

DEPARTMENT OF PUBLIC WORKS MANAGEMENT MANUAL

**Personnel
Directive**

Subject: APPOINTMENT OF EMPLOYEES
WITHIN MULTIPLE PAYGRADE
CLASSES

ADOPTED BY THE BOARD OF PUBLIC WORKS, CITY OF LOS ANGELES

June 20, 2007

PERSONNEL DIRECTIVE NO. 22

BACKGROUND

Multiple pay grade classes are commonplace in City service. Such classes feature a separate level of compensation for each level of jobs in the same class. They also feature enlarged management discretion in the selection and assignment of personnel. The professional staff of the Office of Management-Employee Services (OMES) is available to assist you with any aspect of the pay grade advancement process.

This Directive is intended to assure that positions in multiple pay grade classes are filled in accordance with merit system principles. This Directive is in compliance with CAO Rule 12, Pay Grades Within Position Classifications, and with the Personnel Department Procedures Manual Section 11.300, Pay Grade Advancement Procedure.

Since pay grades are increasingly being negotiated at the bargaining table and being made a part of the Memorandum of Understanding (MOU), the applicable MOU should be consulted before using these procedures to develop a pay grade selection notice for a specific class.

I. Pay Grade Class Types

Pay grade classes in our Department are of two types:

A. Salary Range Pay Grade Class

A salary range pay grade class is one in which the employee enters at the lower pay grade and may advance automatically to the higher pay grade. There is no distinction in the duties and responsibilities of the lower and higher pay grades in the class. Examples of this type of pay grade are found in the Engineering Associate classes represented by the Professional Engineering and Scientific Unit.

In these classes, the Engineering Associate I pay grade is a three-year temporary training class under Civil Service Rule 5.30. With two years of experience in this pay grade, along with the required certification, the employee would promote to the Engineering Associate II pay grade. This type of pay grade advancement often results in the employee remaining in the same job. Employees advance due to their time in the job and the state certification they earn while working, rather than due to a change in duties and responsibilities.

B. Duties Range Pay Grade Class

A duties range pay grade class is one in which the duties and responsibilities are progressively greater in proportion to the higher pay grades in the class. Such classes are filled by means of certification or pay grade advancement of incumbents at the lower levels of the class. **This directive is concerned with the selection procedures used to fill vacancies in these types of classes.**

II. Eligibility

In general, all employees who have assignment rights/status in a class, which has several pay grades, are eligible for consideration for assignment to any of the pay grades.

Definitions:

- A. **Status Class** - The class in which the employee has been examined, certified and appointed to a position, or the class in which the employee has been granted status in accordance with the Charter (CSC Rule 1.35).
- B. **Assignment Rights** - The right of an employee to occupy or to request to be considered for a position, which is allocable to the employee's status class. E.g.: When the Management Analyst (MA) and Personnel Analyst (PA) classes were consolidated into a new class, the old MA and PA incumbents only had assignment rights to positions that were allocated originally into the old class in which they have status. Only until the old MA's and PA's were examined, certified, and appointed into the new class, via a status exam, did they gain status and assignment rights to all the duties and responsibilities in the consolidated class. (Subsequently, the two classes have been reinstated as separate)

No employee shall be considered for appointment to a pay grade position in a class that he/she has not been examined, certified and appointed to or transferred to, simply because he/she works in another class that has similar duties and responsibilities. For example, A Civil Engineering **Associate** may not be considered for an Electrical Engineering Associate III position or vice versa, unless a determination has been made by the Personnel Department that the duties of the classes are related (such as Civil Engineering Associate and Sanitary Engineering Associate) or the person is going to be employed "in lieu".

III. Determining When to Use Pay Grade Advancement

- A. If a level **"I"** position, already occupied by an employee, is audited and the duties/responsibilities (with no changes) are found to be at level **"II"**, the position does not have to be advertised for filling through pay grade advancement. (It is understood that the employee has been working at level **"II"** and to lay off/reassign and advertise the position would impact the employee negatively.)

- B. On the other hand, if a level **"I"** position, already occupied by an employee is upgraded (the duties/responsibilities are expanded and made more complex) and found to be at level **"II"**, the position must be advertised for filling through the pay grade advancement procedures. (It is understood that the changes in the duties/responsibilities caused the position to change, and the employee has no property rights to the position.)

