

<b>SUBJECT:</b> Pay Differentials	<b>NUMBER:</b> 20.005.11
<b>DIVISION:</b> Chief Human Resources Office	<b>EFFECTIVE DATE:</b> 4/01/2020

**APPROVED:** Signature on file with the Chief Human Resources Office

**POLICY STATEMENT:** It is the policy of Oregon state government to recognize special assignments, skills, qualifications or credentials that add value to the state’s workforce.

**AUTHORITY:** ORS 240.145; 240.190; 240.235; 240.240; 240.245; 240.250; 240.395; 240.430

**APPLICABILITY:** Classified unrepresented, management service, unclassified “executive” service, unclassified excluded, unclassified unrepresented employees and temporary employees, where noted.

**ATTACHMENTS:** None

**DEFINITIONS:** **Base salary:** For the purposes of this policy, a PERS participating member’s base salary rate is the “P” range option of the compensation plan. A PERS non-participating member’s base salary rate is the “A” range option of the compensation plan.

Refer to State HR Policy 10.000.01, Definitions

**POLICY:**

**Pay Differentials:** Employees will be paid either a percentage or dollar amount to signify special assignments, skills, qualifications or credentials utilized to add value to the state’s workforce when those special assignments, skills, qualifications or credentials are necessary to fulfill or enhance the duties assigned to the position. Pay differentials are considered premium pay for the purposes of this policy.

- (A) Differentials will be removed when an employee is no longer performing the work, the position no longer requires the work be performed, or the employee no longer has the special assignment, skills, qualifications or credentials. Overpayments will be recouped in accordance with the Oregon Accounting Manual.
- (B) Employees must provide proof of skills, qualifications or credentials where required or when requested.
- (C) It is the agency’s responsibility to verify the employee’s skills, qualifications or credentials prior to assigning the differential.

**(a) Actuary Designation Differential**

This differential applies to employees in the classification of Actuary (1190) in unclassified executive service and management service who are (1) designated "Associate" in the Society of Actuaries or the Casualty Actuarial Society or are (2) admitted as Fellow in the Society of Actuaries or in the Casualty Actuarial Society, or admitted to the American Academy of Actuaries.

- (A) The differential for (1) Associate in the Society of Actuaries or the Casualty Actuarial Society is 10 percent of base pay.
- (B) The differential for (2) Fellow in the Society of Actuaries or in the Casualty Actuarial Society, or admitted to the American Academy of Actuaries is 32 percent of base pay.

**(b) Bilingual Skills Differential**

This differential applies to employees who must use bilingual skills to perform assigned duties. "Bilingual skills" means translation to and from English, interpretation of another language or the use of sign language. The employee's supervisor must assign the interpretation and translation duties. The supervisor documents the assignment in the employee's position description. The differential is 5 percent of base pay.

**(c) Board Certification Differentials****(A) Supervising Dentists in Unclassified Excluded Service**

This differential applies to Supervising Dentists (Z7511, Z7512) who are Board Certified in specialties or who have special permits as required by the agency. The differential is \$115 per month.

**(B) Physicians in Unclassified Excluded and Executive Service**

This differential applies to Supervising Physician (Z7518), Public Health Physician 1 (Z7571) and Public Health Physician 2 (Z7572), PEM I (Z7016) acting as Chief Medical Officer at an OHA Institution, PEM J (Z7018) acting as Chief Medical Officer at an OHA Institution, PEM J (Z7018) in Public Health as Administrator, PEM J (Z7018) in Public Health as Public Health Director, and Sr. Medical Consultant (Z7539) at OHA, who are Board Certified. For the first Board certification in one specialty, the differential is 7.5 percent of base pay. For two or more Board Certification specialties, the differential is 10 percent of base pay.

**(C) Physician Specialist**

This differential applies to Physician Specialist (Z7517) in unclassified excluded service at the Oregon Youth Authority who are Board Certified psychiatrists. The differential is up to a maximum of 7.5 percent of base pay for one or more board certifications.

**(d) Board or Commission Chair Differential**

This differential applies to the chairs of the Public Utility Commission and the Workers' Compensation Board. The differential is 5 percent of base pay.

