

Michigan Civil Service Commission

Regulation 5.04

Subject: Special Pay Premiums		
SPDOC No.: 22-15	Effective Date: January 1, 2023	Replaces: Reg. 5.04 (SPDOC 16-06, January 1, 2017)

1. Purpose

This regulation establishes standards for special pay premiums approved by the commission and procedures to review positions for eligibility for prison and forensic employee premium pay (P-rate).

2. CSC Rule References

5-5 *Additional Compensation: Prison Employees*

5-5.1 *Prison and Forensic Employee Premium (P-rate)*

(a) *Eligibility.* P-rate is available to an employee:

- (1) Assigned regular and recurring responsibility for custody or supervision of prisoners in the department of corrections.
- (2) At a correctional facility or the Center for Forensic Psychiatry who regularly handles personal, financial, or other matters affecting the well-being of prisoners or forensic patients.
- (3) Whose work location is within the security perimeter of a correctional facility or the Center for Forensic Psychiatry.

(b) *Exceptions.* An employee is not eligible for P-rate if (1) the employee's classification or a predecessor classification received a special 5% increase at the commission's meeting on December 14, 1978 or (2) eligible for high-security retention premium under rule 5-5.2.

(c) *Rate.* P-rate of \$0.40 per hour is paid for all hours in pay status, including holidays and leave.

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3. Definition

A. Definition in This Regulation.

1. **P-rate** means a special pay premium assigned to eligible positions in addition to the classification's regular compensation.

4. Standards

- A. An employee is eligible for P-rate if the employee's position is assigned responsibility for custody or supervision of prisoners in the Department of Corrections on a regular and recurring basis in addition to regular job duties. The position must be located in an institution under the Correctional Facilities Administration. No two employees are given credit for supervising the same prisoners. Positions in other agencies must supervise prisoners assigned from the Correctional Facilities Administration.
- B. An employee is eligible for P-rate if the employee's position is located at a correctional facility or the Center for Forensic Psychiatry and handles, on a regular and recurring basis, the personal, financial, or other matters affecting the well-being of prisoners or forensic patients. The employee must have regular recurring and face-to-face contact with prisoners or forensic patients. The work performed must potentially create an adversarial relationship. Regular, recurring, and face-to-face contact is defined as contact with prisoners or forensic patients in person, 25% or more of the time, in an environment that could permit a physical act between a prisoner or forensic patient and the employee. Work performed that potentially creates an adversarial relationship is defined as situations with a reasonable chance of a difference of opinion leading to a physical attack by a prisoner or forensic patient.
- C. An employee is eligible for P-rate if the employee's work location is within the security perimeter of a correctional facility or the Center of Forensic Psychiatry.
- D. An employee is ineligible for P-rate if in the following classifications identified in the minutes of the December 14, 1978, commission meeting (as updated with current nonexclusively represented classifications): Assistant Resident Unit Supervisor 11, Corrections Security Inspector 13, Corrections Shift Supervisor 11-13, and Forensic Security Supervisor 11-13.
- E. Agency policies may require employees with regular work locations outside the security perimeter to assume custodial responsibilities in emergency situations (disturbances, riots, etc.). Such situations are not regular and recurring and do not qualify a position for P-rate.
- F. Incidental contact, such as passing by a prisoner porter, does not qualify for P-rate.
- G. Appeals of staff decisions on P-rate for individual positions are processed through the technical complaint process under regulation 8.02.
- H. If an employee vacates a position previously approved for P-rate, the new employee may be assigned P-rate without Civil Service review if the employee performs the same duties.
- I. If an employee receiving P-rate moves to another position, the new position must be reviewed by Civil Service to continue P-rate.

- J. When a change occurs to an employee's position and the employee is no longer eligible for P-rate, the appointing authority must remove the P-rate designation.

5. Procedure

Responsibility	Action
Appointing Authority	<ol style="list-style-type: none">1. Submits Position Action Request (CS-129) and Position Description (CS-214) to Civil Service for position review and approval before assigning P-rate.
Civil Service	<ol style="list-style-type: none">2. Reviews CS-129 and approves or disapproves P-rate.3. If approved, releases CS-129 to appointing authority.4. If disapproved, documents reasons on CS-129 and releases to appointing authority.
Appointing Authority	<ol style="list-style-type: none">5. Receives approved CS-129 and assigns P-rate to employee in Human Resources Management Network (HRMN).6. Removes P-rate in HRMN if employee becomes ineligible.

CONTACT

Questions on this regulation may be directed to Compensation, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; 517-241-0837; or MCSC-Compensation@mi.gov.