

**REVISED CAREER SERVICE RULE REGARDING
SHIFT DIFFERENTIAL**

PLEASE READ AS SOON AS POSSIBLE

TO: Appointing Authorities, Managers and Employees

FROM: Jeff Dolan, CSA Director

DATE: September 12, 2008

SUBJECT: Revision of Career Service Rule 9-61 Shift Differential

The Career Service Board has approved the revision of Career Service Rule 9-61 Shift Differential. The following changes have been made to Rule 9 PAY ADMINISTRATION:

Here is a comparison of the old rule with the new rule:

OLD	NEW
7% evening rate	Same
12% night rate	Same
Non-exempt employees are eligible subject to limited exceptions	Same
Exempt employees are not eligible unless the primary duties of the employee included the supervision of overtime eligible employees who have no subordinate supervisors working an eligible shift.	Exempt employees are not eligible unless classified as first-line supervisors with the primary duty of directly supervising non-exempt employees receiving shift differential.
	Agency can request approval from the Personnel Director to exclude otherwise eligible employee from shift differential eligibility based on community practice. Board approval is required for exclusions based on other reasons.
Agencies establish shifts. Whether a shift is eligible for shift differential depends on whether the shift is regularly scheduled or part of a snow emergency plan, and whether 50% of the shift's hours occur between either 3-11 or 11-7. Eligible employees receive shift differential for all hours worked during an eligible shift	Eligible employees receive shift differential for all hours worked in a day so long as least 50% of the hours worked fall between either 3 p.m. - 11 p.m. or 11 p.m. – 7 a.m.

MEMORANDUM

REVISION 31 SERIES C

TO: Holders of CSA Rule Books
FROM: Career Service Board
DATE: September 12, 2008
SUBJECT: Revision to Career Service Rules

The Career Service Board has approved the revision of Career Service Rule 9-61 Shift Differential. The effective date of this revision is September 14, 2008.

	<u>Page Number</u>	<u>Issuance Dates</u>
Remove	9-8 9-9, 9-10	May 20, 2008 May 19, 2006
Replace	9-8 through 9-10	September 12, 2008

PLEASE INSERT IN YOUR RULE BOOK AS SOON AS POSSIBLE. THANK YOU.

- a. Numerous vacancies exist in the classification(s) that will be affected by the proposed pay practice;
 - b. Recruitment has not been effective;
 - c. Retention rate is low; and
 - d. Market driven personnel shortages in the classification(s) are causing difficulty in fulfilling an essential mission of the City.
2. An interim market adjustment shall remain in effect for up to one (1) year. Nothing in this subsection prevents a new market adjustment from being established for the same classification(s), provided that all of the requirements of the previous subsection are met.

E. Pay adjustment within the salary range

1. An appointing authority may adjust pay for an existing employee, within that employee's current salary range, if the purpose is to eliminate pay inequity created by market conditions, so long as the existing employee's pay is being compared with the pay of a subsequent hire in the same department or agency who is:
 - a. In the same classification; or
 - b. In the same classification series or
 - c. In a classification in the same occupational group within the same career path performing similar types of duties; or
 - d. Subordinate to the existing employee in the existing employee's chain of command.
(Revised effective May 20, 2008; Rule Revision Memo 28C)
2. Employees in or above the classification of Manager 1 are not eligible for this pay adjustment.
3. A pay adjustment within the salary range requires the approval of the Personnel Director. The effective date of any such pay adjustment shall be the beginning of the work week following approval by the Personnel Director.

Section 9-60 Differential Pay Practices

9-61 Shift Differential

(Revised effective September 14, 2008; Rules Revision Memo 31C)

- A. Employee eligibility:
1. Employees in classifications in non-exempt pay schedules are eligible for shift differential, unless the employee is eligible for the health care differential as provided in this Rule 9 PAY ADMINISTRATION.
 2. Employees in classifications in exempt pay schedules are not eligible for shift differential, unless the employee is in a classification:
 - a. In which the Board has approved overtime based on community practice (unless also eligible for the health care differential as provided in this Rule 9 PAY ADMINISTRATION); or
 - b. Which is a first-line supervisory classification in which the employee's primary duties include the direct supervision of employees who have no subordinate supervisors and are receiving shift differential for the time the employee is supervising them.
 3. Employees in classifications in the short range or community rate pay schedules are not eligible for shift differential.
 4. The Personnel Director, upon the request of an appointing authority, may allow a department or agency to exclude otherwise eligible employees from receiving shift differential based on community practice. Requests based on other reasons require submission by the Personnel Director to and approval by the Board.
- B. The following rates shall be paid for shift differential:
1. Night rate: Twelve percent (12%) of the current hourly rate of pay.
 2. Evening rate: Seven percent (7%) of the current hourly rate of pay.
- C. Shift differential shall be paid for all hours worked by an eligible employee in a work day under the following conditions:
1. If at least half of the hours worked occur between 11 p.m. and 7 a.m. the employee shall receive the night rate;

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Effective date: September 14, 2008

2. If at least half of the hours worked occur between 3 p.m. and 11 p.m. the employee shall receive the evening rate, unless the other half of the hours worked occur between 11 p.m. and 7 a.m., in which case the employee will receive the night rate.
 3. If neither subsections 1 or 2 are applicable, but at least half of the hours worked occur between 3 p.m. and 7 a.m., the employee shall receive the applicable rate for the period in which a majority of the hours occur. If these hours are evenly divided between 3 p.m. and 11 p.m. and 11 p.m. and 7 a.m., the employee shall receive the night rate.
- D. Shift differential shall not be paid during any period of paid or unpaid leave.

9-62 Equipment Differential

- A. Eligibility:
1. Equipment differential shall be paid to employees who are temporarily assigned to operate equipment, which is at a higher level classification than the employee's current classification, and who are not receiving additional pay for a work assignment outside of job classification.
 2. Employees in on-call positions and in classifications listed in the short-range pay schedule shall be entitled to equipment differential.
- B. Equipment differential shall be paid under the following conditions:
1. The equipment being operated is on the Board's approved equipment list for payment of equipment differential.
 2. Assignment in the higher level classification must last for less than thirty (30) days. If all authorized limited positions for a term of nine (9) months or less are filled, the thirty-(30) day limit is waived.
- C. The pay shall be ten percent (10%) of the current hourly rate of pay for each hour worked in the next higher level classification. The pay shall be fifteen percent (15%) of the current hourly rate of pay for each hour worked in the second higher level classification and above.
- D. The total base pay for any pay period, excluding overtime and shift differential, shall not exceed the last step of the higher level classification.