



# West Virginia Division of Highways Policy: **Pay Plan Policy**

*Issued by the Commissioner of Highways*

**Policy No: DOH 3.21**

**Issue Date: 05/01/2018**

**Revised: 08/01/2018**

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**PURPOSE:** To establish uniform mechanisms for setting the pay of division employees at the time of appointment, promotion, reallocation, demotion, reinstatement, or other points at which it is appropriate to adjust pay. To also establish the hours of pay when employees are called to duty after regular working hours. Such actions will be within the framework of the division's salary and Apprenticeship Program hourly pay schedules as approved by the Commissioner of Highways and the State Personnel Board.

## DEFINITIONS

- A. **Allocation:** The assignment of a position to a classification by the Commissioner of Highways based on the duties and responsibilities duly assigned.
- B. **Appeal:** A request made to the commissioner to reconsider a decision made under the authority of this policy.
- C. **Appointment:** The act of hiring an applicant for employment.
- D. **Apprenticeship Program:** The Division of Highways' program for the training and advancement of employees in the Transportation Worker classification series and who are paid pursuant to the division's hourly pay schedule. See Appendix A for hourly pay schedule.
- E. **Board:** The state Personnel Board as provided for in W. Va. CodeS29-6-6.
- F. **Business Necessity:** The reason or cause for any of a variety of personnel actions based upon the condition of the Division of Highways, in whole or in part, or specific program component(s) which may include, but is not limited to, lack of funds or work; changes or additions to the mission or goals of the organization; reinstatement of eligible employees returning from military duty or temporary total disability; reinstatement of an employee in compliance with a legal order, and for recall of employees previously laid off.
- G. **Class:** One or more positions sufficiently similar in duties, training, experience, and responsibilities, as determined by specifications, that the same title, the same qualifications, and the same schedule of compensation and benefits may be equitably applied to each position in the class.
- H. **Classification Specification:** The official description of a class of positions that



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describes the nature of work, examples of work performed, the knowledge, skills the and abilities required, and the generally accepted minimum qualifications required for employment.

- I. Classified Employee: An employee who occupies a position allocated to a class in the classified service.
- J. Classified Service: Those positions which satisfy the definitions for "class" and "classify" and which are covered under the Division of Personnel merit system standards.
- K. Commissioner: The Commissioner of Highways or his or her designee.
- L. Compensation Plan: The official schedule of pay rates for each class of positions and the salary regulations used in pay administration for employees of the Division of Highways.
- M. Compensation Range: The approved minimum and maximum salary established for a class.
- N. Demotion: A change in the status of an employee from a position in one class to a position in a lower class as measured by compensation range, or a reduction in an employee's pay to a lower rate within the compensation range assigned to the class.
- O. Division: The West Virginia Division of Highways.
- P. FLSA Exempt Employee: Those employees exempt from all but the record-keeping provisions of the federal Fair Labor Standards Act (FLSA).
- Q. FLSA Non-Exempt Employee: Those employees whose work is regulated by the FLSA minimum wage, overtime, and record-keeping provisions.
- R. Hourly Classified Service: The category of employees who are covered by the state civil service system, employed in the division's Apprenticeship Program, and paid pursuant to the division's hourly pay schedule



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- S. Pay Increment—Salaried Employees: The percentage increase amounts established by the commissioner and approved by the Board to implement pay practices including hiring rates, salary advancements, salary adjustments, pay on promotion, reallocation, and demotion within the salaried classified service.
- T. Pay Increment—Hourly Employees: The tier placement of an hourly employee's rate of pay pursuant to the Apprenticeship Program when appointing, promoting, demoting, or reallocating the employee.
- U. Permanent Employee: Any classified employee who was hired from a competitive list or register and who has completed the prescribed probationary period for the job class, or any classified exempt employee who was hired to fill a position for an undefined period of time, notwithstanding the commissioner's right to terminate the employee at his or her will.
- V. Promotion: A change in the status of an employee from a position in one class to a vacant position in another class of a higher pay grade within the salaried classified service or the hourly classified service.
- W. Reallocation: Reassignment by the commissioner of a position from one class to a different class based on a change in the kind and/or level of duties and responsibilities assigned to the position, or to address a misalignment of title versus duties.
- X. Resignation: Voluntary separation from employment by an employee.
- Y. Salaried Classified Service: The category of employees who are covered by the state civil service system and are paid pursuant to the division's salaried pay schedule. See Appendix B for Salary Grades 2-26.
- Z. Salary Adjustment: A salary change resulting from a revision of the pay plan, the reassignment of a class to a different pay grade, a Board approved pay differential, a temporary classification upgrade, a general wage increase mandated by the Legislature or the Governor, the correction of a payroll error, or as specifically provided hereafter in this policy.