**(e) Change in Reporting Time Differential (ODOT)**

This differential applies to classified unrepresented employees at Department of Transportation at salary range 19 and below (except for unrepresented temporary, part-time and permanent employees working flexible shifts) whose scheduled time to report for work changes without giving the employee 24 hours advance notice. The differential for a shift change of two hours or less is a one-time payment of \$14. The differential for a shift change of more than two hours is a one-time payment of \$21.

**(f) Chaplain Housing Allowance Provision**

This allowance applies to full-time Chaplains who must report annually to the Superintendent of the employing agency the exact amount claimed as housing under Section 107 of the Internal Revenue Code of 1954. The allowance is 35 percent of monthly salary.

**(g) Department of Forestry (ODF) Meal Allowance Provision**

This provision applies to ODF management and unclassified executive service employees required to work two or more hours past their scheduled shift who cannot leave the job site for a meal due to the nature of their assignment (slash burns, spray projects, fires, or dispatch support to such activities). The agency provides eligible employees one meal during every six hours of work. Normally, ODF provides these meals through commercial facilities arranged in advance by the agency. If the agency fails to supply the meal, the employee will receive an allowance equivalent to the meal missed in accordance with the instate meal rate. Employees who decide not to eat the ODF meal will not receive the allowance or reimbursement for expenses they incur by eating elsewhere, unless they have a licensed physician's prescription for a medically necessary special diet. The prescription must clearly specify the special dietary need. This provision does not apply to situations described in the Statewide Travel Policy 40.10.00.PO, or to overtime situations when employees work to meet project deadlines but are able to leave the job site for a meal.

**(h) Department of Justice Support Services Supervisor Differential**

This differential applies to employees to Department of Justice in Support Services Supervisor 1 (X0112) positions who supervise one or more Legal Secretary (X0110) positions. The differential is 5 percent of base pay.

**(i) DPSST Certification Differential**

This differential applies to Department of Corrections' employees in Correctional Lieutenant (X6779), Correctional Captain (X6780), and Principal Executive Manager (X7000-X7018) positions with the working title of "Institution Security Manager" or "Community Corrections Supervisor" or equivalent as determined by the Department of Corrections. The employee must obtain and maintain the Intermediate DPSST Certificate to qualify for the differential of 3 percent of current base pay. The employee must obtain and maintain the Advanced DPSST Certificate to qualify for the differential of 6 percent of base

pay. The DOC does not compound these differentials. The employee must provide a copy of the certification as proof prior to receiving the differential.

#### **(j) Divers Differential**

ODOT employees in unclassified "executive" service, management service, classified unrepresented service or in temporary appointments who participate in ODOT assignments performing underwater inspections and maintenance utilizing personal diving equipment shall receive the following total daily dive pay added to the employee's taxable gross wage:

- Diver in Training: Total Daily Dive Pay of \$259
- Working Diver (Journey): Total Daily Dive Pay of \$275
- Master Diver: Total Daily Dive Pay \$292

This differential applies to non-ODOT employees with current certification for use of underwater diving equipment. The work assignment requires use of self-contained underwater breathing apparatus or other sustained underwater diving equipment. The differential is \$5 per hour, or any fraction of an hour, for actual diving time.

#### **(k) Division of Finance and Corporate Securities (DFCS) Manager Certification Differential**

This differential applies to management service employees within the Department of Consumer and Business Services (DCBS), Division of Finance and Corporate Securities, Banks & Trusts and Credit Union Section. These employees are eligible for:

- (A) A ten percent differential to current base pay upon completing, obtaining and providing proof of certification for one or more of the recognized certifications:
- (1) Certified Operations Examiner (COE);
  - (2) Certified Credit Examiner (CCE);
  - (3) Certified Examiner in Charge (CEIC);
  - (4) Certified Information Systems Examiner (CISE);
  - (5) Certified Examiner Manager (CEM);
  - (6) Certified State Credit Union Examiner (CSCUE);
  - (7) Certified State Credit Union Examination Supervisor (CSCUES); or
  - (8) Federal Commissioned Examiner.

An employee is eligible for only one ten percent differential regardless of how many certifications the employee obtains from the list above.

