

# **CIVIL SERVICE MERIT BOARD RULES – CITY OF KNOXVILLE**

## **Article 25 – Classification/Compensation Plan**

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### **SECTION 2501. CLASSIFICATION/COMPENSATION PROGRAM AUTHORITY**

In accordance with Chapter 2, Article III of the Code of the City of Knoxville, the Civil Service Merit Board is responsible for developing, maintaining, and monitoring the classification and compensation plans; and the Board will, from time to time on its own initiative or upon request of the Mayor or his staff, conduct studies and present them to the Mayor for his approval and submission to City Council for final consideration.

### **SECTION 2502. PURPOSE**

#### **Section 2502.1. Classification Plans**

There are three (3) distinct classification plans in the City of Knoxville – general government, police, and fire - each providing a complete inventory of all positions in the City's service with accurate descriptions and specifications for each class of employment. The plans standardize titles, each of which are indicative of a range of duties and responsibilities and have the same meaning throughout the City's service.

#### **Section 2502.2. Compensation Plans**

There are three (3) distinct compensation plans – general government, police, and fire - each designed to provide a fair and equitable method of payment for employees of the City of Knoxville. They also establish a set of rules and a uniform system of pay administration for the various classes with salary ranges consistent with the duties and responsibilities in the Classification Plan. The compensation plans are designed to provide the opportunity for progression through a pay range based on the individual employee's level of skill, length of service, general job performance and conduct, and other legitimate factors.

### **SECTION 2503. DEVELOPMENT AND MAINTENANCE OF THE CLASSIFICATION /COMPENSATION PLANS**

#### **Section 2503.1. Review of Classification Plans**

The Civil Service Merit Board, through its Executive Secretary/Director, is responsible for the proper and continuous maintenance of the classification plans so that they will reflect, on a current basis, the duties being performed by each employee covered by the plan and the class to which each position is allocated.

The Executive Secretary/Director shall periodically review the classification of positions and, upon the basis of his/her investigation, shall recommend to the Mayor, for submission to City Council, appropriate and necessary amendments to the classification plan. Amendments may be in the form of new classes, the revision of existing classes, or the abolition of classes no longer required in the plan.

The maintenance of the Classification Plan shall also include, but not be limited to, periodic review and maintenance of up-to-date classification specifications and job classification lists.

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### **Section 2503.2. Review of Requisitions**

All personnel requisitions submitted by City departments shall be reviewed by the Executive Secretary/Director to verify that the duties and responsibilities ascribed to the positions to be filled are properly assigned to the requested job classification. Approval of such requisition by the Executive Secretary/Director shall constitute an assignment of the position(s) to the indicated job classification.

If the requested job classification on the requisition is not appropriate for the duties and responsibilities of the position, the Executive Secretary/Director shall make appropriate recommendations for classification assignment.

### **Section 2503.3. Creation of New Positions**

When a Department Head desires to create a new position, he/she shall submit to the Civil Service Merit Board appropriate justification, which should include a detailed description of the duties and responsibilities of the position to be filled and a statement of suggested minimum entrance qualifications. The Executive Secretary/Director shall insure that the minimum requirements for new positions are properly and fairly stated. The Executive Secretary/Director shall:

- (A) Classify the position and determine whether the position should be allocated to an existing job classification or to create a new job classification within the classification plan;
- (B) Assign a new job classification to the appropriate pay grade;
- (C) Make appropriate recommendations to the Director of Finance and Accountability and Mayor;
- (D) Submit recommendations to City Council for final authority if amendments are required to the Classification/Compensation plan.

### **Section 2503.4. Abolishment of a Position**

Whenever it is the intention of a Department Head to abolish a position or positions, the Department Head shall notify the Civil Service Merit Board of such intent in accordance with Article 29 of these rules and regulations. In no case will a position be abolished for the sole purpose of terminating an employee, rather than appropriately filing disciplinary charges.

