


Pay Policy

	Louisiana Department of Health (LDH)	
	Policy Number	50.2
	Content	Provides a uniform mechanism/procedure for requesting and granting pay requests
	Effective Date	November 3, 2017
	Inquiries to	Office of Management and Finance Division of Human Resources, Training and Staff Development P. O. Box 4818 Baton Rouge, Louisiana 70821-4818 (225) 342-6477 FAX (225) 342-6892

If there is a discrepancy between an LDH Policy and a Program Office or facility policy, the LDH policy shall govern/overrule/supersede the conflicting section within the Program Office or facility policy.

I. POLICY STATEMENT

It is the policy of the Louisiana Department of Health (LDH) to provide a uniform mechanism/procedure for the requesting and granting of pay requests. All employees shall comply with this policy, Civil Service (CS) Rules and the Fair Labor Standards Act (FLSA) in relation to the administration/application of all compensation practices.

II. APPLICABILITY

This policy shall be applicable to classified jobs in all LDH offices and subdivisions thereof.

III. IMPLEMENTATION DATE

The implementation date of this revised policy is November 3, 2017.

IV. KEYS

- A. Human Resources Director: The custodian of the official personnel file. It could refer to any Human Resources Director whether in a facility, program office, or the central human resources office.
- B. Human Resources, Training & Staff Development (HRTSD): The central human resources office for LDH located in Baton Rouge.
- C. Program office: The headquarters/central offices of the Office of the Secretary/Office of Management & Finance, Medical Vendor Administration, Office of Behavioral Health, Office for Citizens with Developmental Disabilities, Office of Public Health, and Office of Aging and Adult Services located in Baton Rouge.
- D. Facility: Inpatient facilities under the Office of Behavioral Health, Office of Aging and Adult Services, and Office for Citizens with Developmental Disabilities, such as Villa Feliciana Medical Complex, Central LA State Hospital, Eastern LA Mental Health Services, and Pinecrest Developmental Center.
- E. Appointing Authority: The officers and employees authorized by statute or by lawfully delegated authority to make appointments to positions in the State Service.

V. RESPONSIBILITIES

It shall be the responsibility of the Secretary, Undersecretary, Deputy Secretary, and Assistant Secretaries and/or their designees to:

- A. review and approve/disapprove or recommend for approval special pay requests included under Section VI of this policy;
- B. certify that funding is available for the implementation;
- C. maintain records of current approved pay rates and supporting documents and, when necessary, provide a list of all pay rates in use; and
- D. review the pay practices of individual facilities/clinics/divisions/bureaus under their jurisdiction to ensure equity and consistency in the application of special pay and compliance with LDH policies and procedures, CS Rules, and the FLSA.

VI. PAY OPTIONS

- A. Special Entrance/Retention Rates [CS Rule 6.5(b)] - A hiring rate above the minimum of the range authorized by the CS Commission. Special

Entrance/Retention Rates are used when an agency has demonstrated that it is unable to recruit/retain qualified employees.

1. Types of Special Entrance Rate (SER)

- a. Normal SER - A flat rate approved by the CS Commission for a specific job class. All employees in the affected job class and area must be hired at the same rate. Civil Service (CS) does allow flexible implementation of corresponding increases for employees already on board. The LDH rate and the CS rate will always be the same.
- b. Flexible Maximum Hire Rate (FMHR)/Flexible SER (FSER) - A pre-approved rate set by CS and approved by the CS Commission. HRTSD may approve a flat rate up to the pre-approved rate or have an associated chart. Charts are usually based on experience, but may be based on other criteria. The LDH rate and the CS rate may differ.

2. Special Retention Rates (SRR) - Rates used in conjunction with SER. SRR may be requested for job classes in a series that have been or will be affected by the implementation of an SER. (For the retention of individual employees, please refer to LDH Policy on Optional Pay Adjustments.)