- (B) A five percent differential to current base pay upon successfully completing two or more years of assigned duties requiring the direct use of one or more of the above listed certification(s). An employee is eligible for one five percent differential regardless of how many assigned duties are completed or certifications the duties pertain to.
- (C) The agency shall not compound the differentials in (A) and (B).

**(l) DMV Inmate Work Assignment Differential**

This differential applies to Driver and Motor Vehicle Services employees assigned to work directly with inmates inside the security fences at any Oregon state correctional facility. For FLSA non-exempt employees, the differential is 10 percent above the employee's current base pay. For FLSA exempt employees, the differential 10 percent above the employee's current base rate of pay.

**(m) Education Differential**

This differential applies to employees in positions of Mental Health Supervising Registered Nurse (X6209), Nurse Manager (X6241) and PEM in Nurse Management at OHA (as determined by the agency). The differential is not more than 4.75 percent of base pay for a relevant baccalaureate degree and not more than 9.5 percent of base pay for a relevant master's degree.

**(n) Electrician-Related Differentials**

This differential applies to employees in the Maintenance and Operations Supervisor (X4046) classification who must possess a Limited Maintenance Electrician License as assigned in writing by the appointing authority. The differential is 5 percent of the base pay.

**(o) Flight Duty Differential**

This differential applies to non-pilot employees in management service at the Department of Forestry whose work assignments involve flying grid patterns or low-altitude spotting from light fixed-wing aircraft or helicopters. Pilots or employees transported to a job site, performing normal courier duties, point-to-point travel, or similar circumstances do not qualify for this differential. The differential is \$1.50 per hour for actual airtime.

**(p) Geographic Area Pay Differential**

This differential applies to all permanent, non-resident employees whose regular work location is outside the state of Oregon. Agencies may pay this differential only with the approval of the director of the Department of Administrative Services. An employee is not entitled to per diem expense in lieu of the differential. The differential shall not exceed 25 percent of base pay.

**(q) High Work Differential**

This differential applies when an employee must perform work more than 20 feet directly above the ground or water while using safety ropes, scaffolds, or other similar safety device for support. The differential is \$.75 per hour or any fraction of an hour for the elevated work time.

**(r) Incident Response Assignment Pay**

This assignment pay applies to FLSA-exempt management employees at the Department of Forestry, the Oregon Military Department and the Office of the State Fire Marshal who work extra hours in emergencies. To be eligible, management must relieve the employee of regular duties and assign the employee to participate as a member of an Incident Response Team or Emergency Fire Control. The assignment pay is at time and one-half of an employee's base rate for actual hours worked that exceed

40 hours in a designated workweek. Agencies who have employees eligible to use hours paid in a workweek with Incident Management Rest or Rest and Recovery may count those hours towards the 40 hours worked but will not be calculated as time and one-half.

An incident is defined as an occurrence when a management employee is relieved of the employee's regular duties and assigned duties as a result of a natural disaster such as fire, flooding or earthquake; the Oregon Conflagration Act; or civil unrest.

#### **(s) Information Systems Team Leader Differential**

A 10 percent differential of base pay applies to Information Systems Specialist 1-8 (classifications 1481-1488) employees assigned in writing by management to lead a team of employees by performing substantially all of the following duties:

- (A) Plan the short-and long-term needs of the team, (technology used, user requirements, resources required, training needs, and methods to accomplish the work, multiple project timelines, and competing priorities).
- (B) Establish and coordinate multiple interrelated project schedules for all team projects.
- (C) Work directly with multiple users to identify broad user needs and requested timelines.
- (D) Provide technical and operational guidance to contractors and monitor quality assurance.
- (E) Develop technical standards and monitor team member's work for compliance.
- (F) Perform leadwork duties on a recurring daily basis as described in (2) (r) below.

An employee is not eligible for the Information Team Leader Differential while on a voluntary developmental training assignment.