### **Section 2503.5. Salary Survey**

Maintenance of the compensation plans shall include the annual survey of selected benchmark classifications and benefits in the City's normal recruitment area to determine appropriate salary ranges with competitive minimum and maximum salary rates and benefits. To remain continuously competitive, the compensation structure shall recognize changes in the economic conditions and other variables through adjustments in the salary pay ranges (up or down). The Executive Secretary/Director shall conduct an annual compensation and benefits survey of selected benchmark classifications and benefits to determine appropriate pay scales and benefits. The annual compensation and benefits survey shall be conducted using input data from both public and private employers within the City's normal recruitment area. The Executive Secretary/Director, with the assistance of the Finance Department, shall submit the recommended adjustments to the salary plan of the City resulting from the survey to the

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Mayor not later than March first of each year along with the projected gross costs of such adjustments. Any proposed changes resulting from the annual salary survey shall be submitted to City Council for approval with the Mayor's proposed budget.

### **SECTION 2504. ADMINISTRATION OF THE GENERAL GOVERNMENT CLASSIFICATION PLAN**

The Executive Secretary/Director shall have the primary responsibility for the administration of the general government classification plan. The Executive Secretary/Director may delegate authority to staff members of the Civil Service Merit Board in carrying out the responsibility. The Executive Secretary/Director shall review the classification of all positions whenever:

- A new position is created by budget or ordinance;
- The organization of a department is changed;
- There is a substantial change in the duties and responsibilities of a position; and/or
- A review is requested by the incumbent of the position, the supervisor, or any party having sufficient knowledge of the position and the classification/compensation plan to suspect an incorrect classification or pay band.

#### **Section 2504.1. Changes in Duties of Positions**

Any substantial changes in the duties and responsibilities of existing positions shall be promptly reported in writing to the Executive Secretary/Director to determine if such changes affect the job classification assignment of the position.

If such changes to the job classification are approved by the Executive Secretary/Director, a pay increase may be granted in accordance with Section 2505.6 of these rules and regulations.

Every Department Head is responsible for maintaining the integrity of the classification plan by limiting employees to the performance of duties within their classification or notifying the Civil Service Merit Board upon any change in the assignment of duties.

No portion of these rules shall be construed as permitting an employee to refuse to perform duties legally assigned by competent authority.

#### **Section 2504.2. Reclassification of a Position**

##### **(A) Requests for Study**

Requests for a classification study of existing positions shall be presented to the Executive Secretary/Director in writing prior to January 1st for inclusion in the next fiscal year's budget, together with a statement of the reasons for requesting the study. Requests for study may be initiated by the Department Head or by an employee. In exceptional cases, reclassifications may take effect within a fiscal year.

##### **(B) Determination of Reclassification**

It is the intent of this rule to provide guidelines for monitoring the reclassification of an employee to insure that merit system principles are not circumvented. The

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basis for reclassification must be a gradual accretion of duties and not a sudden change occasioned by reorganization or the assignment of completely new duties and responsibilities. The process of placing an employee in an acting capacity in any position does not constitute a gradual accretion of duties.

**(C) Status of Incumbent Employee**

When a position is reclassified due to a change in duties and responsibilities of the position and is assigned to a different classification, such change shall be considered noncompetitive if the position is occupied and the reclassified employee shall not be subject to the conditions of the probationary period.

**(D) Posting of Reclassification Announcements**

In order to insure that all reclassifications are made in accordance with merit system principles, all proposed reclassifications will be posted by the Civil Service Merit Board for at least ten (10) days prior to reclassification to provide an opportunity for appropriate comment.

**(E) Time Restraint on Reclassifications**

An employee who has been reclassified with his position shall not be eligible for subsequent reclassification with his position for a period of at least two (2) years from the initial action.

**(F) Funding**

The Director of Finance and Accountability must review and approve all proposed position establishments, allocations, reallocations, and abolishments in order to determine whether a "certification of funds" can be made.

**(G) Salary Increases**

Pay increases resulting from a reclassification may not exceed a five percent (5%) increase in pay.

## **SECTION 2505. ADMINISTRATION OF THE GENERAL GOVERNMENT COMPENSATION PLAN**

### **Section 2505.1. Composition**

The General Government Compensation Plan shall include the pay grades for all employees as approved by City Council. The schedule of salary ranges for each pay grade shall consist of a minimum base pay rate, midpoint, and a maximum base pay rate. The pay ranges shall be such as to provide equal compensation for work of equivalent responsibility; to facilitate adjustments to changing economic and employment conditions requiring changes in pay grades; and to establish pay rates which are comparable with those of regional public and local private employers in the City's normal recruitment area.

