

- 33 system, except as provided by the Commission.
- 34 a. The Commission may authorize the inclusion of the meal period as actual time
35 worked for shift positions.
- 36 b. The hours of service for shifts shall be determined by the Appointing Authority
37 consistent with this rule.
- 38 2. TOTAL REMUNERATION – The standard pay ranges shall state monthly pay,
39 converted to biweekly equivalents for full-time service in every form except
40 reimbursement for the use of a personally owned automobile which is required to be
41 supplied by the employee, reimbursement of necessary expenses authorized and
42 incurred incident to employment, and flat rates, session rates, trainee rates and
43 hourly rates. This provision shall not preclude the payment of an overtime premium
44 or differential for evening and night, weekend, holiday, or other differential for
45 authorized services.
- 46 3. MAINTENANCE, BENEFITS AND PERQUISITES
- 47 a. Full or partial maintenance given for the convenience and necessity of the
48 employer shall not be considered as pay and shall not be deducted from
49 employee pay.
- 50 b. Full or partial maintenance given for the benefit and convenience of the
51 employee shall be treated as partial payment and shall be deducted from
52 employee pay.
- 53 c. Whenever maintenance is allowed in addition to or in lieu of pay, a schedule
54 of such charges shall be submitted by the Appointing Authority for the
55 information of the Divisions of Personnel and Fiscal Management.
- 56 d. Where maintenance is available, it shall be optional with the employee to
57 accept such maintenance unless necessary for the proper performance of the
58 duties of the position occupied.
- 59 e. Maintenance, benefits, and perquisites shall be reported by the County in
60 accordance with Federal and State income tax laws and regulations.
- 61 4. EVENING AND NIGHT SHIFT DIFFERENTIAL
- 62 a. Employees who work evening and night shifts shall be paid a differential
63 applied to their present base pay rate. The Civil Service Commission shall

64 determine the authorizations, exceptions, conditions and differential rates for
65 specific shifts, job classes and positions.

66 b. Shift differential shall be paid for hours worked between 3:00 p.m. and 8:00
67 a.m. only when at least four hours are worked during this period. In specific
68 situations, the Commission may approve the payment of shift differential for
69 other established shifts.

70 c. Shift differential pay will be provided to an employee on authorized paid time
71 off from scheduled differential shifts who works differential shifts on a regular
72 basis. Shift differential pay shall be included in the base rate of pay in effect
73 for calculation of the overtime premium for any overtime hours worked by an
74 employee scheduled to work a differential shift.

75 **5. WEEKEND AND HOLIDAY SHIFT DIFFERENTIAL**

76 a. Employees who work weekend shifts or who work holidays as part of the
77 normal work schedule may be paid a differential applied to their present base
78 pay rate with the prior approval of the Civil Service Commission. The
79 Commission shall determine the authorizations, conditions and differential
80 rates for specific shifts, job classes, and positions, and limit such
81 authorizations to situations that require payment to provide needed staffing.

82 b. Weekend and holiday differential shall not be paid for overtime hours worked
83 on a weekend or holiday shift if the employee is not normally scheduled to
84 work such shifts.

85 c. Weekend and holiday differential pay shall be included in the base rate of pay
86 in effect for calculation of the overtime premium for any overtime hours
87 worked by an employee scheduled to work weekend and holiday shifts.

88 d. Weekend and holiday differential will be provided to an employee on
89 authorized paid time off who works such shifts on a regular basis.

90 **6. COMPENSATION FOR STANDBY SERVICES – Compensation for standby**
91 **services shall be provided employees in specific job classes at rates, with benefits,**
92 **and under the conditions authorized by the Commission for such period as the**
93 **employee performs such standby services.**

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96 SECTION D. INCENTIVE PAY

- 97 1. The Commission may establish a performance based Incentive Pay Program to
98 reward outstanding employees for productivity, effectiveness and service to the
99 County and the public.
- 100 2. The Commission shall recommend the flat dollar amounts or average percentage
101 of base pay to be awarded and shall establish guidelines for incentives based upon
102 relative differences in performance. Employees in departments which do not have
103 an approved performance management program will not be eligible to participate in
104 the Incentive Pay Programs.

105 SECTION E. PERFORMANCE AND RECOGNITION AWARDS – The Civil Service
106 Commission may establish programs to provide incentives and recognition to individual
107 employees for outstanding contributions or achievements or in recognition of length of
108 service with St. Louis County.