#### **(t) Leadwork Differential**

- (A) This differential applies to all employees assigned to perform "leadwork" duties for 10 or more consecutive calendar days if:
  - (i) The class specifications for the employee's position do not include leadwork duties; and
  - (ii) The employee's position is not management service-supervisory. Management assigns leadwork duties in writing.
  - (iii) Leadwork occurs when management assigns an employee all of the following duties:
    - (1) Prioritize and assign tasks to efficiently complete work;
    - (2) Give direction to workers concerning work procedures and performance standards;
    - (3) Review the completeness, accuracy, quality and quantity of work; and
    - (4) Provide informal feedback of employee performance to the supervisor.
- (B) The differential is 5 percent of base salary for the full period of the assignment. Payment is at the hourly equivalent of the adjusted base for holiday premium and does not result in "compounding" of pay.
- (C) Leadwork differential does not apply to developmental assignments that management and the employee mutually agree to.

**(u) Mental Health Direct Care Differential**

This differential applies when management assigns an employee in the Mental Health Supervising Registered Nurse (X6209) classification, to perform the direct care duties of a Mental Health Registered Nurse (C6208). The differential is the regular straight time rate (in addition to regular base pay).

**(v) Multilingual Skills Differential**

This differential applies to employees who must use multilingual skills to perform assigned duties. "Multilingual skills" means translation to and from English, interpretation of two or more foreign languages or the use of sign language. The employee's supervisor must assign the interpretation and translation duties. The supervisor documents the assignment in the employee's position description. The differential is 10 percent of base pay.

**(w) On-Call Duty Differential**

This differential applies to all FLSA non-exempt employees, FLSA exempt fish hatchery managers at Oregon Department of Fish and Wildlife (ODFW) in the classifications of Fish and Wildlife Supervisor (X8343) and Fish and Wildlife Manager 1 (X8344), Supervising Registered Nurse (X6240) who are eligible for overtime compensation, and Mental Health Supervising Registered Nurse (X6209) at OSH who are eligible for overtime compensation. An employee is eligible for the differential when management requires the employee to be available for work outside the employee's regular working hours. The employee may use the "on-call time" effectively for the employee's own use. Management does not count on-call time as time worked in the computation of overtime hours worked but includes on-call pay in the calculation of the overtime pay rate. The differential is:

- (A) For all FLSA non-exempt employees, one hour's pay at the regular straight time rate for each six hours of assigned on call duty. Employees assigned on-call duty for less than six hours receive compensation on a prorated basis.
- (B) For all FLSA exempt fish hatchery managers in the classifications of Fish and Wildlife Supervisor and Fish and Wildlife Manager 1 at ODFW, one hour of pay or leave for each six hours of assigned on-call duty. The one-hour rate of pay is at the regular straight time rate, and the leave is on an hour-for-hour basis.
- (C) For Supervising Registered Nurses (X6240) eligible for overtime, \$10 per eight-hour shift or \$12 per eight-hour shift on a day recognized as a holiday.
- (D) For Mental Health Supervising Registered Nurses (X6209) at OSH who are eligible for overtime pay, \$12 per eight-hour shift or \$14 per eight-hour shift on a holiday. The differential pay is in addition to the appropriate rate of pay for any time actually worked.

**(x) Professional Surveyor's License Differential**

This differential applies to employees at Department of Forestry in Forest Manager 1 (X8259) positions who:

- (A) Possess a current Oregon Professional Surveyor's License; and
- (B) Perform Professional Surveyor duties as assigned in writing on the position description by the Department of Forestry. The differential is 5 percent of base pay.

**(y) Psychiatric Officer of the Day or Medical Clinical Officer of the Day**

This differential applies to employees in the classification of Supervising Physician (Z7518) at Oregon State Hospital assigned Psychiatric Officer of the Day or Medical Clinical Officer of the Day duty. The compensation is a flat rate for on-call hours extending over a 24 hour period coded on the date the on-call shift began at 8:00 AM as follows:

	<b>Salem (on-site)</b>	<b>Salem (on-site, holiday)</b>	<b>Junction City (on-site)</b>	<b>Junction City (on-site, holiday)</b>	<b>Off-site</b>	<b>Off-site (holiday)</b>
<b>Board eligible</b>	\$165.00	\$205.00	\$110.00	\$150.00	\$36.67	\$56.67
<b>Board Certified General</b>	\$176.84	\$216.84	\$117.89	\$157.89	\$39.30	\$59.30
<b>Board Certified (2 or more specialties)</b>	\$180.78	\$220.78	\$120.52	\$170.52	\$40.17	\$60.17

**(z) Psychiatric Work Differential**

This differential applies to unclassified executive service positions of Supervising Physician (Z7518), PEM I (Z7016), or PEM J (Z7018) acting as Chief Medical Officer within an OHA Institution, and Physician Specialist (Z7517) at Oregon Youth Authority whose position includes the performance of psychiatric duties; and positions in PEM I (Z7016) acting as an Administrator, OHA Office of Mental Health and Addiction Services. The differential is \$10,000 annually.