### **Section 2505.2. Adoption and Amendment**

The Executive Secretary/Director shall recommend an overall Compensation Plan to the Mayor for adoption by City Council. An annual review of the plan shall be made to reflect changes in cost of living, market conditions, employee recruiting, turnover,

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experience, and/or other related factors. The Executive Secretary/Director shall recommend appropriate annual revisions in the plan to the Mayor based upon the compensation and benefit survey results in the City's normal recruitment area. Salary recommendations based upon survey results, as well as recommendations of the Mayor, if any, shall be submitted to City Council for consideration with the Mayor's proposed budget each year.

### **Section 2505.3. Administration**

The implementation and ongoing administration of pay within the pay grades shall be conducted in a manner that promotes equitable pay relationships and the efficient and effective practice of personnel administration. Department Heads shall have a responsibility to exercise the discretion included in these rules in a manner that avoids inconsistent, arbitrary, or discriminatory pay actions.

### **Section 2505.4. Starting Rate of Pay**

Entry salaries are to be established at levels that properly relate qualifications to job requirements. The minimum rate of each pay range is the normal starting rate of pay or entry rate for employees who meet at least the minimum job requirements. All entry rates must be between the minimum rate and the midpoint rate of the pay range to which the job classification is assigned.

A Department Head may request that the starting rate of pay be set at any rate between the minimum and the midpoint of the pay grade to which the job classification is assigned if either of the following conditions exist:

- 1) The qualifications of the applicant(s) significantly exceed the minimum requirements for the job classification;
- 2) Demonstrated difficulty in recruitment efforts for that job classification.

In this event, the Department Head shall provide to the Executive Secretary/Director a written recommendation along with detailed written justification of the starting rate of pay that should be offered to the applicant. Should the Executive Secretary/Director determine that the advanced salary appointment recommendation is justified, the Executive Secretary/Director shall forward the recommendation to the Finance Director for authorization. Should the Executive Secretary/Director determine that the advanced salary is not justified, the Executive Secretary/Director shall provide a written response detailing the reason the recommendation was denied and forward all documentation to the Director of Finance and Accountability for approval or denial.

In the event a current employee promotes into a classification where his current rate of pay (excluding longevity) is equal to or higher than the new classification's midpoint, or where a standard increase is limited by proximity to the midpoint (e.g., an employee should receive 5% for a one pay grade promotion but the employee's current pay is 2% from the midpoint) the Department Head shall provide to the Executive Secretary/Director a written recommendation and justification of the salary rate that should be offered to the employee. Should the Executive Secretary/Director determine that the advanced salary appointment recommendation is justified, the Executive Secretary/Director shall forward the recommendation to the Director of Finance and Accountability for authorization. Should the Executive Secretary/Director determine that

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the advanced salary appointment recommendation is not justified, the Executive Secretary/Director will provide a written response detailing the reason the recommendation was denied and forward all documentation to the Director of Finance and Accountability for approval or denial.

### **Section 2505.5. General Structure Adjustments**

The Civil Service Department will recommend general structure adjustments for each fiscal year based upon salary survey findings. These adjustments will be applied to the minimums, midpoints, and maximums of each general government pay range based upon salary survey data.

### **Section 2505.6. Advancement Through the Pay Range**

Employees may receive salary increases in the following ways:

- a) Standard across-the-board adjustments. Across-the-board adjustments will be made by adjusting the annual salary of all eligible employees at an equivalent rate or percentage.
- b) Performance increases or bonuses may be granted in accordance with Administrative Rule 3.01 to those employees who have performed the duties and responsibilities of their positions in an outstanding manner and whose work is well above expectations.
- c) Pay increases may be granted to employees who are promoted to a new job class or transferred to another position in the same or different job class.
- d) Pay increases of up to ten percent (10%) of an employee's annual base salary may be granted to employees whose job classifications undergo a substantial change in duties that are not currently covered by his/her job description pursuant to CSMB 2504.1, for internal equity purposes, or for recognition of ongoing outstanding performance. Bonuses of up to five percent (5%) of an employee's annual base salary may be granted to employees as recognition of a significant job relevant achievement (e.g., obtaining a professional certification or degree), for completion of an extraordinary project, or for taking on new tasks or projects that are part of the employee's job description, but that the employee has not performed previously. Requests must first be submitted in writing by the Department Head to the Civil Service Director with detailed justification supporting the request. Upon review and determination that the request meets the criteria in this rule by the Civil Service Director, the Civil Service Director shall make a recommendation with regard to approval/denial and appropriate amount and the request will be forwarded to the Director of Finance and Accountability for a final decision. Each department may make requests in an amount up to an annual amount determined by the Finance Department. In no case will the amount exceed 0.5% of the department's base salary budget for the fiscal year. This threshold shall apply to the amount that may be requested each fiscal year and does not guarantee that all requests will be approved. Approval will be determined on a case-by-case basis based upon the request's compliance with this rule and the justification provided.

