

COUNTY OF TULARE
OFFICE OF THE COUNTY ADMINISTRATOR
ADMINISTRATIVE REGULATION NO. 33
(Resolution No. 2006-0573)

SUBJECT: Delegated Action Requests (DARs)

Effective Date: July 18, 2006

The Board of Supervisors delegates various authorities to the County Administrative Officer and Human Resources Director governing a variety of personnel transactions. The purpose of this regulation is to provide for the expeditious conduct of County business.

This regulation provides certain DARs may be submitted twice annually for consideration during the mid-budget review and the annual budget process.

In order to more effectively manage these requests, preserve the integrity of the negotiated labor contracts, and the Board of Supervisors intentions' expressed in the annual County Budget, the following practices supercede and replace previous Board actions.

DARs are classified into three categories:

- Routine transactions
- Transactions executed during budget or mid-year review
- Urgent or extraordinary transactions

Routine Transactions

Routine transactions can be processed at anytime during the fiscal year. In addition, the authority for certain DAR's is now delegated to the Human Resources Director and/or department heads. In the absence of other instructions Routine DARs are recommended by the department head and acted on by the Human Resources Director. Certain routine DARs may be required, after action by the Human Resources Director to go to the CAO for final approval. In some cases these actions may require either meeting and conferring or providing notice to the affected union(s). The Board of supervisors is not required to ratify these routine DARs.

1. Add/Delete bilingual designation to an allocated position. (may require M&C) ¹
2. Waiving a Personnel Rule regarding recruitment in order to provide a reasonable accommodation as required by law.²

¹ Requires only department head recommendation and HR approval. HR denial may be appealed to CAO whose decision is final.

² Requires only HR approval. May be initiated by department, CAO, County Counsel (Risk Management)

3. Authorize Advance Step hires for new and promoted positions.³
4. Early merit increases or accelerated merit increase⁴
5. Jumping a merit increase, i.e. two step increase instead of single step increase on anniversary date.²
6. Granting waiver of Family Sick Leave limit³
7. Allocating Parallel Fills due to extended leave of absence.⁵
8. Granting temporary salary increase due to out of class work.³
9. Waive step reduction portion of Reinstatement Rule and permit advance step hire.³
10. Change number of Employee Recognition Awards for each department.³
11. Authorize paid overtime in lieu of Comp Time Off when not consistent with MOU Conditions (M&C)⁶
12. Vacation cap waiver³
13. Position overlap with former and new employee³
14. Modifications to position titles and minor corrections to class specifications without a change of compensation (M&C)² (prior page footnote)
15. Advance on Vacation and Sick accruals at time of hire (department head and assistant department head positions only)⁶

Transactions executed during budget or mid-year review

These transactions will be considered semi-annually unless they meet one of the conditions qualifying them for urgent or extraordinary consideration.

1. Increase or decrease salary ranges of vacant or filled positions. Action to be deferred on classifications in represented bargaining units until any obligation to meet and confer is fulfilled.⁷
2. Flexibly allocate an existing position or expand the flexible allocation to an additional level.⁵
3. Addition of allocated positions to a department, or increasing/decreasing vacant FTE's.⁵
4. Reclassification, retitling and corrections to class specification which would result in a change in compensation including pay, benefit amount or bargaining unit. Action to be deferred until any meet and confer obligation is fulfilled.⁵
5. Reorganizations including any of the following:⁸

³ Department head authorized to appoint up to step 3 without prior approval, step 4 or 5 with advance approval by HR. HR denial of step 4 or 5 may be appealed to CAO whose decision is final. (For extra help Step 2 is the maximum pay step.)

⁴ Department head recommendation and CAO Approval.

⁵ Department head recommendation and HR approval. HR denial may be appealed to CAO whose decision is final.

⁶ Department head recommendation, HR review, comment, assessment of M&C obligations and CAO approval.

⁷ Department head recommendation, HR review and recommendation, CAO approval and BOS ratification.

⁸ Department head recommendation, HR review and recommendation, CAO review and recommendation and advance approval by BOS action.

- changes to hierarchical structure and/or reporting relationships
- compensation adjustments for more than one classification including changes to job series or job families
- reclassifications resulting in any of the following: changes in pay, bargaining unit, or reporting relationships
- Changes to multiple classifications in a bureau, division, section or unit of a department or agency.

Urgent or Extraordinary Transactions

The following transactions may be taken up at any time as an urgently need or warranted due to extraordinary circumstances. Except as specifically provided all urgent or extraordinary transactions shall be approved in advance by resolution of the Board of Supervisors.⁹

- Pay increases may be granted to classifications or a job series within departments upon recommendation of the department head, concurrence by HR and approval by the CAO when the classification or job series experiences a turnover rate in excess of 10% in any sixth month period. This shall not apply to classifications or job series where there are less than 20 positions.
- Pay increases may be granted to unrepresented classifications or a job series in the County workforce generally where a salary or benefit survey finds that a classification is 15% below the mean of comparable positions with the County's approved list of comparable jurisdictions.
- When due to the unanticipated vacancy of one or more key management positions in a department and the department requests a reorganization, restructuring, reclassification or compensation adjustment for one or more positions, and following a review and recommendation by HR, the CAO may approve such reorganization, restructuring, reclassification or compensation adjustment.

Protocols

In order to enhance the timeliness of processing DARs please be advised the turnaround time goals are as follows:

Routine transactions – Subject to the submission of appropriate supporting documentation – 7 days from the date the item is time-stamped in HR& D.