**(aa) Rest and Recovery Pay**

This rest and recovery pay applies to management employees who continue on a fire assignment away from their official work station for 21 consecutive days or more. The employees shall receive eight hours off straight time compensation upon return to the employee's official work station for rest and recovery.

**(bb) Sales Commission Payment**

This commission applies to classified unrepresented employees at Department of Geology and Mineral Industries who sell materials in DOGAMI distribution outlets. The commission payment is up to 5 percent of sales.

**(cc) School Activities Differentials**

This differential applies to unclassified Supervising Teacher, Special Schools (Z7544, Z7547), and FLSA-exempt management service positions designated by the Department of Education to perform school-related activities that extend beyond a normal school day. The Department of Education pays employees a percentage of the annual salary established by the state's compensation plan for the Supervising Teacher, Special Schools (Z7547) in the Bachelor Degree Column, Step 1, using the following percentages:

- (A) Freshman Class Advisor 5.78 percent
- (B) Sophomore Class Advisor 5.78 percent
- (C) Junior Class Advisor 5.78 percent
- (D) Senior Class Advisor 5.78 percent
- (E) Drama 5.78 percent
- (F) Rally Squad 7.5 percent
- (G) Co-editor (Newspaper) 4.45 percent
- (H) Year Book 4.00 percent
- (I) Recreation Director 10.00 percent
- (J) Athletic Director 6.69 percent
- (K) Football or Basketball Coach 7.50 percent
- (L) Football, Basketball Assistant Coach 5.28 percent
- (M) Softball, Track, Volleyball, Wrestling, or Baseball Coach 7.50 percent
- (N) Assistant Coach (Softball, Track, Volleyball, Baseball) 5.28 percent

**(dd) Shift Differential**

- (A) This differential applies to employees in salary ranges 22 or below, plus Correctional Lieutenant (X6779) and Information Systems Specialist 3 (C1483). Part-time employees who work less than 32 hours per month and unrepresented temporary employees are not eligible for shift differential. An employee earns shift differential on an hourly basis for each hour or major portion thereof (30 minutes or more) worked between 6 p.m. and 6 a.m. or on Saturday or Sunday. It does not apply to base rates in the computation of payments for paid time off such as vacation and sick leave. To compute overtime, add shift differential to the employee's base rate during the pay period when an employee works overtime. To compute premium pay at time and one-half the regular rate of pay, do not add shift differential to the base rate. Do not pay shift differential when an employee requests an alternate work schedule to make up hours not worked during the established workweek. The differential is \$1.00 per hour.
- (B) This differential applies to employees in the classifications of Production Supervisor (X2443) and Printing Production Coordinator (X2475) on an hourly basis for each hour worked between 3 p.m. and 3 a.m. If four or more hours of the shift fall within the hours of 3 p.m. and 3 a.m., the differential applies to the entire shift. The differential is \$1.00 per hour.
- (C) This differential applies to Supervising Registered Nurse (X6240) positions at Oregon Youth Authority. Employees are eligible when their full eight-hour or regular workweek shift starts on or after 2 p.m. and on or before 2 a.m. The differential applies to all hours worked during that shift. Employees are eligible when their full irregular workweek shift starts on or after 1 p.m. and on or before 2 a.m. The differential applies to all hours worked during that shift. Employees who work a split shift, and either portion of the split shift starts on or after 2 p.m., and on or before 2 a.m., are

eligible for the differential for the hours actually worked during that portion of the split shift. The differential is \$1.85 per hour.

- (D) This differential applies to Mental Health Supervising RN (X6209) and Nurse Manager (X6241) in OHA. Employees are eligible when at least half of the scheduled shift hours fall between 6 p.m. and midnight for evening shift, and midnight and 6 a.m. for night shift. Shift differential applies to base rates for all hours worked during the shift. The differential rate is \$1.85 per hour for evening shift and \$2.25 per hour for night shift.