109 SECTION F. ADMINISTRATION OF THE PAY PLAN

110 1. GENERAL APPLICATION

- 111 a. No person holding a position covered by the Pay Plan shall receive pay that is
112 less than the minimum rate nor greater than the maximum rate of pay
113 assigned to the job class to which the position is classified without specific
114 approval of the Commission, except as otherwise provided in these Rules.
- 115 b. Any employee receiving a rate of pay equal to or in excess of the maximum
116 rate of pay assigned to the job class to which the position is classified shall
117 not receive an increase in pay except by a change in hours of the workweek,
118 a revision in the pay plan providing an increase in excess of the current rate,
119 or a promotion to a position classified to a job class assigned to a higher pay
120 range or rate of pay. Any such higher rate being paid above the established
121 maximum shall be deemed to be an additional established rate to be paid
122 only to the employee currently occupying the position.
- 123 c. For employees whose positions are reclassified by the Division of Personnel
124 pursuant to a project of review of the County Classification Plan, a policy of
125 over-maximum salary administration (Overmax Policy) shall be utilized for the
126 phased reduction in the rate of pay to the maximum of the pay range or pay
127 rate to which the new job class is assigned.

- 128 2. PROGRESSION THROUGH PAY RANGES - The Civil Service Commission may
129 authorize the progression of employees in specific job classes through uniquely
130 structured or open pay ranges which have minimum and maximum rates set forth by
131 ordinance and included in the Pay Plan. Such uniquely structured or open ranges
132 will be used to facilitate management efforts in improving productivity and providing
133 performance based pay increases.
- 134 3. PAYMENT FOR PART-TIME EMPLOYMENT – Whenever an employee regularly
135 works for a period less than the established number of hours per week for full-time
136 employment, the amount paid shall be proportionate to the time actually worked. The
137 payment of a separate rate from two or more departments for duties in each is
138 permissible if the employee's combined regular schedule does not exceed 40 hours
139 per week.
- 140 4. ADMINISTRATION OF OVERTIME
- 141 a. All employees shall be required to work overtime as necessary but it shall not be
142 the policy of the County to have its employees work frequent or substantial
143 overtime.
- 144 b. Overtime work shall be limited to conditions which endanger the public health,
145 welfare or safety; or for services required for the protection or preservation of
146 public property; or to perform essential functions which cannot be deferred and
147 which cannot be reasonably performed with the personnel available during the
148 normal work schedule; or for other purposes for which specific authorization for
149 overtime work has been made by the Appointing Authority or by the County
150 Executive.
- 151 c. Forty hours shall be the standard workweek for determining the amount of
152 overtime worked but the Commission may approve the establishment of other
153 workweeks for specific positions or job classes. The Commission may authorize
154 different workweeks in accordance with hours scheduled, or may establish other
155 criteria for determining overtime hours worked in accordance with the nature of
156 the work performed or the employment cycle of specific positions and job
157 classes, providing such authorization is not restricted by the Fair Labor
158 Standards Act.

- 159 d. All authorized time worked in excess of 40 hours in a standard workweek shall be
160 compensated under the conditions, exceptions, and at the overtime rate as
161 provided in this Rule. Authorized absences with pay during the workweek
162 because of illness or injury, vacation, holidays, military leave or other excused
163 leave with pay shall be considered authorized time worked. Rescheduling or
164 flexing of hours worked during a specific workweek shall not constitute overtime if
165 it does not result in authorized time worked in excess of 40 hours.
- 166 e. Authorized overtime work performed by employees occupying positions in job
167 classes which are classified as non-exempt from the overtime provisions of the
168 Fair Labor Standards Act shall be compensated according to the following
169 conditions and exceptions:
- 170 (1) The administration and payment of overtime shall be governed by the Fair
171 Labor Standards Act of 1938 (FLSA), as amended, except when the
172 provisions in this Rule exceed the requirements of that Act.
- 173 (2) An employee performing authorized overtime work in excess of 40 hours in
174 a scheduled workweek shall be compensated at the rate of one and one-
175 half times the employee's regular rate of pay, except as otherwise provided
176 in this Rule. Authorized time worked which is not in excess of 40 hours in a
177 specific workweek shall be compensated at the straight time rate.
- 178 (3) A flexible work schedule may be authorized for an employee or class of
179 employees by the Appointing Authority to accommodate extended hours of
180 work in a work day or for other business needs, provided the flexible work
181 schedule is not designed to exceed 40 hours worked for the workweek on a
182 regular basis.
- 183 (4) Compensatory time for overtime hours worked may be authorized at the
184 time-and-one-half rate to a maximum accumulation of 80 hours if the
185 Appointing Authority determines that for the purposes of economy or work
186 scheduling it would not be feasible to provide monetary payment for the
187 overtime worked.
- 188 (5) An employee's maximum accumulation of compensatory time shall include
189 time earned for holidays worked and for work performed on previously
190 scheduled vacation days off.

