

Office of Human Resources
State of Louisiana
Division of Administration

JOHN BEL EDWARDS
GOVERNOR



JAY DARDENNE
COMMISSIONER OF ADMINISTRATION

DIVISION OF ADMINISTRATION

PERSONNEL POLICY NO. 45

EFFECTIVE DATE: May 6, 2020

PREVIOUS VERSIONS: September 25, 2001 (Original); September 25, 2003;
February 12, 2007; June 14, 2012; July 1, 2018

SUBJECT: Hiring Above the Minimum, Civil Service Rule 6.5(g)

AUTHORIZATION:


Barbara Goodson, Appointing Authority

I. POLICY:

Upon recommendation from the section head, the appointing authority of the Division of Administration (DOA) will consider paying an employee a salary above the minimum rate of the pay grade, not to exceed the midpoint, upon initial hire or within one year of initial hire* under the following conditions:

- The applicant possesses extraordinary or superior qualifications, credentials, and/or skills above and beyond those normally required for the position, and
- Those qualifications, credentials and/or skills would be particularly beneficial in the position to be filled, and
- The nature of the appointment is probational or a job appointment.

Specific verification of the qualifications, credentials, and/or skills possessed and evidence of how those qualifications, credentials and/or skills would be particularly beneficial in the position to be filled is required. Formal documentation of that verification and evidence must be created and available for audit.

* **If the effective date of the new employee's pay under Civil Service Rule 6.5 (g) is after the initial date of hire, the pay change must be prospective.**

Upon recommendation from the section head and with the approval of the appointing authority, the salaries of all probational, job appointment and permanent employees who occupy positions in the same job title and who possess the same or equivalent qualifications, credentials, and/or skills may be adjusted up to but not to exceed the amount of the percent difference between the special hiring rate and the regular hiring rate. The same verification process used for the applicant is required and formal documentation must be created and available for audit. Such adjustments shall only be made on the same effective date that the higher pay rate is given to the newly hired employee.

If an employee with permanent status resigns and is then rehired into either the same position or into the same job title or a job with a lower maximum at the same agency, the employee shall not be eligible for an increase under this rule unless there has been a break in State service of at least 30 days. If an employee with permanent status resigns and is then rehired into a job with a lower maximum at any other agency, the employee shall not be eligible for an increase under this rule unless there has been a break in service of at least 30 days.

Prior to committing a salary to an applicant, sections must provide the request along with all documentation to the OHR for review. Following a review of the documentation received, the Office of Human Resources will make a recommendation to the appointing authority. Human Resources is unable to provide any recommendation prior to receiving the completed documentation from the section.

NO OFFER OF EMPLOYMENT AT A SALARY ABOVE THE MINIMUM OF THE PAY GRADE SHALL BE MADE WITHOUT REVIEW BY THE OFFICE OF HUMAN RESOURCES AND APPROVAL FROM THE APPOINTING AUTHORITY.

II. AUTHORITY:

Civil Service Rule 6.5(g) allows the appointing authority to hire individuals in classified positions above the minimum of the pay grade of the position when the individual possesses extraordinary or superior qualifications, credentials, and/or skills, when certain conditions are met. The Rule further allows the appointing authority to raise the pay of existing employees if they are in the same job title and also possess extraordinary or superior qualifications, credentials, and/or skills.

The Department of State Civil Service interprets this rule to apply only to initial hires and to become effective on the date of hire or on a date thereafter, but no later than one year following the hire date, with the exception of the stipulations outlined below. Thus the Rule *may not be used in the following situations:*

1. In a highly competitive situation where suitable and extraordinarily qualified applicants are available without use of Rule 6.5(g), or
2. To fill a lower level position when a higher level position is more appropriate, or

3. To fill an entry level position (unless unusual circumstances exist), or
4. When formal training is readily available to present employees, with which they might become equally well qualified as the applicant, or
5. When present employees, who possess the equivalent qualifications, credentials, and/or skills could be promoted, or
6. In a lateral move of a permanent, classified employee within a department or from one department to another department, or
7. Upon promotion of a permanent, classified employee within the same department or from one department to another, or
8. For an employee with permanent status who resigns his position and is then rehired into either the same position or into the same job title or a job with a lower maximum at the same agency, unless there has been a break in State service of at least 30 days. If an employee with permanent status resigns and is then rehired into a job with a lower maximum at any other agency, the employee shall not be eligible for an increase under this rule unless there has been a break in service of at least 30 days.