3. Requests for SER/SRR shall:

- a. be submitted to the program office on a Request for Special Entrance Rate form. The signature of the appointing authority signifies his/her approval and that sufficient funds are available for implementation;
- b. include information on current status and documentation of retention difficulties, the number of filled and vacant positions, the length of time the positions have been vacant, turnover rate, copies of exit interviews, and verifiable job offers;
- c. include documentation of recruitment efforts, copies of newspaper, professional journal, Internet and/or other advertisements, letters to colleges, universities, or other schools, lists of schools and professional organizations contacted (contact person and phone number must be included), copies of internal announcements and civil service certificates. Information on how many people responded, how many were interested, how many were interviewed, how many declined and for what reasons, and why none were hired must be included for each effort made; more than one recruitment effort should be made before requesting a new pay rate;
- d. include salary data supporting the requested rate, including current,

local/regional salaries in both the private and public sectors (salary data outside the region is generally unacceptable as the basis for the rate requested);

- e. include a description of the relationship between an existing or requested SER if a SRR is being requested; and
 - f. not be made for an SER if no vacancy exists (vacancies are not required when requesting a SRR).
4. Procedures for processing SER/SRR requests
- a. The program office Human Resources Manager shall:
 - 1) review the request for completeness and assure that documentation submitted is appropriate and sufficient;
 - 2) contact facilities under their program office in the affected region to see if they wish to participate and, if so, obtain necessary documents; and
 - 3) submit the request and required documents to HRTSD.
 - b. HRTSD shall:
 - 1) contact other LDH facilities in the region;
 - 2) review data submitted and approve/disapprove the request (All rates must be approved by HRTSD. An office/facility cannot use a FMHR/FSER pre-approved by CS without internal departmental authorization. The effective date of pay actions that only require HRTSD approval shall be the date of the approval memorandum, unless otherwise stipulated);
 - 3) notify CS of internally approved rate; and
 - 4) submit request to CS Commission for approval when required. The effective date of pay actions that require CS Commission approval shall be the date of the CS Commission meeting in which request was approved unless otherwise stipulated. CS may interim approval if requested.

5. Exemptions for approved SER/SRR

All facilities/offices/clinics within the designated area (usually a region) shall be authorized to use an approved rate unless it is limited by HRTSD, or an exemption is

requested in writing by the facilities/offices/clinics due to lack of funds for implementation.

6. Implementation of SER/SRR

The appointing authority shall adjust the salaries up to the approved rate of employees working in the positions to which the SER/SRR applies. The appointing authority may adjust the salaries up to the amount of the percent difference between the SER/SRR and the current hiring rate if funding is available, provided that no salary shall be set above the maximum of the pay range for that job class.

7. Utilization of a Flexible Rate

- a. An appointing authority may approve requests to raise the entrance rate of job classes up to the pre-approved flexible rate. The entrance rate cannot exceed the pre-approved rate set by the Department of Civil Service.
- b. The office/facility Human Resources Manager/Director shall notify HRTSD and the Department of Civil Service of all rate changes in writing.

B. Perquisites (Emoluments/Taxable Compensation) (CS Rule 6.3.1)

1. Please refer to LDH Policy on Emoluments.
2. Each program office shall submit an annual report on taxable compensation to HRTSD at the end of each calendar year.

C. Special Pay/Premium Pay [CS Rule 6.16(a)] - Pay that cannot be tied to market rates or location.

Pay granted for work in extraordinary conditions, unusual situations, unusual market conditions, or hazardous duty. Pay can be monthly, hourly, or daily but for hours worked only.

D. Individual Salary Adjustment [CS Rule 6.16(c)] - Pay granted to individuals by the CS Commission upon the request of the appointing authority with adequate justification and documentation.

1. Pay granted to address hiring/recruitment problems that cannot be addressed by other CS Rules.
 - a) Guidelines

Individual pay adjustment requests for hiring/recruitment should be rare, and used only to address hiring/recruitment problems that cannot be addressed by other CS Rules. This CS Rule can be used when there are recruiting problems, provided all of the following criteria are met:

- 1) other CS Rules cannot solve the problem, e.g., premium pay, special entrance rates, and/or CS Rule 6.5(g);
 - 2) the office/facility making a request must have posted these guidelines;
 - 3) the office/facility must obtain written verification of the prospective employee's outstanding qualifications or other factors pertaining to the request;
 - 4) there is a serious shortage of candidates;
- b) Procedures for hiring/recruitment
- 1) Supervisors/managers should submit requests to the appropriate Human Resources Director for review.
 - 2) If the request meets the criteria given in these guidelines, the Human Resources Director will forward the request to the appointing authority for approval/disapproval.
 - 3) If approved by the appointing authority, the Human Resources Director shall submit the request to the Department of Civil Service. (Refer to the current, yearly General Circular giving dates and locations of CS Commission meetings.)
2. Pay granted to correct mechanics of the pay plan and/or results of classification procedures. (Requests shall be submitted in accordance with procedures set forth in Section VII of this policy.)