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All salaries established effective July 1, 2008 or later (after all increases) are to be within range, i.e., no increase is to result in the final salary exceeding the range maximum and no salary is to fall below the minimum. An employee's base salary may not exceed the maximum rate of pay established for the job class except to include longevity pay. Employees may receive the annual two and one-half percent (2.5%) increase as a bonus payment once their salary reaches the established maximum base rate of pay.

### **Section 2505.7. Annual Pay Increase**

An annual increase of approximately two and one-half percent (2.5%) shall be granted to all employees whose pay is established in accordance with the classification and compensation plans of the City of Knoxville, with the following exceptions: (1) temporary and seasonal employees, and (2) employees who have not completed their initial probationary period. General Government employees who have not completed their initial probationary period shall receive a prorated portion of the 2.5% increase relative to time served. This two and one-half percent (2.5%) increase shall be accomplished by advancing employees within their respective pay range provided that this increase shall not cause an employee's pay to exceed the maximum rate of pay established for the classification of the position which the employee occupies. Employees who are assigned to the maximum base salary of their assigned salary range shall receive an annual lump-sum bonus in the amount of approximately two and one-half percent (2.5%) of the annual salary. Employees in exempt positions subject to appointment by the Mayor do not automatically receive this increase.

### **Section 2505.8. Demotion Rate of Pay**

When a classified employee is demoted pursuant to the lay-off procedures for economic reasons, the employee's salary will be set at the salary rate in the new job classification which provides the smallest decrease in pay, if any. If the demotion is for cause and sustained in accordance with Civil Service Merit Board Rules and Regulations or as a result of a voluntary request by an employee, then the salary may be set at any appropriate pay rate in the lower class that is equal to or less than the employee's existing pay.

### **Section 2505.9. Retreat/Reinstatement Rate of Pay**

A classified employee who retreated during a lay-off situation and is reinstated within two years to his/her original job classification shall be paid at the same salary as was received at the time of retreat or his/her current salary whichever is greater. A classified employee who is laid-off and re-employed within two years to his or her original class, shall be paid at the same salary as was received at the time of lay-off.

## **SECTION 2506. ADMINISTRATION OF THE UNIFORMED POLICE & FIRE COMPENSATION PLANS**

### **Section 2506.1. Composition**

The Uniformed Police and Fire Compensation Plans shall include the pay ranges for all uniformed employees as approved by City Council. The pay ranges shall be such as to provide equal compensation for work of equivalent responsibility; to facilitate adjustments to changing economic and employment conditions requiring changes in pay

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grades; and to establish pay rates which are comparable with those of regional employers in the City's normal recruitment area.

### **Section 2506.2. Adoption and Amendment**

The Executive Secretary/Director shall recommend an overall Compensation Plan to the Mayor for adoption by City Council. An annual review of the plan shall be made to reflect changes in cost of living, market conditions, employee recruiting, turnover, experience, and/or other related factors. The Executive Secretary/Director shall recommend appropriate annual revisions in the plan to the Mayor based upon the compensation and benefit survey results in the City's normal recruitment area. Salary recommendations based upon survey results, as well as recommendations of the Mayor, if any, shall be submitted to City Council for consideration with the Mayor's proposed budget each year.

### **Section 2506.3. Administration**

The implementation and ongoing administration of pay within the pay grades shall be conducted in a manner that promotes equitable pay relationships and the efficient and effective practice of personnel administration. Department Heads shall have a responsibility to exercise the discretion included in these rules in a manner that avoids inconsistent, arbitrary, or discriminatory pay actions.