IV. Selection Procedure

A. Appointments to the First Level of Multiple Pay Grade Classes

Appointments of personnel to positions at the first level of multiple pay grade classes are essentially the same as appointments in civil service classes that do not have pay grades. They are made by following the usual Civil Service procedure of requesting certification of names from an eligible list and/or seeking qualified transfers from other departments. The procedures detailed in Public Works Personnel Directive No. 35, **Selecting Employees in Public Works**, should be used to fill vacancies at this level.

B. Appointments to Higher Pay Grade Positions

1. Eligibility for Pay Grade Positions

Vacancies in higher pay grade positions may be filled by the:

- a. Advancement of employees at a lower pay grade in the same class who have assignment rights in the class;
- b. Appointment of employees from a civil service eligible list;
- c. Transfer of qualified employees in the same or higher pay grade from inside/outside the Department;
Or
- d. Any combination of the above methods.

If candidates are solicited by the combination method, they should be pooled and selection should proceed as in the Certification Interview Process.

2. Notifying Employees of Pay Grade Advancement Opportunities.

a. Addressees of Notification:

When a higher pay grade position is to be filled by pay grade advancement, the concerned Bureau shall announce the position to eligible employees on a Bureau-, Department- or City-wide basis after considering the following:

- aa. The number of vacant positions to be filled;
- bb. The skills, knowledge, abilities, and personal qualifications (SKAPs) required to perform the duties of the position(s) to be filled;

- cc. The operational needs of the Bureau including employee morale, cost effectiveness, and urgency for filling the vacancies;
- dd. The number of qualified Public Works employees with assignment rights to those positions;
- ee. The exclusiveness of the class (i.e., whether the concerned bureau is the sole user).

b. Content of Notification

The pay grade advancement opportunity announcement to employees must include the following information:

- aa. The minimum experience requirements, if any, for the higher pay grade position(s);
- bb. A summary of the duties which the successful applicant(s) will be expected to perform.
- cc. The SKAPs required to perform those tasks effectively;
- dd. The method(s) to be used in evaluating those SKAPs;
- ee. The manner in which, and the date by which, qualified employees are expected to express their interest in being considered for paygrade advancement (A minimum one week filing period, depending upon the size of the applicant pool and their geographic dispersion);
- ff. When a large number of applicants is anticipated, the notice will indicate that all applications will be reviewed to determine those best qualified. Where possible, the bureau will interview at least five more applicants than there are vacancies. The bureau may wish to establish an Advancement Pool to meet the bureau's needs for a given period. Refer to section "B.4" for more information about Advancement Pools.

c. Processing of Notification:

The proposed announcement should be prepared within the Bureau and forwarded to the Bureau personnel office. Upon approval by the Bureau personnel office, a copy should be forwarded to OMES for final review and departmental record retention. After approval by OMES, the concerned Bureau should distribute the final announcement within their divisions, including a copy to OMES for the Central Department records. All distributions of Bureau/Department announcements should always be sent to OMES. OMES will distribute the notices Department-wide.

The announcement to City-wide employees should be made through the Personnel Department, Recruitment Division, in the Weekly Summary of City Job Opportunities Bulletin. If the concerned Bureau wishes to advertise any of their transfer or exempt vacancies in this bulletin, requests should be submitted via email to Tlisting@per.lacity.org. This address can be accessed from GroupWise by typing Transfer Listing in the email "To:" box. An email Request Form is available from your Bureau personnel office. A sample of this form is attached. Email requests are preferred; however, if necessary, requests can be faxed to (213) 847-9262. **For** additional information, please call (213) 847-9239.

Keep the following in mind:

- aa. One week's lead-time is necessary to announce opportunities in the Bulletin (prepared each Wednesday); therefore, requests should be received before or on the preceding Tuesday by 12:00 Noon. Requests posted by this deadline will be posted by the end of that same week on the City's Personnel Department website. The printed bulletin will be available the following Wednesday.
- bb. An "apply by date" (which would allow *an* employee at least two weeks to respond) should be included to expedite the selection process. This information should be included under the COMMENTS Section of the email request form.

3. Techniques for Evaluating Candidates for Pay Grade Advancement

The Bureau shall determine the method(s) to be used in evaluating candidates' SKAPs. Such method(s) may consist of or include a resume, a departmental application, a supplemental qualification questionnaire, an Appraisal of Promotability, a structured interview, a performance test, a written test, and/or a writing sample.

a. Resume, Application and/or Supplemental Qualification Questionnaire.

