotion, see PRS.35.01.
- (D) A current employee promoted to a halfway house or institution position, transporter, or apprehension specialist will be required to pass a drug test.
- (E) A criminal record and driving record check will be conducted on all employees selected for a promotion.

(2) **Demotion.**

Demotion is a change in duty assignment of an employee from one classified position to another classified position that is in a salary group with a lower minimum salary rate.

- (A) When an employee is demoted from a position in Salary Schedule A of the General Appropriations Act (GAA) to a position in a lower salary group in Salary Schedule A of the GAA, the employee will receive a salary rate at least \$30 below the rate the employee received before demotion.
- (B) When an employee is demoted from a position in salary schedule B of the GAA to a position in salary schedule A of the GAA, the employee shall receive a salary rate that is at least 3.4% below the rate the employee received before demotion.
- (C) When an employee is demoted within salary schedule B of the GAA or from salary schedule A of the GAA to salary schedule B of the GAA, the employee will receive a salary rate of at least 3.4% below the rate the employee received before demotion.
- (D) An employee demoted as described above may not receive a salary rate that exceeds the maximum rate of the lower salary group. In addition, an employee demoted may not receive a salary rate that exceeds the employee's salary rate before the demotion.

(3) **Salary Reduction.**

- (A) An employee's salary is not required to be reduced if:
- (i) the employee accepts a position in another classification in a lower salary group in lieu of layoff under a reduction in force; or
 - (ii) the employee is selected for another position in a classification in a lower salary group as a result of applying for the position.
- (B) The executive director may reduce an employee's salary for disciplinary or administrative reasons to a rate in the employee's designated salary group not lower than the minimum rate.

(4) **Reclassification.**

- (A) A reclassification is a change in the classification of a position to another classification at a higher or lower pay group. It is a method of ensuring a position is properly classified under the state classification system. A reclassification is not a way to award an employee for performance.
- (B) Classification determination means the proper definition of an employee's duties and responsibilities and state job classification position as those duties and responsibilities are actually performed by the employee. Reclassifications of a position will comply with the requirements of the Position Classification Act. Reclassifications when determined to be appropriate may be submitted and will be processed in Central Office once each month.
- (C) Reclassification reviews must be requested through the Central Office Human Resources Management Department. The Human Resources Management Department will conduct such reviews by using methods that are commonly used in the field of compensation and approved by the State Classification Office.
- (D) All reclassifications will follow the classification determination procedures as determined by the Human Resources Management Department. Local human resource administrators (HRA) will be the first point-of-contact for institutional reclassification requests. All others must contact the central office classification section of the Human Resources Management Department.
- (E) If it is determined, as the result of a review, that a position should be reclassified to a different classification, the following applies.
- (i) When a position is reclassified to a higher pay group, the employee's salary after reclassification will not exceed the amount of his/her current salary, unless the employee's current salary is less than the entry-level salary of the higher pay group.
 - (I) **Example A:** Current salary group is B7/\$2849 per month.
Recommended salary group is B9/\$2849 per month.
Amount of increase = zero.
Current salary is equal to the entry level; therefore, the employee does not receive an increase in salary.
 - (II) **Example B:** Current salary group is B7/\$2436 per month.
Recommended salary group is B9/entry \$2749 per month.
Amount of increase = \$313 per month.
Current salary is less than the entry of the new salary group.
 - (ii) When a position is reclassified to a lower salary group, the employee's salary after reclassification will remain the same as long as it does not exceed the maximum of the lower salary group.

- (I) **Example A:** Current salary group is A10/\$2161 per month.
Recommended salary group is A9. The entry level for A9 is \$1716 per month and maximum is \$2161 per month.
Amount of increase or decrease = zero.
Current salary is equal to the maximum of the recommended salary group; therefore, the employee does not receive an increase or a decrease in salary.
- (II) **Example B:** Current salary group is A10/\$2227 per month.
Recommended salary group is A9. The entry level for A9 is \$1716 per month and maximum is \$2161 per month.
Amount is decrease = \$66.00 per month.
Current salary group is greater than the recommended salary group maximum; therefore, the employee will receive a decrease in salary.

