

## ARTICLE 1.4: ADJUSTMENT IN RANGE

SECTION 1.4.1: APPLICATION. This article applies to:

(Amended 08/02/96, Ord. No. 8707)

- (a) Initial salary placement and subsequent salary adjustments to employees in Broadband classes.
- (b) Subsequent step advancement for employees in Step classes.
- (c) This section does not apply to Sections 2.1.2 (Incentive Compensation Adjustment: Deputy County Counsel) and 3.5.2 (Executive/Unclassified Management Compensation Plan).

(Amended 01/18/08, Ord. No. 9912)

SECTION 1.4.2: "SERVED IN CLASS" DEFINED.

- (a) An employee has served in class when:
  - (1) Performing actual service, that is, the performance of assigned duties;
  - (2) Performing service in a class with the same or higher maximum salary while on leave without pay from the class for which the salary step is being determined;
  - (3) Performing service in any two or more classes prior to their being combined into the one class for which the salary step is being determined;
  - (4) Performing service in a class prior to its division into two or more classes, for one of which the salary step is being determined;
  - (5) Performing service in any other class with the same or higher maximum salary immediately prior to the period for which the salary step is being determined;
  - (6) On leave of absence with pay;
  - (7) On short-term Voluntary Work Furlough;
  - (8) On holidays;

SECTION 1.4.2: "SERVED IN CLASS" DEFINED.

- (9) On military leave;
  - (10) On Graduate Stipend Leave for social services related work pursuant to 4.2.7 (Social Services Graduate Stipend Leave).
- b) "Served in class" does not include:
- (1) Service prior to resignation from the County;
  - (2) Service in a class prior to removal from it for unsatisfactory service;
  - (3) Service as a former temporary employee occurring prior to any interruption of two years or more;
  - (4) Leave without pay/Unpaid Leave unless authorized in subparagraph (a) above.

(Amended 06/27/03, Ord. No. 9562)  
(Amended 06/27/03, Ord. No. 9562)  
(Amended 01/18/08, Ord. No. 9912)

SECTION 1.4.3: ADVANCEMENT WITHIN RANGE: BIWEEKLY RATE EMPLOYEES.

- (a) Employed Before July 1, 1974. Persons employed as of June 30, 1974, paid at a biweekly rate, having an appointment as a result of blanketing-in, suspension of competitive examination, or certification from an eligible list, who have served in class for at least twenty-six (26) weeks at Step 1, 2, 3, or at least fifty-two (52) weeks at Steps 4,5, or 6, shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed herein for the class. This provision shall apply as long as the employee has unbroken service, even though the employee may change class.
- (b) Employed July 1, 1974 or Subsequently. Persons employed on July 1, 1974 or subsequently, paid at a biweekly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to twenty-six (26) weeks of full-time service at Step 1, or the number of hours equivalent to fifty-two (52) weeks of fulltime service at Step 2 or higher, shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed herein for the class.

Eligible Classes: Classes designated DS (except 005746 Deputy Sheriff and 005757 Deputy Sheriff – Detentions/Court Services) and SM

- (c) Employed between July 1, 1974 and June 27, 2013. Except for employees in eligible classes listed in (d) below, persons appointed between July 1, 1974 and June 27, 2013 paid at a biweekly rate, having an appointment as a result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least twenty-six (26) weeks at Step 1, or at least fifty-two (52) weeks at Step 2, 3, 4, 5, 6, 7 and 8 shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed herein for the class.
- (d) Employed June 28, 2013 or subsequently. Persons appointed on June 28, 2013 or subsequently, paid at a biweekly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated AM, AS, CE, CEM, CR, DA, DI, DM and MA

- (e) Employed September 24, 2013 or subsequently. Persons appointed on September 24, 2013 or subsequently, paid at a biweekly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated PO

- (f) Employed October 8, 2013 or subsequently. Persons appointed on October 8, 2013 or subsequently, paid at a biweekly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in his/her class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated AE, CL, FS, HS, MM, PR, PS, RN, SS, and SW

- (g) Employed December 3, 2013 or subsequently. Persons appointed on December 3, 2013 or subsequently, paid at a biweekly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in his/her class for at least fifty-two (52) weeks at the respective step, shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed herein for his/her class.