The Bureau may ask interested candidates to submit a resume and/or an application outlining their education and work history. The bureau may also consider using a supplemental questionnaire on specific qualifications for the vacant position(s). These documents may be used as part of the selection process and/or to determine which candidates should be admitted to the final selection process.

b. Appraisal of Promotability

The Bureau may request each applicant's immediate supervisor to submit an Appraisal of Promotability. If such an appraisal is requested, it will be made on a structured form covering demonstrated performance over a specified period of service.

The applicant's immediate supervisor will complete the Appraisal of Promotability. If the current supervisor has not supervised the applicant for the full period of service being evaluated, the Appraisal of Promotability will be completed by both the current and previous supervisor(s).

The next level of supervision will review the completed Appraisal of Promotability. The reviewer will carefully compare the Appraisal of Promotability with the applicant's most recent performance evaluation. Significant differences between the Appraisal of Promotability and the performance evaluation will be reviewed with the applicant's current supervisor.

c. **Structured Interview**

If an interview panel is to be used in the selection process, the bureau shall follow the procedures detailed in Public Works Personnel Directive No. 35, **Selecting Employees in Public Works**, to conduct the interview. The bureau will develop structured rating sheets detailing how each candidate's SKAPs will be evaluated and scored. Interview panels will consist of two or more knowledgeable persons who have the appropriate background and who are at the appropriate level to evaluate the candidates who are competing to fill the vacant position(s).

Each interview panel member shall evaluate every candidate in accordance with the instructions and criteria provided on the rating sheet. After independently scoring each candidate, interview panel members shall compare the scores they have assigned with the scores assigned by each of the other panelists. Significant differences in scoring shall be discussed and may be adjusted.

d. **Performance Exercise, Written Exercise, and/or Writing Sample**

The Bureau may opt to use a performance exercise, written exercise, and/or a writing sample to evaluate candidates' SKAPs (Skills knowledge and abilities). However, the Bureau must develop structured rating standards to evaluate each candidate's suitability to fill the vacant position(s). Rating panels of two or more knowledgeable persons shall be used to evaluate and score candidates' performance on performance tests or written essays.

4. **Ranking of Scores or Advancement Pools**

Candidate scores may be ranked in several ways, depending upon the number of candidates competing, the needs of the Bureau, and the type and number of tests used to rank candidates. If only a few candidates were considered, or if only one vacancy is to be filled during the next six months, a simple ranking of candidate scores may serve the bureau needs.

If, on the other hand, a large number of candidates are considered, or several vacancies are to be filled during the next six months, the bureau may prefer to group candidates into an "Advancement Pool". Under this arrangement, candidates are grouped into one of four groups:

- Outstanding
- Well-Qualified
- Competent
- Not Recommended at This Time

Candidates in the "Not Recommended at This Time" group will not be considered for appointment during the life of the advancement pool. These candidates, however, may compete during the next pay grade selection for the class upon expiration of the advancement pool. The pay grade announcement to interested applicants will specify that the bureau intends to establish an advancement pool for this class and its duration, normally one year.

In filling higher pay grade positions, the Bureau may consider candidates from both the civil service eligibility list and the advancement pool. In using the advancement pool, the Bureau shall normally select from those candidates in the highest available group. However, if fewer than five candidates are available in the highest group, the Bureau may also consider all the candidates in the next lower group.

V. Candidates' Right to Request Review of the Evaluation Process

If a candidate believes that the persons involved in the selection or evaluation process were prejudiced, or that the process was conducted improperly, the candidate may file a written request for a review. This may occur at any time during the pay grade advancement process. Such a request must be filed within 48 hours of the time the alleged impropriety took place.

All requests shall be reviewed by the Director of the Bureau or his/her designee conducting the pay grade advancement process. The Director may consult with OMES in the decision process. The Director will respond within two weeks and prior to making any appointments.

All selection material shall be retained for at least three years. This material will be maintained in a separate file and will not become part of an employee's permanent personnel file.

VI. Reassignment to Lower Pay Grade Positions

A. Situations it may result from:

1. Termination of a temporary or tentative assignment to the higher position;
2. Application of a rotation policy that has been established before the employee was assigned to the higher pay grade;

3. Avoiding a layoff;
4. A voluntary change of work assignment for the employee's convenience or in the course of a settlement agreement in order to avoid a discharge;
5. Inability of the employee to perform the duties of the position in a satisfactory manner;
6. Reduction of duties, responsibilities, or requirements of the position.