E. Optional Pay Adjustments (CS Rule 6.16.2)

For information concerning attracting employees to difficult-to-recruit positions, retaining employees deemed essential to LDH, adjusting pay differentials between comparable employees or compensating an employee for the assignment of additional duties, please refer to LDH Policy on Optional Pay Adjustments.

F. Rewards and Recognition (CS Rule 6.16.1)

For information concerning recognizing and/or rewarding employees for their years of service, educational/training achievements, innovation or initiative, or as employee of the month/quarter, please refer to LDH Policy on Employee Recognition and Rewards.

G. Shift Differential (CS Rule 6.28) - Extra pay afforded those employees whose working hours are other than that considered normal working hours.

1. Payment of shift differential shall only be authorized for jobs where it is necessary in order to remain competitive with the pay practices of market competitors.

2. Each program office must have a written policy/procedure which:

- a) identifies how jobs will be selected to be eligible for shift pay;
- b) establishes a non-discriminatory basis for assigning shifts;
- c) designates what hours constitute the first, second, and third shifts;
- d) designates what days/hours are considered as a weekend/holiday; and
- e) shall be implemented on an office-wide basis and be consistently and uniformly applied within a given office.

3. The Secretary, Undersecretary, Deputy Secretary, MVA Director/Assistant Secretary, and/or their designees may approve payment of shift differentials up to the hourly rates given below if funds are available for implementation. A copy of the approval shall be sent to HRTSD.

a) All Schedules Other than Medical

Evening shift - up to 10% of the hourly rate of the first line supervisor midpoint of the range

Night shift - up to 15% of the hourly rate of the first line supervisor midpoint of the range

Weekend/holiday - up to 15% of the hourly rate of the first line supervisor midpoint of the range

b) Medical Schedule (except RN's)

Evening shift - up to 15% of the hourly rate of the first line supervisor midpoint of the range

Night shift - up to 20% of the hourly rate of the first line supervisor midpoint of the range

Weekend/holiday - up to 20% of the hourly rate of the first line supervisor midpoint of the range

c) Registered Nurses

Evening shift - up to 20% of the hourly rate of the first line supervisor midpoint of the range

Night shift - up to 30% of the hourly rate of the first line supervisor midpoint of the range

Weekend/holiday - up to 30% of the hourly rate of the first line supervisor midpoint of the range

- d) Weekend/holiday rates may be used for all shifts on a weekend/holiday, and may be paid in addition to the regular rate for the evening and night shifts.
 - e) Facilities which operate on 12-hour shifts may use the designated rate for the third shift as compensation for the night shift.
 - f) Those facilities which utilize split shifts may use the designated rate for the third shift as compensation for split shifts.
4. Payment of shift differentials is for actual hours worked.
 5. All employees in the same job title, on the same shift, at the same facility shall receive the same rate.

H. On-Call (CS Rule 6.28)

Compensation (cash payment or compensatory time) given to an employee for hours worked in excess of regularly scheduled hours of duty, when the employee is assigned on-call duty and is available to report back to his/her duty station, work ready within 30 to 45 minutes. The employee is free to move about as he/she pleases, at his/her convenience, so long as he/she remains near any telephone and notifies his/her office of the telephone number where he/she may be reached.

1. On-call compensation shall only be authorized for positions absolutely necessary for services to continue without interruption.
2. On-call compensation may not be granted on a regular basis as a means to supplement salary or leave.
3. On-call compensation shall only be given when an individual is assigned to on-call duty.
4. Each program office in LDH which requires employees to maintain on-call shall establish and post a written policy to provide compensation of such services.