Eligible Classes: Classes designated CM

(Amended 12/06/96, Ord. No. 8749)  
(Amended 04/01/03, Ord. No. 9543)  
(Amended 04/08/03, Ord. No. 9544)  
(Amended 01/08/03, Ord. No. 9526)  
(Amended 04/01/03, Ord. No. 9543)  
(Amended 12/09/03, Ord. No. 9618)  
(Amended 01/18/08, Ord. No. 9912)  
(Amended 06/28/13, Ord. Nos. 10263; 10266)  
(Amended 09/20/13, Ord. No. 10291)  
(Amended 10/08/13, Ord. No. 10293)  
(Amended 12/03/13, Ord. No. 10303)  
(Amended 06/27/14, Ord. No. 10344)

SECTION 1.4.4: ADVANCEMENT WITHIN RANGE: HOURLY RATE EMPLOYEES.

- (a) Employed July 1, 1974 or Subsequently. Persons employed on July 1, 1974 or subsequently, paid at an hourly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to twenty-six (26) weeks of full-time service at Step 1, or the number of hours equivalent to fifty-two (52) weeks of full-time service at Step 2 or higher shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed herein for the class.
- (b) Employed June 28, 2013 or subsequently. Persons appointed on June 28, 2013 or subsequently, paid at a hourly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated AM, AS, CE, CEM, CR, DA, DI, DM, MA, NR, and NRT

- (c) Employed July 30, 2013 or subsequently. Persons appointed on July 30, 2013 or subsequently, paid at an hourly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated PD, PM and SO

- (d) Employed September 24, 2013 or subsequently. Persons appointed on September 24, 2013 or subsequently, paid at an hourly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated PO

- (e) Employed October 8, 2013 or subsequently. Persons appointed on October 8, 2013 or subsequently, paid at an hourly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in class for at least the number of hours equivalent to fifty-two (52) weeks of full-time service at any step in the range shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed for the class.

Eligible Classes: Classes designated AE, CL, FS, HS, MM, PR, PS, RN, SS, and SW

- (f) Employed December 3, 2013 or subsequently. Persons appointed on December 3, 2013 or subsequently, paid at a biweekly rate, having an appointment as the result of suspension of competitive examination, or certification from an eligible list, and who have served in his/her class for at least fifty-two (52) weeks at the respective step, shall advance on the first day of the next succeeding biweekly pay period to the next higher step within the range prescribed herein for his/her class.

Eligible Classes: Classes designated CM

- (g) Equivalent Hours. For the purposes of this section, the equivalent number of hours are:

<b>Biweekly Schedule</b>	<b>26-Week Schedule</b>	<b>52-Week Schedule</b>
80 hours	1040 hours	2080 hours
84 hours	1092 hours	2184 hours
85 hours	1105 hours	2210 hours
144 hours	1872 Hours or 72 24-hr. days	3774 hours or 156 24-hr. days
10 24-hr. days	3120 hours or 130 24-hr days	6240 hours or 260 24-hr. days

(Amended 08/16/85, Ord. No. 7013)  
 (Amended 08/02/96, Ord. No. 8707)  
 (Amended 04/10/98, Ord. No. 8899)  
 (Amended 01/18/08, Ord. No. 9912)  
 (Amended 06/28/13, Ord. Nos. 10263; 10266)  
 (Amended 06/02/13, Ord. Nos. 10268, 10269)  
 (Amended 09/20/13, Ord. No. 10291)  
 (Amended 12/03/13, Ord. No. 10303)  
 (Amended 06/27/14, Ord. No. 10344)  
 (Amended 01/09/15, Ord. No. 10368)

**SECTION 1.4.5: ADVANCEMENT WITHIN RANGE: DEPUTY SHERIFF CLASS 5746.**

- (a) Employees in Class 5746, Deputy Sheriff, having an appointment as a result of certification from an eligible list, shall advance within range as follows:
- (1) Employees shall enter at Step 2.  
 (Amended 01/18/08, Ord. No. 9912)
  - (2) Following completion of service in class of at least the number of hours equivalent to fifty-two (52) weeks of full-time service, employees shall advance to Step 3.
  - (3) Following completion of service in class of at least the number of hours equivalent to twenty-six (26) weeks of full-time service at Step 3, employees shall advance to Step 4.