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- AA. Salary Advancement: A discretionary increase in compensation granted to an employee in the salaried classified service in recognition of the quality of job performance. Also known as a "merit raise."
- BB. Tier: A benchmark pay level contained in the hourly pay schedule.
- CC. Tier Advancement: A discretionary advancement from one tier to the next within a classification that is included in the Apprenticeship Program.
- DD. Transfer Appointment: Appointment of an employee in the Apprenticeship Program to a position in the Salaried Classified Service, or vice versa.

#### POLICY

- A. APPOINTMENTS—SALARIED POSITIONS: Appointments in the Salaried Classified Service fall into two categories: 1) appointment from a register, and 2) appointment by transfer from the Hourly Classified Service. In either case, the salary on appointment is presumed to be at the minimum rate established for the classification, but may be higher subject to the following standards:
  - a. The commissioner may pay an increment of up to 5% above the minimum salary for each six (6) months of pertinent experience or equivalent pertinent training above the minimum qualifications. The commissioner may also pay an increment of up to 10% for an applicable professional certification or license held by the prospective employee.
    - i. Pertinent experience or equivalent pertinent training above the minimum qualifications means but is not limited to: 1) extensive experience outside of state government which is relevant to the position to which the applicant is being appointed, 2) education above the minimum, which is relevant to the position to which the applicant is being appointed, or 3) specialized skills, education and/or experience deemed by the commissioner to be of specific value to the agency.
    - ii. Appointments above the minimum rate for the pay grade shall be made in a consistent manner with due consideration to the salaries and relative qualifications of incumbent employees in the same classification to ensure internal equity.



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- iii. Reemployment of a former employee in the same class, at a higher salary, will only be approved if the period of separation was for at least 120 calendar days. If the period is less than 120 days, the salary will be set at the amount the employee would be receiving if he or she had not separated employment. Reemployment of a former employee in a higher or lower classification will be subject to the provisions of this policy relating to appointments, notwithstanding the period of separation.

### **B. APPOINTMENTS—APPRENTICE PROGRAM**

- a. Appointments to the hourly pay schedule pursuant to the Apprentice Program will be at the Tier 1 rate for the given classification level.
- b. Employees within the salaried classified service who apply, and are accepted for, a position in the Apprenticeship Program will be placed at Tier I for the given classification. The rules for promotion, reallocation, and demotion that apply to classification changes in the salaried classified service do not apply to movements from the salaried service to the hourly service.
- c. Reemployment of a former employee in the same classification within 36 months of separation will be at the same tier. Reemployment in the same classification after 36 months will be at Tier I.
- d. Reemployment of a former employee in a lower classification within 36 months will be at the tier for which the employee is qualified. Reemployment at a higher classification level will be at Tier I.

### **C. PROMOTIONS/REALLOCATIONS/DEMOTIONS—SALARIED EMPLOYEES:**

- a. Upon promotion or reallocation, salaries shall be increased 7% for the first pay increment, 5% for the second increment, 4% for the third increment, and 3% for each subsequent increment, up to a maximum of 25%, or to the minimum for the pay grade of the class if necessary. Notwithstanding the provisions of this section, the pay of an employee being promoted or



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reallocated may not exceed the maximum level of the applicable pay grade. If an employee's position is reallocated, and a subsequent appeal of that reallocation results in an order to further reallocate the position to a higher classification, the pay on the second reallocation will be set according to the provisions of this section as if the initial reallocation had not occurred.

- b. The commissioner may grant additional increments if the employee being promoted or reallocated has qualifications exceeding the minimum required for the new classification in the same manner as for appointments as detailed in Section A(a) of this policy.
- c. An employee who has been demoted without prejudice or reallocated downward may retain his or her current salary or have his or her salary reduced at the commissioner's discretion, so long as the employee's pay rate is within the pay grade for the job class to which the employee is being demoted or reallocated.
- d. An employee who has been demoted or reallocated to a lower pay grade with no loss in pay, and is subsequently promoted or reallocated to a higher class and

pay grade within the next 24 months shall receive a salary increase under this section only to the extent that he or she would have received a salary increase had he or she not been demoted or reallocated to a lower pay grade.

- e. An employee who is demoted with prejudice shall receive a reduction in pay by at least one (I) increment as defined in this rule, and the employee's pay rate shall not exceed the maximum or be below the minimum of the new compensation range. The reduction may be to any pay rate within the compensation range of the job class to which the employee is demoted.

### **D. PROMOTIONS/REALLOCATIONS/DEMOTIONS—HOURLY EMPLOYEES**

- a. Upon promotion or reallocation, the hourly rate of the employee will be raised to the Tier I rate for the new classification. This is the case regardless of the tier occupied by the employee in his or her current classification.