- Authorize Advance Step hires for new and promoted positions.
- Granting waiver of Family Sick Leave limit

⁹ Notwithstanding the following in the event of an “emergency” the CAO may take any personnel transaction deemed essential during an emergency and seek ratification thereafter, providing however, that an explanation will be given to the Board explaining why the action was deemed emergent.

- Waive step reduction portion of Reinstatement Rule and permit advance step hire.
- Vacation cap waiver
- Position overlap with former and new employee
- Advance on Vacation and Sick accruals at time of hire (department head and assistant department head positions only)

Routine Transactions - Subject to the submission of appropriate supporting documentation – 14 days from the date the item is time-stamped in HR&D.

- Early merit increases or accelerated merit increase
- Jumping a merit increase, i.e. two step increase instead of single step increase on anniversary date.
- Allocating Parallel Fills due to extended leave of absence.
- Granting temporary salary increase due to out of class work.
- Change number of Employee Recognition Awards for each department.
- Authorize paid overtime in lieu of Comp Time Off when not consistent with MOU Conditions (M&C)
- Add/Delete bilingual designation to an allocated position. (may require M&C)
- Waiving a Personnel Rule regarding recruitment in order to provide a reasonable accommodation as required by law.

Routine Transactions - Subject to the submission of appropriate supporting documentation and a response from the affected bargaining unit representative - 21 days from the date the item is time-stamped in HR&D.

Authorize paid overtime in lieu of Comp Time Off when not consistent with MOUs.

Transactions executed during budget or mid-year review

Time-line for these reviews will be dictated by the budget review schedule. With respect to the mid-year reviews:

Items 1- 4 - Subject to the submission of appropriate supporting documentation and a response from the affected bargaining unit representative (if necessary) - 28 days from the date the item is time-stamped in the CAO's office.

Items 5-6 – Reclassifications, retitling, restructuring, reorganizations, rewritten class specifications and compensation adjustments driven by these different structured proposals will require different periods of time. Upon presentation of the proposal the department and HR will meet within 14 days to establish a schedule for the completion of the project.

Exhibit A - Delegated Action Request Process Table

		M&C	HRD	CAO	BOS	Time Req'd
Routine Transactions						
1	Add/Delete bilingual designation to an allocated position	1	1			14 Days
2	Waiving a Personnel Rule regarding recruitment in order to provide a reasonable accommodation		2			14 Days
3	Authorize Advance Step hires for new and promoted positions - Dept. Head up to step 3.		3			7 Days
4	Early merit increases or accelerated merit increases			4		14 Days
5	Jumping a merit increase (i.e. two step increase)			4		14 Days
6	Granting waiver of Family Sick Leave limit		5			7 Days
7	Allocating Parallel Fills due to extended leave of absence		5			14 Days
8	Granting temporary salary increase due to out of class work		5			14 Days
9	Waive step reduction portion of Reinstatement Rule and permit advance step hire		5			7 Days
10	Change number of Employee Recognition Awards for each department		5			14 Days
11	Authorize paid overtime in lieu of CTO when not consistent with MOU conditions	6	6	6		21 Days
12	Vacation cap waiver		5			7 Days
13	Position overlap with former and new employees		5			7 Days
14	Modification to positions titles and minor corrections to class specs without a change of compensation	2	2			14 Days
15	Advance on Vacation and Sick accruals at time of hire (D.H. & Assistant D.H.)		8	8	8	14 Days
Budget/Mid-year Reviewed Transactions						
16	Increase or decrease salary ranges of vacant or filled positions. Action to be deferred on classifications in represented B.U. until any M&C obligations are fulfilled	7	7	7	7	28 Days
17	Flexibly allocate an existing position or expand the flexible allocation to an additional level		7	7	7	28 Days
18	Addition of allocated positions to a department, or increasing/decreasing vacant FTEs		7	7	7	28 Days
19	Reclassification, retitling, and corrections to class specs which would result in a change in compensation including pay, benefit amount or bargaining unit	7	7	7	7	Varies
20	Reorganizations including: changes to hierarchical structure, changes to a job series or family, changes to multiple classifications in a bureau, division, or unit	8	8	8	8	Varies
Urgent or Extraordinary Transactions						
21	Pay increases for a classification/series which experiences a turnover greater than 10% in any sixth month period (for classes of 20 or more allocations)		8	8	8	Varies
22	Pay increases for an unrepresented class/series where a salary/benefit survey finds the class 15% below the mean of comparable positions		8	8	8	Varies
23	Reorganization, restructuring, reclassification or compensation adjustment for one or more positions due to the unanticipated vacancy of one or more key management positions		8	8	8	Varies

1. Requires only department head recommendation and HR approval. If in a bargaining unit may require M&C
2. Requires only HR approval. May be initiated by department, CAO, County Counsel (Risk Management)
3. Department head authorized to appoint up to step 3 without prior approval, step 4 or 5 with advance approval by HR. HR denial of step 4 or 5 may be appealed to the CAO.
4. Department head recommendation and CAO Approval.
5. Department head recommendation and HR approval. HR denial may be appealed to CAO whose decision is final.

6. Department head recommendation, HR review, comment, assessment of M&C obligations and CAO approval.
7. Department head recommendation, HR review and recommendation, CAO approval and BOS ratification.
8. Department head recommendation, HR review and recommendation, CAO review and recommendation and advance approval by BOS Action.

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