- (4) Following completion of service in his/her class of at least the number of hours equivalent to fifty-two (52) weeks of full-time service at Step 4, 5, or 6, employees shall advance to the next higher step within the range.
- (5) Following completion of service in his/her class of at least twelve (12) full months of continuous paid regular service at step 7, the employee shall advance to step 8 of the range prescribed for Class 5746. Step 8 shall be approximately ten percent (10%) above step 7. This rate shall be determined by multiplying the hourly rate at step 7 by a factor of 1.1 and rounding upward to the next cent any resulting fraction of a cent over .005.
- (6) Following completion of service in his/her class of at least the number of hours equivalent to fifty two (52) weeks of full-time service at Step 8 or higher, employees shall advance to the next higher step within the range.

(Added 12/15/00, Ord. No. 9286)  
 (Amended 06/27/14, Ord. No. 10344)

- (b) Equivalent Hours. For the purpose of this section, the equivalent number of hours is the same as those set forth in Section 1.4.4(f) (Equivalent Hours).

SECTION 1.4.6: ADVANCEMENT WITHIN RANGE: ELIGIBILITY TECHNICIAN CLASS 5221.

(Repealed 10/03/03, Ord. No. 9605)

SECTION 1.4.7: STEP ANNIVERSARY DATE. Notwithstanding Sections 1.4.3 (Advancement Within Range: Biweekly Rate Employees), 1.4.4 (Advancement Within Range: Hourly Rate Employees), 1.4.5 (Advancement Within Range: Deputy Sheriff), an employee who, subsequent to promotion, demotion, or appointment to a different class at the same level, receives compensation in the same or a lesser amount than the employee's former rate, or any rate between the employee's former rate and inclusive of a rate five percent (5%) higher than such former rate when rounded to the nearest tenth of a percent, shall advance to the next higher step on the date the employee would have advanced if the employee had remained in the former class.

(Added 07/17/87, Ord. No. 7324)  
 (Amended 06/26/92, Ord. No. 8088)  
 (Amended 12/09/03, Ord. No. 9618)

SECTION 1.4.8: TEMPORARY SUSPENSION OF ADVANCEMENT: REDUCTION. As discipline, an appointing authority may: (1) suspend the right of an employee to advance within range where such advancement is conditioned upon service for a specified period of time; or (2) order that the compensation of an employee be reduced to the next lowest step (but no lower than the normal entry step). In the case of an employee appointed to a Broadband Class, compensation may be reduced by no more than 5% (but no lower than the lowest rate within the salary range for that class. Such suspension of advancement or reduction in compensation shall be for six (6) months or less and shall be administered as provided in Rule VII of the Rules. In no case shall employees appointed to classes exempt from overtime under the Fair Labor Standards Act have their compensation temporarily reduced pursuant to this section.

(Amended 03/25/11, Ord. No. 10135)

SECTION 1.4.9: EQUITABLE ADJUSTMENT. Upon request of the appointing authority if the Director determines that this Article 1.4 would result in the payment of an employee at an inequitable rate as compared to other employees in the same class or other comparable classes, the Director may adjust the salary of such employee to the step/rate that the Director determines most equitable; provided, however, that the Director shall not do so contrary to the general intent and spirit of this section.

(Amended 08/21/92, Ord. No. 8132)

(Amended 01/18/08, Ord. No. 9912)

SECTION 1.4.10: ADVANCEMENT WITHIN RANGE: CORRECTIONS DEPUTY SHERIFF CADET, CLASS NO. 5784.

(Repealed 01/18/08, Ord. No. 9912)

SECTION 1.4.11: ADVANCEMENT WITHIN RANGE, CORRECTIONS DEPUTY SHERIFF I AND II.

(Repealed 12/06/96, Ord. No. 8749)

SECTION 1.4.12: ADVANCEMENT WITHIN RANGE, DEPUTY SHERIFF - DETENTIONS/COURT SERVICES. Every employee in class 5757, Deputy Sheriff – Detentions/Court Service, having graduated from an approved academy, shall advance within range as follows:

(a)	The employee shall enter at Step 1 on the first day of the first biweekly pay period following graduation from an approved Academy.
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(b)	Following completion of twenty-six 26 weeks of full-time service at Step 1, the employee shall advance to Step 2.
(c)	Following completion of twenty-six 26 weeks of full-time service at Step 2, the employee shall advance to Step 3.
(d)	Following completion of at least fifty-two 52 weeks of full-time service at Step 3, 4, 5, or 6, the employee shall advance to the next higher step within the range prescribed for his or her class.
(e)	Completion of service in his or her class of at least fifty-two (52) weeks of continuous paid regular service at Step 7, shall advance to Step 8 of the range prescribed for his or her class.
(f)	Completion of service in his/her class of at least fifty-two (52) weeks of continuous paid regular service at Step 8, shall advance to Step 9 of the range prescribed for his or her class.
(g)	Following completion of service in his/her class of at least fifty-two (52) weeks of full-time paid regular service at Step 9 or higher, shall advance to the next Step of the range prescribed for his or her class.