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- b. No additional increments may be granted when an hourly employee is promoted or reallocated.
  - c. The hourly rate of an employee being demoted without prejudice will be set at the tier for which he or she qualifies according to the Apprenticeship Program requirements for such tier.
  - d. The hourly rate of an employee being demoted with prejudice may be set at a tier approved by the commissioner, provided the employee qualifies for that tier and it is no higher than the tier previously held by the employee within the lower classification.
- E. **SALARY ADVANCEMENTS:** Salary advancements are discretionary and limited to permanent employees in the Salaried Classified Service. Salary advancements shall be limited to a maximum of 10% in any 12-month period and shall not cause the new salary to exceed the maximum of the pay grade to which the employee's class is allocated unless the employee has at least seven (7) years of permanent state service.
- a. A salary advancement shall be based on quality of performance as evidenced by employee performance appraisals for the most recent reportable period or other documented evidence of performance at a "meets expectations" level. Employees who have been disciplined within the most recent 12 months are not eligible for a salary advancement.
- F. **TEMPORARY UPGRADE OF HOURLY EMPLOYEES:**
- a. Hourly employees classified in the Transportation Worker series shall be temporarily upgraded in pay when required to perform duties of a higher-level classification within the series for at least one hour.
  - b. In all cases, employees being temporarily upgraded will be paid the Tier I rate for the higher classification, regardless of the employee's tier level in his or her regular classification.



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- c. Temporary upgrade of an employee is limited to 1,000 hours in a calendar year. Exceptions to this limitation may be made by the commissioner when deemed necessary for the efficient operation of the given organizational unit.

#### G. DISCRETIONARY SALARY ADJUSTMENTS—SALARIED CLASSIFIED SERVICE ONLY:

- a. Recruitment and Retention Incentive: The commissioner may grant an in-range salary adjustment to all employees in a job class for which documented salary non-competitiveness has been established. Such documentation may include, but is not limited to, turnover data, comparative private sector salary data, an inadequate applicant pool despite recruitment efforts, feedback from applicants declining employment, or other information that can be reasonably adduced to indicate low pay is a significant cause of employee turnover and the failure to attract new employees to the job class.
- b. Additional duties/responsibilities: The commissioner may grant an in-range salary adjustment of up to 10% for an employee who has been assigned additional duties beyond those expected of his or her current position, where the commissioner determines that a change in classification is not warranted. The duties may be assigned on either a temporary or permanent basis.
  - i. The additional duties must meet one or more of the following criteria:
    1. Assignment of responsibility for a distinct new or additional program.
    2. Assignment of a new responsibility due to agency reorganization or realignment.
    3. Assignment of supervisory or additional supervisory duties or responsibilities.
  - ii. The new duties, when evaluated separately, must be considered an increase in complexity or responsibility, rather than a quantitative increase.
  - iii. If an employee receives an in-range salary adjustment for assuming additional duties and is subsequently reallocated within the next twelve (12) months based in part on assuming these additional duties,



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the commissioner may reduce the salary increase due for the reallocation by the percent amount of the in-range adjustment received for the previous assumption of additional duties.

- iv. In the case of a temporary in-range adjustment, the employee shall be required to acknowledge in writing that the salary increase is temporary and will be withdrawn at the end of the additional duty assignment. If the employee declines to provide written acknowledgement the commissioner shall either withdraw the temporary assignment or provide oral notification to the employee documented and witnessed by a third party. Performance of the additional duties after the notification shall constitute the acknowledgement of the employee.
- c. Internal Equity. The commissioner may adjust the salary of one or more employees by up to 10% to more equitably align salaries between employees based on reporting relationships, comparable job duties, or comparable qualifications.
  - i. The analysis of whether an equity adjustment is warranted shall be based on factors including, but not limited to:
    1. Starting pay;
    2. Prior movements between organizations within the agency;
    3. Prior assumption of supervisory duties without additional compensation;
    4. The absence or presence of across the board increases during the tenure of the employees: or
    5. Other personnel actions that may have contributed to the inequity.
  - ii. Equity adjustments are not considered warranted where pay differences are the result of the receipt or non-receipt of merit increases or where an employee has been granted a salary adjustment for a competitive job offer.