- 191 (6) Each employee's compensatory time balance shall be reduced to zero
192 hours either by granting compensatory time off or by a monetary payment at
193 the conclusion of the fiscal year in which the compensatory time was
194 earned, unless another date is approved by the Commission.
- 195 f. Upon request from the Appointing Authority, the Commission may authorize
196 overtime eligibility for specific job classes classified as exempt for purposes of
197 the FLSA, if it determines such action to be in the best interest of the County.
198 Such authorization shall not be interpreted or construed to defeat or otherwise
199 erode the classification of a job class as exempt from the overtime requirements
200 of the FLSA, regardless of the payment of overtime, nor whether paid at the
201 straight time rate, time-and-a-half, or such other rate as the Commission may
202 determine.
- 203 g. Authorized overtime worked by employees occupying positions in exempt job
204 classes and which have received prior authorization for overtime eligibility from
205 the Commission shall be compensated in accordance with the following
206 conditions and exceptions unless otherwise provided by the Commission:
- 207 (1) An employee performing authorized overtime work in excess of the standard
208 hours for the base period shall be compensated at the straight time rate,
209 except as otherwise provided.
- 210 (2) Overtime shall be compensated in compensatory time off. However,
211 employees shall be paid for overtime work which would exceed the
212 authorized maximum accumulation of compensatory time.
- 213 (3) Compensatory time may be accumulated to the maximum accumulation of
214 80 hours, including time earned for holidays worked and for work performed
215 on previously scheduled vacation days off.
- 216 h. Employees shall receive a monetary payment upon termination for any
217 accumulated compensatory time at the average regular rate of pay for the final
218 three years of employment or the employee's final regular rate, whichever is
219 higher.
- 220 i. Monetary payments for overtime shall be made at the employee's regular rate of
221 pay in effect at the time of payment. The employee's regular rate of pay shall
222 include, where applicable, standby, shift differential pay, holiday differential pay,

223 weekend differential pay, or other premium pay regularly paid the employee.
224 Calculation of the rate of pay in effect shall equal at least the average of the
225 differential and other premium pay factors, weighted by the number of hours
226 worked at each differential or premium pay rate during the workweek.

227 j. The overtime requirements of this Rule shall apply to all employees including
228 emergency, temporary, seasonal, on-call and term employees if otherwise
229 eligible for overtime under the provisions of this Rule. Any hours resulting from
230 an employee's dual employment in the County Service which in total are in
231 excess of 40 hours in the workweek shall be considered overtime hours for
232 employees otherwise eligible for overtime.

233 k. The standard base period of a 40-hour workweek shall be a fixed and regularly
234 recurring period of 168 hours, consisting of seven consecutive 24-hour periods.
235 The Commission may establish other base periods for specific positions and job
236 classes in accordance with the provisions of this Rule and the provisions of the
237 Fair Labor Standards Act.

238 (1) The standard workweek base period shall be a seven-day period beginning
239 on Sunday and concluding on Saturday, except that Appointing Authorities
240 may establish workweeks beginning at other specific times during the
241 calendar week for employees under their direction. The workweek may be
242 any recurrent 168-hour period considered appropriate by the Appointing
243 Authorities and may be established differently as required for various
244 operating units or employees under their control. Such established
245 workweeks shall be reported as a matter of record to the Division of
246 Personnel and the Division of Fiscal Management.

247 (2) Base periods other than the workweek base period may be established by
248 an Appointing Authority only after prior approval of the Civil Service
249 Commission.

250 (3) Employees shall be notified of the base period which applies to their
251 positions. Appointing Authorities shall maintain a record of the various base
252 periods established for employees under their supervision and shall
253 maintain a record showing the employees have been notified. Employees

254 shall be notified of changes in their workweek or other base period at least
255 one full pay period prior to the change.