(Added 02/19/93, Ord. No. 8203)  
(Amended 05/04/93, Ord. No. 8230)  
(Amended 01/01/00, Ord. No. 9099)  
(Amended 12/15/00, Ord. No. 9286)  
(Amended 01/18/08, Ord. No. 9912)  
(Amended 06/27/14, Ord. No. 10344)  
(Amended 06/22/18, Ord. No. 10549)

**SECTION 1.4.13: PERFORMANCE BASED STEP ADVANCEMENT WITHIN RANGE.**

Employees in classes designated as eligible paid at a biweekly rate, having an appointment as a result of suspension of competitive examination, or certification from an eligible list, and who have served in that class for the specified time period required for step advancement, shall advance, on the first day of the next succeeding biweekly pay period, to the next higher step within the range prescribed herein for the class if, for the preceding performance rating period, the employees' overall performance was rated standard or higher. This provision shall apply as long as the employee has unbroken service, even though the employee may change classes.

**Eligible Classes:**

Employees in classes designated AE, AM, AS, CE, CEM, CL, CM, CR, DA, DI, DM, DS, FS, HS, MA, MM, NM, PD, PM, PO, PR, PS, RN, SD2, SD5, SM, SO, SS and SW.

(Added 06/21/96, Ord. No. 8650)  
(Amended 04/26/96, Ord. No. 8658)

(Amended 09/27/96, Ord. No. 8720)  
(Amended 12/18/98, Ord. No. 8987)  
(Amended 12/04/01, Ord. No. 9405)  
(Amended 10/14/16, Ord. No. 10439)

SECTION 1.4.14: SALARY ADVANCEMENT WITHIN RANGE FOR DEPUTY COUNTY COUNSEL CLASSES

(a) Annual Salary Advancement Based Upon Performance Standards.

- (1) The appointing authority will determine, on an annual basis, whether to grant an hourly wage rate increased based upon the demonstrated satisfactory performance and achievement of goals of employees in the Deputy County Counsel and Senior Deputy County Counsel classes.
- (2) Deputy County Counsel. An employee in the Deputy County Counsel classification shall be eligible, on an annual basis, for the appointing authority to determine whether to grant a five percent (5%) hourly wage rate increase not to exceed the maximum rate within the range of this classification.
- (3) Senior Deputy County Counsel. An employee in the Senior Deputy County Counsel classification shall be eligible, on an annual basis, for the appointing authority to determine whether to grant a five percent (5%) hourly wage rate increase, not to exceed the maximum rate within the employee's respective hourly wage rate bracket. Each employee within the Senior Deputy County Counsel classification shall be paid at an hourly rate within the three (3) hourly wage rate brackets.

(b) Salary Increases Based Upon Demonstrated Merit

- (1) Eligibility for Meritorious Salary Adjustment. An employee serving in either the Deputy County Counsel or Senior Deputy Counsel classification is eligible for consideration of a meritorious salary adjustment increase in his/her hourly rate, not to exceed the maximum wage rate set for the salary range for the respective classification as described in the Salary Schedule
- (2) Performance Based Standards Applicable to Meritorious Salary Adjustment.
  - (a) The amount of a meritorious based salary adjustment will be determined by the appointing authority based upon the employee's performance and achievement of goals pursuant

to the Performance Based Criteria established by the appointing authority. This determination will be based upon a review of the employee's performance appraisals, established goals, legal professional experience, and type of duties assigned to the employee. The type of duties will include consideration of the difficulty of assignments/cases, team leader duties, and supervisory/management responsibilities.

- (b) The appointing authority shall consider recommendations for a Meritorious Salary Adjustment made directly by the employee, the employee's immediate supervisor, or other supervisor in their reporting relationship to the appointing authority after completion of the annual performance appraisal. The appointing authority may also consider recommendations for Meritorious Salary Adjustments at other times during the year.
- (c) The appointing authority shall notify employees of the names and dates of the employees receiving Meritorious Salary Adjustments at or about the time of the adjustment. At the request of the employee, the appointing authority will meet with the employee to discuss the reasons why he/she did not receive such as adjustment.