**(ee) Special Weapons and Tactics (SWAT) Team Differential**

Applies to Oregon State Police employees in the Lieutenant (Z7573) classification assigned to the Special Weapons and Tactics Team. The differential is 2.5 percent of monthly base pay.

**(ff) Standby Duty Differential**

This differential applies when management requires FLSA non-exempt employees to be available for work outside normal working hours, and subject to restrictions, consistent with the FLSA, which prevent the employee from using the time while on standby duty effectively for the employee's own purposes. Compensation for standby duty is at the employee's straight time rate of pay. Overtime hours on standby are at the appropriate overtime pay rate.

**(gg) Tactical Emergency Response Team (TERT) Differential**

Applies to Department of Corrections' employees in Correctional Lieutenant (X6779) and Correctional Captain (X6780) classifications assigned to the Tactical Emergency Response Team. The differential is 4 percent of monthly base pay.

**(hh) Work-out-of-class (WOC)**

- (A) A WOC assignment is generally for a period of 10 consecutive calendar days or more. Payment for WOC is a dollar amount paid in addition to an employee's base rate of pay.
- (i) The WOC rate of pay for temporary duties at a higher classification is either:
- (1) Five percent of the employee's base rate of pay; or
  - (2) The difference between the employee's base rate of pay and the first step of the higher (WOC) classification's salary range, whichever is greater.
- (ii) The WOC rate of pay for duties pending approval of a reclassification upward is either:
- (1) The difference between the employee's base rate of pay and the first step of the higher (WOC) classification's salary range; or
  - (2) The difference between the employee's base rate of pay and the next higher rate of pay in the higher (WOC) classification's salary range, whichever is greater.
- (iii) If the appropriate WOC pay as determined in (ii) above is less than a 2.5 percent increase above the employee's base rate of pay, the agency may use the next higher rate of pay in the higher classification's salary range to calculate WOC pay.

- (iv) Agencies that apply WOC differentials exceeding these standards should do so only in exceptional cases, and agencies must document the reasons for the exception. The agency must conduct an internal assessment prior to offering an exception. Agencies must retain documentation and determination of the established rate of pay.
- (B) The agency HR representative must confirm the assigned duties are of a higher classification and the employee will be performing a majority of duties, the majority of the time in the higher classification prior to authorizing WOC pay.
- (C) The employee should meet the minimum qualifications (MQs) for the higher (WOC) classification. An appointing authority may approve the payment of WOC where an employee does not meet MQ's. The agency must maintain documentation in the personnel file including the appointing authority's approval and supporting rationale. (Note: Advise an employee paid WOC in these circumstances that they may not qualify to compete for a position at the WOC level.)
- (D) An agency maintains the following documentation to support decisions to pay WOC:
- (i) Written notice of assignment informing the employee of WOC classification title, dates of assignment, monthly differential amount and reason for the assignment; and
  - (ii) Position description or written description of WOC duties signed by the supervisor and appointing authority.
- (1) Assignment of higher level duties for a limited period of time:
- (a) Backfilling behind an employee on leave: retain a copy of the WOC position description signed by the supervisor and the appointing authority.
  - (b) Assignment of additional duties at a higher classification: retain a current position description supporting the employee's base classification and a description of the assigned higher duties signed by the supervisor and the appointing authority.
- (2) Employees in positions pending reclassification require a written classification analysis and an updated position description signed by the employee, supervisor, and the appointing authority.
- (3) Employees in positions pending reallocation, in an underfill status or on developmental assignments do not qualify for WOC based on that situation or assignment alone.
- (4) Standards for WOC duration are:
- (a) Generally, 12 months or less.
  - (b) Generally, do not exceed the budget cycle. The duration of a WOC assignment pending reclassification of the position or resolution of budget issues is a maximum of 24 months. The agency must document any WOC assignment that exceeds these standards.
  - (c) For a WOC assignment involving project work or other specific assignments with an identified ending date, the standard duration is the identified ending date. Agencies making WOC assignments exceeding these standards should consider alternatives to WOC.