- a) Policies shall be implemented on an office-wide basis, and shall be consistently and uniformly applied within a given office.
- b) Proposed policies must be submitted to HRTSD for review and recommendation for approval by the Deputy Secretary and/or Undersecretary prior to implementation.
- c) Policies must include:
 - 1) job classes and position numbers of incumbents eligible for on-call. If all positions in a specific job class are eligible, a statement to that effect is acceptable;

Note: Position numbers may be added to an approved policy by submitting an updated list of the position numbers to HRTSD and attaching a copy of the list to the policy as changes occur. Job classes cannot be added without approval (see section “d.” below).
 - 2) the amount of compensation to be received by job class; and
 - 3) justification for on-call for each job class.
- d) Deviation from an approved policy shall require the written consent of the alternate policy from HRTSD, Deputy Secretary and/or Undersecretary.
- e) The Secretary, Undersecretary, Deputy Secretary, Medical Director/Assistant Secretary, and/or their designees may approve compensation for on-call up to the rates given below, if funds are available for implementation.
 - 1) \$2.25/hr provided that such pay is recorded in the position control system
 - 2) Compensatory time at the ratio of 1:4 (i.e., one hour of compensatory time for four hours of on-call)
 - 3) Up to 30 minutes of travel time when an employee who is on-call is required to report to work.
- f) Rates above the preauthorized amounts set by CS must be approved by HRTSD and the CS Commission. Requests shall be submitted to HRTSD via letter and include justification, market data, and documentation of significant and specific recruitment/retention difficulties.

I. Pay Upon Promotion (CS Rule 6.7)

Percentages paid upon promotion should be consistently applied in accordance with CS Rule 6.7.

J. Inter-agency Promotion [CS Rule 6.5(h)]

1. An employee who resigns a permanent position in order to accept a probational appointment without a break in service and the appointment would have been considered a promotion according to CS Rule 6.7, may be granted promotion pay by the appointing authority at any time during the first year of employment at the new agency.
 - a) This Rule shall not apply to any employee who was dismissed or resigned to avoid dismissal.

K. Pay Upon Demotion (CS Rule 6.10)

Please refer to LDH Policy on Waiver of Pay Reduction Upon Voluntary Demotion.

VI. PROCEDURES

All pay requests shall be processed as follows unless otherwise stipulated in this policy or related LDH policies.

A. Pay requests initiated by a:

1. Facility shall be submitted through the program office to HRTSD unless a written directive is issued by the Assistant Secretary authorizing the facility to submit them directly to HRTSD. A copy of the directive shall be submitted with the request and remain on file in the program office, facility, and HRTSD for future reference; or
2. Program office (and facility upon written directive) shall be submitted through HRTSD to **CS**.

B. The program office Human Resources Manager shall:

1. Review all requests for completeness and ensure that documentation submitted is appropriate and sufficient; and
2. Obtain the support/approval of the appointing authority. The appointing authority must support the request and certify that funds are available for implementation prior to submission to HRTSD. It is the responsibility of the Secretary, Undersecretary, Deputy Secretary, MVA Director/Assistant Secretary, facility administrators, and OS/OMF Division Directors/Bureau Chiefs to approve the expenditure and to ensure that implementation will not exceed the budget.

C. Pay requests must be submitted to HRTSD with proper documentation at least two weeks prior to the CS submission deadline to be considered at the next CS Commission meeting. Failure to

submit sufficient information/documentation may cause a delay in submission to CS or denial of pay requests by HRTSD. CS deadlines are set annually and issued by general circular.

VIII. EXCEPTIONS

Exceptions to this policy and/or special pay provisions provided for in CS Rules but not addressed in this policy require the approval of all of the following:

- A. MVA Director/Assistant Secretary (if applicable);
- B. Deputy Secretary or Undersecretary; and
- C. CS Commission if required by CS Rules.

VIII. REVISION HISTORY

Date	Revision
December 28, 1999	Policy created
March 23, 2005	Policy revised
April 13, 2005	Policy revised
April 27, 2012	Policy revised
November 3, 2017	Policy revised
June 19, 2019	Housekeeping Change – Reference to Civil Service Rule 6.5g deleted (See LDH Policy #120 – Pay for Extraordinary Qualifications)