

GENERAL DISTRIBUTION

**WEST VIRGINIA
DIVISION OF CORRECTIONS
& REHABILITATION**

NUMBER: 135.02

EFFECTIVE DATE: 14 December 2023

SUBJECT: SALARY REQUESTS

POLICY DIRECTIVE

PURPOSE:

To ensure appointments, promotions, inter-agency transfers, lateral moves, and demotions are given in a consistent manner with due consideration to the salaries and relative qualifications of incumbent employees in the same classification to ensure internal equity. This document is not all-inclusive, and management has the authority and discretion to address any issues not specifically mentioned herein.

REFERENCE:

143CSR1 Title 143 Legislative Rule of the West Virginia Division of Personnel; WV Division of Personnel Policy DOP-P12, Pay Plan Policy; and State Personnel Board (SPB) Proposal #3088.

RESPONSIBILITY:

No additional written instructions on this subject are required.

CANCELLATION:

Any previous written instruction on the subject.

APPLICABILITY:

All facilities and work units within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution.

DEFINITIONS:

Appointing Authority: The executive or head of a department or agency who is authorized by statute to appoint employees in the classified or classified-exempt service.

Critical Vacancy Pay Differential: Special hiring rates for facilities with critical vacancies as identified by the Commissioner and approved by the State Personnel Board.

POLICY:

- I. Certain provisions of State Personnel Board (SPB) Proposal #3088, effective 07 October 2023, (e.g., special hiring rates for the Correctional Officer class series, annual base building pay differentials, and critical vacancy pay differentials) affect salaries in the following circumstances.
 - A. An employee moving into a position within the Correctional Officer class series through reallocation, inter-agency transfer, lateral move, promotion or demotion without prejudice will be paid at the rate established for each classification in SPB Proposal #3088.
 - B. When an incumbent Correctional Officer applies for and is selected for promotion into a Correctional Officer 4 – 7 (sergeant, lieutenant, captain, major) classification, his or her salary shall be adjusted to the hiring rate for the classification and then have the total amount of all base building pay differentials received prior to that date applied to the new salary. An employee whose pay is above the special hiring rate already will not receive an increase.
 - C. When an employee is demoted with prejudice, his/her salary shall be reduced by 7% per pay grade but shall be no less than the newly established rate for the classification to which the employee is demoted.
 - D. An employee leaving a facility identified with critical vacancies shall have the critical vacancy pay differential removed from his/her salary.
 - E. The employee's pay rate shall not exceed the maximum or be below the minimum of the new compensation range except for provisions previously approved in SPB Proposal #3088.
 - F. Salaries of employees hired through reinstatement are subject to the provisions of SPB Proposal #3088. Employees hired through reinstatement are not automatically entitled to his/her former salary.
 - G. An incumbent employee moving into another position out of the Correctional Officer class series shall not retain the special hiring rate approved by SPB #3088.
- II. When an incumbent moves out of the Correctional Officer class series, the incumbent's adjusted salary rate must be requested and approved by the Deputy Commissioner through the following procedure. Additionally, this process will continue to be followed for all "above minimum" salary requests.

- A. The Appointing Authority shall submit a request using the prescribed DCR Salary Request template to the Deputy Commissioner through the appropriate Assistant Commissioner. The memorandum shall include information to justify the salary being requested.
- B. The standard progression for pay increments established in the DOP Pay Plan policy is negated by certain provisions of the SPB Proposal #3088.
- C. In determining the appropriate salary to request, the Appointing Authority shall consider factors including, but not limited to, the following:
 - 1. Qualifying experience or training above the minimum qualifications established in the class specification and any supplemental requirements specified in the job posting.
 - 2. Assuring internal equity with the salaries of similarly situated incumbent employees in the same job classification.

ATTACHMENT(S):

None.

APPROVED SIGNATURE: _____

William K. Marshall III

William K. Marshall III, Commissioner

12/14/2023

Date