III. FACTORS FOR CONSIDERATION:

When determining and setting an appropriate salary upon hire, the following factors shall be taken into consideration:

Market Relativity - a comparison of the new hire's pay relative to the midpoint or market rate for his/her position;

Internal Equity - a criterion that takes into consideration the relationship of one employee's salary to the salaries of other employees who have comparable levels of education and experience and perform similar duties and responsibilities, within a work unit, division or agency;

Work Experience/Education - a new hire's relevant work history and academic qualifications as related to the job;

Knowledge, Skills, and Abilities - special qualifications, competencies, and/or prerequisites needed to successfully perform the tasks required of a job;

Recruitment/Retention Issues - issues related to jobs that may warrant higher salaries because of difficulty in recruiting or retaining employees with qualifications or credentials that are highly sought after.

IV. DESCRIPTION OF QUARTILES:

Pay ranges are divided into quartiles in order to aid in determining employee hiring rate placement within the prescribed salary range. There are four points in the range to consider:

Minimum	1 st Quartile	Midpoint	3 rd Quartile to Maximum
Meets minimum qualifications	Previous related experience	Subject Matter Expert	Hiring above the midpoint/market should be rare, but may be justified by the following:
No prior experience	Demonstrated ability to perform duties	Exhibits broad and deep knowledge of job and related areas	-Difficult to recruit applicants to the position
Requires additional training to build knowledge and skills	May require additional training to perform duties independently	Senior-level job expertise with no training required	-Highly qualified with industry leading expertise
			-Sought-after educational background or certifications

Minimum - is the entry point for a grade and is appropriate for someone who is new to the position, when there is an abundant supply of talent, and low turnover;

First Quartile - is the progress point for a pay range and is usually appropriate for someone who is experienced and performing all the duties of the position, or when there are challenges in the supply of talent, and some turnover;

Midpoint - is the advanced point (midpoint or market) and is usually appropriate for a seasoned employee who is performing competently in their job over many years, or when there is a limited supply of talent, and significant turnover;

3rd Quartile to Maximum - is the point up to the maximum for a grade that is usually appropriate for an employee with a level of experience and expected performance that will significantly exceed both the requirements of the job and the performance of most other employees. Hiring at this rate should be rare and factors such as a scarce supply of talent, and critical turnover should be considered.

V. RESPONSIBILITY:

Section Heads are responsible for:

1. Ensuring that there are funds available for any recommendation made to the appointing authority.
2. Demonstrating that the qualifications, credentials, and/or skills which make the applicant extraordinarily well qualified are directly related to and will be

beneficial to the performance of the duties and the undertaking of the responsibilities of the position to be filled:

- a. Obtain an accurate position description for the position to be filled. On that document, highlight those duties, responsibilities, and/or skills for which the applicant is extraordinarily well qualified. If the officially allocated position description is not accurate, an updated position description must be prepared which is current and accurate.
 - b. Obtain a current Civil Service Employment Application for the applicant. On that document, highlight the qualification, credentials, and/or skills which make the applicant extraordinarily well qualified.
 - c. Correlate the highlighted duties and responsibilities on the position description with the qualifications, credentials, and/or skills on the individual's Civil Service Application. This correlation should be demonstrated by placing a number in the margin next to the highlighted qualifications, credentials, and/or skills and placing the same number in the margin of the position description next to the highlighted duties and responsibilities to which it applies.
3. For **each incident** of qualifications, credentials, and/or skills claimed by the applicant which are considered extraordinary and which are being used to justify hiring above the minimum of the pay range, a verification must be made. Specifically:
- a. The section head must obtain a release from the applicant prior to checking references (see attached "Release for Reference Checking" form).
 - b. Contact the employer under whom each work experience was gained and confirm with the employer that the applicant worked there during the period of time indicated on the application. Further, confirm that the applicant performed the duties or exhibited the skills claimed on the application during the period claimed. Prepare a document which includes:
 - o The name and title of the section head (or his designated representative) verifying the qualifications, and
 - o The name and position of the employer to whom the section head (or his designated representative) spoke with to confirm information on the application, and
 - o The date and time the conversation took place, and
 - o The specific work experience which the employer confirmed that the applicant had obtained.