- 256 l. Overtime credit shall be computed in increments of tenths of an hour.
- 257 m. Employees working shifts when clocks are changed to and from Daylight Savings
258 Time will be credited for the actual number of hours worked and compensated
259 accordingly.
- 260 n. An employee scheduled to be off due to a regular shift assignment, approved
261 vacation time off or approved time off on a legal or personal holiday who is
262 subsequently required to work with less than twenty-four hours notice, or an
263 employee on authorized personal holiday, paid time off or vacation leave who is
264 recalled to work during this previously scheduled time off, shall be paid a
265 minimum of three (3) hours at the rate of one-and-one-half times the regular
266 hourly rate for non-exempt employees, and at the straight time rate for exempt
267 employees, for the hours worked on such days. However, this provision
268 specifically excludes employees who receive maintenance standby
269 compensation. In addition, the employee shall receive compensatory time off or
270 pay on a straight time basis for the lost holiday or vacation day. When a legal
271 holiday occurs on a weekend and is observed on another day, both the legal and
272 observed holidays may be considered as holidays for the purpose of paying time
273 and one-half overtime to employees previously scheduled to be off.
- 274 (1) An Appointing Authority may elect to grant compensatory time off on a time-
275 and-one-half basis for non-exempt employees and a straight-time basis for
276 exempt employees in lieu of making a monetary payment for time worked
277 on such a holiday or on a vacation day, provided the accumulation is not
278 more than the maximum number of compensatory time hours authorized.
- 279 (2) Non-exempt employees assigned to work on a holiday as part of the
280 employee's normal work schedule_or on a day that the employee would
281 otherwise be required to work but for the holiday shall be entitled only to
282 compensatory time off or pay at the straight time rate in lieu of the holiday in
283 addition to straight time pay for hours worked if the employee has at least
284 twenty-four hours notice of the requirement to report for duty. Employees
285 must be compensated in cash for hours worked on a holiday if the granting

- 286 of compensatory time would bring their accrued compensatory time above
287 the authorized maximum.
- 288 o. The Appointing Authority shall be responsible for authorizing and controlling
289 overtime work. Employees who perform unauthorized overtime work shall be
290 subject to appropriate disciplinary action by the Appointing Authority
- 291 (1) An employee claim for overtime compensation not previously paid by the
292 Appointing Authority shall not be considered unless received by the
293 conclusion of the pay period following the pay period in which the overtime
294 was worked.
- 295 (2) The Appointing Authority shall be responsible for ensuring that proper
296 records are prepared and maintained for a three-year period in accordance
297 with the provisions of the Fair Labor Standards Act.
- 298 (3) Overtime worked by employees shall be recorded and reported by the
299 Appointing Authority in accordance with reporting forms and procedures
300 developed by or approved by the Division of Personnel and the Division of
301 Fiscal Management.
- 302 p. The Commission may periodically review the extent to which overtime is being
303 authorized. The Commission may require departments to submit periodic
304 reports, supplementary information or other data relative to the need for the
305 overtime work; may investigate the cause and justification for such overtime; and
306 may propose to the County Executive such departmental regulations as in its
307 opinion may be required to appropriately control and restrict the use of overtime.
- 308 q. An employee shall be permitted to take compensatory time within a reasonable
309 period following a request for such time off, provided that the taking off of such
310 time would not unduly disrupt departmental operations.
- 311 r. If an employee with accumulated compensatory time or credited overtime hours
312 is promoted, demoted or transferred between departments, the new employing
313 department shall assume the obligation for such accumulated compensatory time
314 or credited overtime hours, unless a prior agreement with the transferring
315 department has been made. Any reduction in the employee's compensatory time
316 balance shall be made within six pay periods from the effective date of the
317 promotion, demotion, or transfer.