(Added 03/15/96, Ord. No. 8650)  
(Amended 08/02/96, Ord. No. 8707)  
(Repealed & reenacted, 07/03/98, Ord. No. 8930)  
(Amended 01/18/08, Ord. No. 9912)

**SECTION 1.4.15: SALARY ADVANCEMENT WITHIN RANGE FOR DESIGNATED CE, CEM, AND MA CLASSES**

- (a) Initial Salary Placement. Persons appointed to CE, CEM, and MA classes may be placed by the appointing authority within the salary range of the class based upon the appointee's experience and education as defined by variable entry criteria.
- (b) Annual Salary Adjustment. For CE, CEM, and MA classes with broadband salary ranges, the appointing authority, subject to the approval of the Director, shall establish two or more pay brackets within the salary range. The appointing authority will determine, on an annual basis, whether to grant a salary rate increase to a CE, CEM or MA employee based upon the demonstrated performance of the employee. The appointing authority may only advance an employee within his/her pay bracket pursuant to the provisions of this section, and such advancements shall not exceed (5%) percent annually.

- (c) Salary Increase Based on Merit. The appointing authority may approve a merit increase for an employee in a CE, CEM, or MA broadband class in an amount greater than five (5%) percent within the employee's bracket or to a higher bracket if the appointing authority, subject to the approval of the Director, has for each class:
- (1) Promulgated job-related criteria designed to measure the employee's skills and abilities, work assignments, and anticipated performance level, and
  - (2) The appointing authority has documented in writing the reasons the employee has satisfied the criteria to receive the merit increase.
- (d) General Rate Increase. Any percentage salary increase approved by the Board of Supervisors for employees in CE, CEM, or MA classes with pay steps shall also be extended to employees in broadband CE, CEM, or MA classes. The appointing authority shall process the necessary approvals to implement such increases.

(Added 04/10/98, Ord. No. 8899)  
(Amended 05/22/98, Ord. No. 8909)  
(Amended 01/18/08, Ord. No. 9912)  
(Amended 09/25/09, Ord. No. 10008)

SECTION 1.4.16: INITIAL SALARY PLACEMENT AND SALARY ADJUSTMENTS WITHIN RANGE FOR CE, CEM, AND MA CLASSES OF THE SAN DIEGO COUNTY EMPLOYEES RETIREMENT ASSOCIATION

(a) Initial Salary Placement

Persons appointed to CE, CEM, and MA classes shall be placed by the appointing authority within the salary range of the class based upon the appointee's experience, education and the quality and quantity of services performed.

(b) Annual Salary Adjustment Based Upon Performance Standards

The appointing authority will determine, on an annual basis, whether to grant a salary rate increase to a CE, CEM, or MA employee based upon the demonstrated performance of the employee with the San Diego County Employees Retirement Association's strategic plan and other performance criteria established by the appointing authority. An employee is eligible for consideration of a maximum five percent (5%) salary rate increase not to exceed the maximum rate within the salary range of the employee's CE, CEM, or MA class.

(c) Salary Increase Based Upon Demonstrated Merit

The appointing authority may consider whether to grant a salary rate merit increase to a CE, CEM, or MA employee based upon job-related criteria established by the appointing authority to measure the employee's skills and abilities, work assignments and anticipated performance levels. The appointing authority will document in writing the reasons an employee has satisfied the criteria to receive a salary rate merit increase and will process the necessary approvals to implement any increase. Any salary rate merit increase shall not exceed the maximum rate within the salary range of the employee's CE, CEM, or MA class and shall be granted only one time during a fiscal year.

(d) General Rate Increase

Any percentage salary rate increase approved by the Board of Supervisors for employees in the CE, CEM, and MA classes, either with or without pay steps, shall be effective for employees in the CE, CEM, or MA classes of the San Diego County Employees Retirement Association only upon the date of approval of a percentage salary rate increase by the Board of Retirement of the San Diego County Employees Retirement Association and only if the percentage salary rate increase does not exceed the maximum rate within the salary range of the employee's CE, CEM, or MA class. The appointing authority will process the necessary approvals to implement any increase, which shall not exceed the increase approved by the Board of Supervisors.

(Added 07/26/00, Ord. No. 9161)

(Amended 08/11/00, Ord. No. 9240)

(Amended 10/11/01, Ord. No. 9379)

SECTION 1.4.17: SALARY ADVANCEMENT WITHIN RANGE FOR CHILD SUPPORT PROGRAM ATTORNEY CLASS (3917):

(Repealed 09/05/03, Ord. No. 9586)