### **Section 2506.4. Starting Rate of Pay**

A uniformed employee hired as a Police Officer Recruit or a Firefighter Recruit shall normally be placed at the step associated with the Recruit classification.

In the event a current City employee is hired as a Recruit, and where his current rate of pay (excluding longevity) is higher than the Recruit step, the Department Head shall provide to the Executive Secretary/Director a written recommendation and justification of the salary rate that should be offered to the employee. Should the Executive Secretary/Director determine that the advanced salary appointment recommendation is justified, the Executive Secretary/Director shall forward the recommendation to the Director of Finance and Accountability for authorization. Should the Executive Secretary/Director determine that the advanced salary appointment recommendation is not justified, the Executive Secretary/Director will provide a written response detailing the reason the recommendation was denied and forward all documentation to the Director of Finance and Accountability for approval or denial.

Upon promotion to a non-supervisory rank, to be defined as Firefighter, Senior Firefighter, or Master Firefighter for uniformed fire and as Police Officer, Police Officer I, Police Officer II, Police Officer III, or Police Officer IV for uniformed police, a promotional increase of 3.5% shall be given. Upon promotion to a supervisory rank, to be defined as Fire Officer, Fire Assistant Chief, or Fire Assistant Chief Senior for uniformed fire and as Police Sergeant, Police Lieutenant, or Police Captain for uniformed police, a promotional increase of 5% shall be given.

### **Section 2506.5. General Structure Adjustments**



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The Civil Service Department will recommend general structure adjustments for each fiscal year based upon salary survey findings. These adjustments will be applied to each uniformed pay range based upon salary survey data.

### **Section 2506.6. Advancement Through the Pay Range**

Uniformed employees may receive salary increases in the following ways:

- a) Standard across-the-board adjustments. Across-the-board adjustments will be made by adjusting the annual salary of all eligible employees at an equivalent rate or percentage.
- b) Performance increases or bonuses may be granted in accordance with Administrative Rule 3.01 to those employees who have performed the duties and responsibilities of their positions in an outstanding manner and whose work is well above expectations.

All salaries established effective July 1, 2008 or later (after all increases) are to be within range, i.e., no increase is to result in the final salary exceeding the range maximum and no salary is to fall below the minimum. An employee's base salary may not exceed the maximum rate of pay established for the job class except to include longevity pay and the educational incentive. Employees may receive the annual two and one-half percent (2.5%) increase as a bonus payment once their salary reaches the established maximum base rate of pay.

### **Section 2506.7. Annual Pay Increase**

An annual increase of approximately two and one-half percent (2.5%) shall be granted to all uniformed employees whose pay is established in accordance with the classification and compensation plans of the City of Knoxville, with the following exceptions: (1) temporary and seasonal employees, and (2) employees who have not completed their initial probationary period. This two and one-half percent (2.5%) increase shall be accomplished by advancing employees within their respective pay range provided that this increase shall not cause an employee's pay to exceed the maximum rate of pay established for the classification of the position which the employee occupies. Employees who are assigned to the maximum base salary of their assigned salary range shall receive an annual lump-sum bonus in the amount of approximately two and one-half percent (2.5%) of the annual salary. Employees in exempt positions subject to appointment by the Mayor do not automatically receive this increase.

### **Section 2506.8. Demotion Rate of Pay**

When a classified employee is demoted pursuant to the lay-off procedures for economic reasons, the employee's salary will be set at the salary rate in the new job classification which provides the smallest decrease in pay, if any. If the demotion is for cause and sustained in accordance with Civil Service Merit Board Rules and Regulations or as a result of a voluntary request by an employee, then the salary may be set at any appropriate pay rate in the lower class that is equal to or less than the employee's existing pay.

### **Section 2506.9. Retreat/Reinstatement Rate of Pay**

A classified employee who retreated during a lay-off situation and is reinstated within two years to his/her original job classification shall be paid at the same salary as was

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received at the time of retreat or his/her current salary whichever is greater. A classified employee who is laid-off and re-employed within two years to his or her original class, shall be paid at the same salary as was received at the time of lay-off.