- 318 s. In scheduling overtime work the Appointing Authority:
- 319 (1) Shall attempt to equitably distribute such overtime among all qualified
- 320 employees and where practicable in the most appropriate job class for the
- 321 work to be performed;
- 322 (2) Shall when possible give employees reasonable advance notice either orally
- 323 or in writing of their assignment of overtime work;
- 324 (3) Shall compensate an employee with a standard base period for a minimum
- 325 of three work hours when reporting for duty at a regular reporting station
- 326 after being called back for overtime work interrupting a period of time off;
- 327 and
- 328 (4) Shall insure that employees are informed of the conditions, rate of earnings
- 329 and method of overtime compensation prior to the working of overtime.
- 330 t. When the Appointing Authority has determined that sufficient personnel with
- 331 appropriate skills are not available on a voluntary basis to perform required
- 332 overtime work, employees who then refuse to work assigned overtime or who fail
- 333 to report upon reasonable notice for overtime work may be subject to appropriate
- 334 disciplinary action, depending upon the nature of the conditions requiring the
- 335 overtime work.
- 336 u. The Commission may authorize exceptions to the conditions, rate of earnings,
- 337 and method of compensation for overtime work if rigid application to the above
- 338 provisions of this rule in a specific situation would cause injustice to an employee
- 339 or a serious handicap to departmental operations due to unusual circumstances,
- 340 subject to the provisions of the Fair Labor Standards Act.
- 341 5. PAY ADJUSTMENT FOR REINSTATEMENT, PROMOTION, TRANSFER,
- 342 DEMOTION AND RECLASSIFICATION – If an employee is transferred, promoted,
- 343 demoted, reinstated, or the employee's position is reclassified, the rate of pay for the
- 344 new position shall be determined as follows:
- 345 a. If the rate of pay in the former position or job class is less than the minimum rate
- 346 established for the new position or job class, the rate of pay shall be advanced to
- 347 the minimum.
- 348 b. If the rate of pay in the former position is more than the maximum rate
- 349 established for the new job class, the rate of pay shall be reduced to the

350 maximum rate or an intermediate rate within the new range, according to the
351 following:

- 352 (1) For reclassifications initiated by the Division of Personnel pursuant to a
353 project of review of the County Classification Plan, a policy of over-
354 maximum salary administration (Overmax Policy) shall be utilized for the
355 phased reduction in the rate of pay to the maximum of the pay range or rate
356 to which the new job class is assigned.
- 357 (2) For demotions, whether voluntary or involuntary, the rate of pay shall be
358 reduced immediately upon implementation to the maximum of the pay range
359 or rate to which the new job class is assigned.

360 c. If the rate of pay of the former job class falls within the new pay range, the pay
361 rate shall be administered as follows:

- 362 (1) For promotions, the rate of pay may be increased by up to 10%, but not
363 beyond the maximum of the pay range or rate of the new job class, upon
364 the recommendation of the Appointing Authority and approval of the
365 Division of Personnel; however, the Commission may authorize exceptions
366 above the 10% limit upon a showing of unusual circumstances or
367 requirements;
- 368 (2) For reclassifications, the rate of pay shall remain the same, or may be
369 increased by up to 5%, but not beyond the maximum of the pay range or
370 rate of the new job class, upon the recommendation of the Appointing
371 Authority and approval of the Division of Personnel; however, the
372 Commission may authorize exceptions above the 5% limit upon a showing
373 of unusual circumstances or requirements; and
- 374 (3) For transfers, the rate of pay shall remain the same. However, the
375 Commission may authorize exceptions upon a showing of unusual
376 circumstances or requirements.
- 377 (4) For demotions, the rate of pay may remain the same or it may be
378 decreased by up to 10%, but not beyond the minimum of the pay range or
379 rate of the new job class, upon recommendation of the Appointing
380 Authority and approval of the Division of Personnel; however, the

381 Commission may authorize exceptions above the 10% limit upon a
382 showing of unusual circumstances or requirements

383 d. When an employee is reinstated to a position in the merit system, pay shall be at
384 the rate of pay in the pay range for the job class in which the employee is being
385 reinstated as closely equivalent to the rate assigned when separated. Credit
386 shall also be allowed for past service toward eligibility for the next step or rate
387 increase. The employee may be paid a higher or a lower rate in the range upon
388 recommendation by the Appointing Authority and approval by the Division of
389 Personnel.

390 e. An employee who is promoted or whose position is reclassified to a higher pay
391 range, and whose pay is increased by five percent or more, shall receive a new
392 merit date unless the employee would have been eligible to receive a merit
393 increase within 90 days of the promotion or reclassification.

394 (1) An employee who is transferred shall maintain the current merit date.

395 (2) An employee who is demoted may maintain the current merit date or the
396 merit date may be adjusted, if requested by the Appointing Authority and
397 approved by the Division of Personnel. If the merit date is adjusted, the new
398 merit date shall be no more than one year from the date of the demotion.

399 SECTION G. AMENDMENTS TO THE PAY PLAN – Amendments to the Pay Plan may
400 be recommended by the Division of Personnel to the Commission whenever pertinent
401 economic, organizational, or management considerations warrant such action.

402 Amendments shall become effective upon approval by the Commission. Whenever new
403 classes become a part of the classification plan, the pay ranges and intermediate steps
404 or rates for such classes shall be adopted in this same manner.