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- d. Pay Benchmarks. For a given classification or classification series, the commissioner may establish, pursuant to an internal governing policy, pay benchmarks, corresponding to particular percentages of progression within assigned pay grades, to which employees' pay will be adjusted based on a specific set of job duties or tenure within the employee's classification.
- e. Professional Skills/Competency Development. The commissioner may grant up to a salary adjustment to employees who acquire, after employment with the division, certain formal training, education, certification, or licensure not required of the position, but that is deemed by the commissioner to positively impact the employee's work or his or her general value to the division.
- f. Competitive Job Offer. The commissioner may grant an employee a one-time salary adjustment as an incentive to retain an employee who has submitted a conditional letter of resignation in anticipation of accepting a standing job offer. The letter must contain specifics of the job offer, including the name of the prospective employer, the name of the representative making the offer, the salary, and the location. An offer letter from the prospective employer may be submitted in lieu of the resignation letter.
- g. Project-Based Incentive. The commissioner may grant a temporary in-range salary adjustment of up to 10% to a permanent employee assigned to a long-term project that is outside the scope of the essential functions of the employee's current position.
  - i. The employee shall be required to acknowledge in writing that the salary increase is temporary and will be withdrawn at the end of the project. assignment. If the employee declines to provide written acknowledgement the commissioner shall either withdraw the project assignment or provide oral notification to the employee, documented and witnessed. Performance of the project-based duties after the notification shall constitute the acknowledgement of the employee.

### **H. HOURS OF PAY WHEN CALLED TO DUTY AFTER COMPLETION OF NORMAL WEEKLY WORK SCHEDULE:**

- a. Employees in both the Salaried and Hourly Classified Services will be paid for hours of actual work performed that occur after the accumulation of 40 hours for the workweek, notwithstanding the fact that annual or sick leave may have been



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attributed to reaching the 40-hour threshold, provided the employee occupies a position that is customarily paid either premium or straight-time for overtime hours worked.

#### I. APPENICEDICES

##### a. Appendix A: Hourly Pay Schedule

Effective Date: July 1, 2018

Classification	Pay Grade	Tier 1	Tier 2	Tier 3	Tier 4
Transportation Worker 1	10 H	\$10.77	\$11.41	\$12.04	N/A
Transportation Worker 2	11 H	\$12.81	\$14.02	\$15.45	\$16.88
Transportation Worker 3	12 H	\$17.99	\$18.88	\$19.88	\$21.15
Transportation Worker 4	15 H	\$22.15	\$23.24	\$24.54	

DOHRLY



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b: Appendix B: Schedule of Salary Grades 2-26

Effective Date: August 1, 2018

Grade	Minimum		Market		Maximum	
	Monthly	Annual	Monthly	Annual	Monthly	Annual
2	\$1,546	\$18,552	\$2,520	\$30,240	\$2,861	\$34,332
3	\$1,624	\$19,488	\$2,648	\$31,776	\$3,005	\$36,060
4	\$1,706	\$20,472	\$2,781	\$33,372	\$3,157	\$37,884
5	\$1,792	\$21,504	\$2,921	\$35,052	\$3,316	\$39,792
6	\$1,882	\$22,584	\$3,068	\$36,816	\$3,482	\$41,784
7	\$1,977	\$23,724	\$3,223	\$38,676	\$3,658	\$43,896
8	\$2,076	\$24,912	\$3,384	\$40,608	\$3,841	\$46,092
9	\$2,180	\$26,160	\$3,554	\$42,648	\$4,033	\$48,396
10	\$2,311	\$27,732	\$3,767	\$45,204	\$4,276	\$51,312
11	\$2,450	\$29,400	\$3,994	\$47,928	\$4,533	\$54,396
12	\$2,597	\$31,164	\$4,234	\$50,808	\$4,805	\$57,660
13	\$2,753	\$33,036	\$4,488	\$53,856	\$5,094	\$61,128
14	\$2,919	\$35,028	\$4,758	\$57,096	\$5,401	\$64,812
15	\$3,095	\$37,140	\$5,045	\$60,540	\$5,726	\$68,712
16	\$3,281	\$39,372	\$5,349	\$64,188	\$6,070	\$72,840
17	\$3,478	\$41,736	\$5,670	\$68,040	\$6,435	\$77,220
18	\$3,687	\$44,244	\$6,010	\$72,120	\$6,821	\$81,852
19	\$3,946	\$47,352	\$6,432	\$77,184	\$7,301	\$87,612
20	\$4,223	\$50,676	\$6,884	\$82,608	\$7,813	\$93,756
21	\$4,519	\$54,228	\$7,366	\$88,392	\$8,361	\$100,332
22	\$4,836	\$58,032	\$7,883	\$94,596	\$8,947	\$107,364
23	\$5,175	\$62,100	\$8,436	\$101,232	\$9,574	\$114,888
24	\$5,537	\$66,447	\$9,027	\$108,318	\$10,244	\$122,930
25	\$5,925	\$71,098	\$9,658	\$115,901	\$10,961	\$131,535
26	\$6,340	\$76,075	\$10,334	\$124,014	\$11,729	\$140,743



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1. Effective Date of policy: May 1, 2018

Approved by:

A handwritten signature in blue ink, which appears to read "Thomas J. Smith", is written over a horizontal line.

Thomas J. Smith  
Secretary of Transportation/Commissioner of Highways

April 13, 2018

Date