**CHAPTER 18**

 **TRANSITION RULES**

18.1 Purpose and Scope

These Rules are interim Rules for the purpose of effecting the transition from old titles to new job titles. This Chapter temporarily supersedes all other Rules that are in conflict.

18.2 Pay Upon Allocation to New System Titles

The Commission, after considering the financial condition of the State, shall designate, or delegate to the Director the authority to designate, either section (a) or (b) below as the method for effecting pay upon allocation.

(a) When minimal funding is available:

1. If the job to which the employee's current position is being allocated is at the same grade level as his current class, his pay shall not be changed.

2. If the job to which the employee's current position is being allocated is at a higher grade level than his current class and his rate of pay is within the new range, his pay shall be adjusted to the step in the range that is closest to his current rate without reducing his rate. Eligibility for pay adjustments as provided in Rule 6.5 shall be retained and shall be paid in accordance with 18.2 (c). The employee's anniversary date shall not be affected and a merit increase may be granted when eligibility under Rule 6.15 (a) is attained.

3. If the job to which the employee's position is being allocated is at a higher grade level than his current class and his rate of pay is below the new range minimum, his pay shall be adjusted to the range minimum. Eligibility for pay adjustments as provided in Rule 6.5 shall be retained and shall be paid in accordance with Rule 18.2 (c). The employee's anniversary date shall not be affected and a merit increase may be granted when eligibility under Rule 6.15 (a) is attained.

4. If the job to which the employee's current position is being allocated is at a lower grade level than his current class, his pay shall not be changed. The employee's anniversary date shall not be affected. If he attains eligibility for a step

increase under Rule 6.15 before the application of the new job evaluation system structure, he may be granted a step increase in the amount he would have been eligible for in his former class range. If the employee attains eligibility for a step increase under Rule 6.15 after the application of the new job evaluation system structure, he may receive the step increase in accordance with the Rules implemented for administration of the new structure.

(b) When adequate funding is available:

1. If the job to which the employee's current position is being allocated is at the same grade level as his current class, his pay shall not be changed.

2. If the job to which the employee's current position is being allocated is at a higher grade level than his current class, he shall receive immediately, the maximum adjustment allowable in accordance with the provisions of Rule 6.5.

3. If the job to which the employee's current position is being allocated is at a lower grade level than his current class, provisions of 18.2 (a) 4 of this Rule shall apply.

4. The employee's anniversary date shall not be effected and a merit increase may be granted when eligibility under Rule 6.15 (a) is attained.

(c) An employee who has eligibility for pay adjustments under Rule 18.2 (a) shall be paid in the following manner:

1. No later than January l, 1988, employees who have eligibility for additional step(s) shall receive a one step pay adjustment.

2. No later than July l, 1988, employees who have eligibility for the full two step adjustment shall receive their final step adjustment.

3. If the new evaluation system structure is approved anytime prior to January 1, 1988, employees shall retain eligibility for any adjustments which they were due and did not receive under parts l and 2 of the Rule.

4. These step adjustments shall be calculated on the employee's current pay rate except for those with red circle rates under Rule 6.28. For these employees, the true rate shall be the base pay on which the adjustment will be calculated.

5. If an employee is promoted on or after January 1, 1987, or his position is reallocated based on a change in duties after January l, 1987, his pay shall be established in accordance with Rule 6.5.

18.3 Qualification Requirements

An employee who holds a position being allocated to a new job title will not be required to meet the qualification requirements for the job unless there are legitimate barriers, such as licensure, certification, accreditation, restrictive funding requirements, etc., which exceed the credentials possessed by the incumbent.

18.4 Layoffs During Transition to the New Classification and Pay System

All layoffs effective January l, 1987 and thereafter, must be submitted in the new classification system job titles and career fields assigned at the time the layoff plan is submitted to the Director. Any change to allocations subsequent to the submission of the layoff plan shall not affect the layoff.