(iii) Exception.

The executive director or the deputy executive director reserves the authority when justified to instruct the Human Resources Management Department to utilize the salary rules of the state classification act to award a one step (schedule A)/3.4% (schedule B) or a two step (schedule A)/6.8% (schedule B) increase to maintain parity and to prevent compression.

- (F) Reclassifications are not automatic even though a study may indicate that a change in classification is warranted. Reclassifications are considered only if funds are available.
- (G) On September 1 each year, the Human Resources Management Department shall review and certify to the State Classification Office that all job assignments are properly classified according to the Position Classification Act, and report the method the agency used to determine proper classification.

(5) **Temporary Assignment.**

- (A) To facilitate the work of state agencies during emergencies or other special circumstances, an employee may be temporarily assigned to other duties for a period not to exceed six (6) months during a 12-month period.
- (B) During the period of the temporary assignment, the employee will be provided the rate of pay applicable to the position to which the employee is temporarily assigned but is to receive at least the same rate of pay that the employee received prior to the temporary assignment.
- (C) During a temporary assignment, TJJD may not:
 - (i) award the employee a merit salary increase, one-time merit payment, or merit increase-administrative leave; or
 - (ii) promote or demote the employee; or
 - (iii) reduce the employee's salary.
- (D) When the employee's temporary assignment has expired, the employee must return to his/her previously held position and receive the same rate of pay the employee received prior to the temporary assignment, unless the position is posted and the employee is the selected candidate hired to fill the temporary assignment position.

(6) **Temporary Administrative Reassignment for Key Personnel.**

Key personnel are subject to temporary administrative reassignment when such is deemed to be in the interests of the agency, as determined at the discretion of the executive director or designee. Temporary administrative reassignment shall not exceed 90 days, and may include an assignment to a different location or supervisor or to different job duties or no job duties.

During a period of temporary administrative reassignment for key personnel, the agency may not:

- (A) award the employee a merit salary increase, one-time payment, or merit increase-administrative leave; or
- (B) promote or demote the employee; or
- (C) reduce the employee's salary.

(7) Position Reallocation.

If the state classification officer and the state legislature determine that the proper pay for a specific classification description should be in a higher or lower salary group, the position is reallocated.

- (A) When a position is reallocated to a higher pay group, the salary is the higher of:
 - (i) minimum of that group; or
 - (ii) the same salary which the employee would have received if the position was not reallocated. However, the salary may be increased again by a maximum of 6.8%. This adjustment is allowed to maintain equitable salary relationships.
- (B) When reallocated to a lower group, the employee's pay stays the same as long as the new pay range can accommodate the employee's current pay. If it cannot, the employee pay is adjusted to the maximum of the new pay range.

(8) Lateral Transfer.

The salary of a transferring employee will be at an equal rate of pay. Also see PRS.05.19 (relating to Transfers).

(9) Transfer from Exempt to Classified Position.

The salary may not exceed the step/range equal to the salary of the exempt position. (This applies to the executive director, deputy executive director or educational staff).

(10) Death.

The pay of a deceased employee is computed as usual through the end of normal working hours on the day of death. All deductions are made. Refer to PRS.11.05 (relating to Death). The estate of an employee who dies while employed by the state is paid for all of accumulated vacation leave, and sick leave at a rate of one-half of accumulated sick leave or for 336 hours whichever is less.

(11) Housing.

The Appropriations Act allows the executive director to make certain housing available at a monthly rate. Refer to PRS.19.11, relating to Campus Housing for additional information.

(12) Fire Prevention Personnel.

Regular employees who are assigned extra duties in fire prevention are paid as follows:

- (A) Fire chief \$75/month
 - (B) Assistant fire chief \$65/month
 - (C) Fire brigade members \$50/month
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