The documentation must be dated and signed by the section head (or his designated representative) making the confirmation call. A *Verification of Employment [6.5(g)] Request* form may be obtained at:

http://www.doa.la.gov/Pages/ohr/HCM_Forms.aspx

- c. An academic degree should be verified by instructing the individual to provide a copy of the transcript or diploma from the institution attended. Official transcripts must be submitted to OHR by the employee's start date; however, an exception may be made if extenuating circumstances exist.
 - d. The section head must obtain a copy of documentation such as a certificate or letter of award which proves the credentials claimed by the applicant, if those credential will be used to justify a higher beginning salary.
4. The Rule allows the appointing authority to raise the salaries of current probational, job appointment, and permanent employees, not to exceed the maximum of the pay grade, if they occupy positions in the same job title and possess the same or equivalent experience, credentials, and/or skills. Such adjustments shall only be made on the same effective date that the higher pay rate is given to the newly hired employee.
- a. The section head must review the background of current employees in the same job title to determine if any possess the same or equivalent qualifications, credentials, and/or skills. A statement must be included in the documentation submitted to the appointing authority which indicates **whether or not other such employees were found**.
 - b. **If other employees in the same job title are found to possess the same or equivalent qualifications, credential, and/or skills**, and are thus also eligible for an increase in pay under 6.5(g), then the section head must make a recommendation to the appointing authority to either **increase the pay or not increase the pay** of these employees. If a recommendation to increase the pay is approved, each request for a change in pay must be accompanied by the same documentation of verification as is required for the individual being hired. Should the section head find employees in the same job title with the same or equivalent qualifications, credentials, an/or skills, but does not recommended an increase in pay for those individuals, he must include a written explanation for the recommendation. Some examples or reasons not to recommend a pay increase could be prior performance appraisal, performance deficits, behavioral problems, budgetary reasons, etc.

5. The Rule demands that any pay rate under 6.5 (g) be implemented in accordance with written policies and procedures established by the department and that such policies must be posted in a manner, which assures availability to all employees.
 - a. The section head must assure that this policy is posted in one or more locations to assure that it is accessible to all employees. The section head must assure that the posting remains in place permanently or is replaced when appropriate.

6. The section head must submit a copy of the documentation required in #2, #3, and #4 above, along with his recommendation, to the Office of Human Resources for recommendation to the appointing authority. The section head must maintain, in-house, a copy of the same documentation available for audit by any regulatory agency.

VI. QUESTIONS:

Questions regarding this policy should be directed to the Office of Human Resources.

VII. EXCEPTIONS:

Request for exceptions to this policy should be submitted to the appointing authority with specific and compelling justification.

Requests for exceptions to the rule must be approved by the State Civil Service Commission.

RELEASE FOR REFERENCE CHECKING

“We want you to know that reference checking is an important part of our hiring process. In addition to contacting the persons you furnished us as references on your Civil Service Application or resume, we may also contact other business associates, acquaintances and friends. We ask all references a series of questions about work experience, character, personal habits, educational background and personality. In some cases we ask an outside firm to check references.”

“I voluntarily consent to allow the Division of Administration or any of its officers, employees or agents to check my references by contacting any person whom they deem to be an appropriate reference. I understand that these questions may be about my personal or educational background, work experience, character and personality.”

Signature

Date