

Memo

DATE: October 30, 1998

PERSL 1352

TO: Personnel Directors/Designees
Labor Relations Directors/Designees

FROM: Jim Lee, Deputy Commissioner
Labor Relations/Compensation Division

PHONE: 297-5738

RE: Clerical Consolidation Reminders

There have been some questions regarding salary administration during the Clerical Consolidation Appeals process. Please take note of the following reminders.

1. The appeal process outlined in Appendix Q (and related MOU/letter of intent) of the AFSCME Contract does not apply to employees covered by the Commissioner's Plan. As a result, there is not a restriction on promotional increases for Commissioner's Plan employees.
2. For AFSCME employees impacted by the Clerical Consolidation, the "low cost implementation" agreement remains in effect until 6/30/99. As you know, this means that any 7/8/98 conversions, MJAQ appeals, reallocation requests or change in allocation requests that occur between 7/8/97-6/30/99 (and that result in a promotion to a *consolidated* class) will not be eligible for promotional increases. HOWEVER, progression language in the contract continues as normal.

Thus, some employees in the above situations MAY be eligible for immediate progression increases. This will most likely occur when an employee has been at the top of their original range for more than a year. When they are converted/reallocated/changed in allocation to a new class with a higher salary range maximum, they will move over at their existing rate of pay (because there is no promotion increase). Once in their new class, however, they may be immediately eligible for a step if they were at their previous step for twelve or more months.

Similarly, if an employee is mid-range in his/her old range and moves to the mid-range of the new range, s/he will carry forward their service time since they last received a

progression increase and apply it towards their next step. Reminder: because AFSCME progression language is related to “time in a step”, there are no anniversary dates for AFSCME employees.

[For additional examples and details, please refer to the 5/5/98 Implementation Instructions issued by DOER Staffing and the 6/26/98 memo issued by Kathy Megarry and Eric Tomanek].

3. You should also be aware that the “low cost implementation” approach also applies to any possible “downs” that may occur as a result of any of the above processes. This means that although employees reallocated/changed in allocation downward will not have their salary reduced, they will have their salary “frozen” if it is over the maximum of the lower class’ salary range.
4. Remember that MJAQ appeals that result in an employee moving to a different classification are effective 7/8/98, but reallocations/change in allocations that occur as the result of “regular” audits will be effective when they are approved.

If you have questions, please contact Kathy Megarry (297-7798) or Liz Koncker (259-3753).

cc: SEMA4 Staff