B. Verification

Reassignment to a lower pay grade position for other than predetermined (above categories 1,2), budgetary (category 3) or voluntary (category 4) reasons shall be based on factual evidence that the employee has not performed (category 5) or is not required to perform (above item 6) in a fully competent manner in the higher pay grade position. Even though employees are not required to serve a probationary period nor be rated when advanced to a higher pay grade, supervisors should follow the basic premises of Public Works Personnel Directives No. 26 and 44, and consider the first six months of assignment as a working test period. Employees must receive proper training and counseling and be given an opportunity to improve any substandard work. If satisfactory improvement is not noted during this period, the employee should be informed that he/she is being recommended for reassignment.

C. Employee Response

Prior to the final decision to reassign an employee for unsatisfactory performance (above category 5) or a reduction of the duties (category 6), the concerned Bureau shall provide the employee with an opportunity to respond to the reasons for the reassignment ("Liberty Interest Meeting"). This is to insure that all facts have been carefully evaluated before a final recommendation is made to the Bureau Director. An Analyst from OMES conducts the meeting in the presence of a representative of the Bureau's management and - upon request of the employee - a representative of his or her union or any other representative of the employee's choosing. Subsequently to the Liberty Interest Meeting, the OMES Analyst provides the Bureau Director with a report and recommendation.

D. Assignment Authority

The Bureau Director or his designee, in consultation with OMES, shall make the final decision in any downward reassignment. To aid in the decision, the Bureau Director shall be furnished with as much information as possible, including appraisals from the employee's immediate and previous supervisors, information from the employee's personnel folder and - if applicable - the report and recommendation made after the Liberty Interest Meeting.

E. Notice to Employee

Notice of reassignment to a lower pay grade position shall be made in writing and shall include the reasons for the reassignment. Normally, the employee will be notified at least two weeks in advance of the reassignment. The employee may use the grievance procedure to challenge the reassignment.

VII. "Acting" Assignments

In some cases, a position allocated to a certain pay grade, may be vacant, or the employee in that position, may be absent. In order to have that position's duties continue to be performed, management may wish to make an "acting" assignment to the position. For example, if a Senior Management Analyst I position is vacant, management may wish to designate a Management Analyst II as the "acting" Senior I. Similarly, if a Street Services Superintendent I in a particular division is absent for a period of time, management may wish to have those duties performed by another Street Services Superintendent I who is designated as "acting."

It is important to note that "acting" designations are informal assignments. They are not official appointments such as emergency or limited appointments. "Acting" assignments do not result in a change in the employee's paygrade or Civil Service classification. However, since many Memoranda of Understanding (MOUs) contain provisions for paying a bonus for certain temporary assignments, the applicable MOU should be consulted to determine if a bonus is applicable in these instances.

Consistent with merit and equal employment opportunity principles, management shall follow a formal selection process when selecting employees for "acting" assignments, following the applicable guidelines set forth in Public Works Personnel Directive No. 35, **"Selecting Employees in Public Works."**

Management retains the right to make immediate short-term acting work assignments based on operational needs. The formal selection process is only necessary when management plans to announce an "acting" appointment in some official capacity. For example, when an employee is on vacation for three weeks, management most likely would not announce an "acting" assignment for that employee, so no selection process would be necessary. If that employee were to be on a leave of absence for a significant amount of time, or if the position were vacant, and management planned to distribute announcements of who would take over the position on an "acting" basis, a formal selection process would be necessary.

Reference: L. A. Administrative Code Section 4.67(c),
Personnel Department Procedure 11.300, currently under review
City Administrative Officer Rule No. 12

Supersedes: Personnel Directive No. 22, revised 10/04/1983

Attachment: Listing of Transfer Opportunities Request

ATTACHMENT to "Appointment of Employees within multiple Pay grade Classes"

LISTING OF TRANSFER OPPORTUNITIES
REQUEST

Date: _____

To: Personnel Department, Recruitment Division
Email to: Tlist@per.lacity.org

From: Department: _____

Division: _____

Email Address: _____

Contact: _____

Phone Number: _____

ADD

DELETE

Information to be advertised on the *Weekly Summary*

CLASS TITLE: _____

DEPARTMENT: _____

DIVISION: _____

CONTACT: _____

TELEPHONE: _____

COMMENTS: _____

FOR PERSONNEL DEPARTMENT USE ONLY

For List Dated _____ Completion Date _____ Initials _____