

Michigan Civil Service Commission

Regulation 5.04

Subject:		
Special Pay Premiums		
SPDOC No.:	Effective Date:	Replaces:
16-06 <u>22-14</u>	January 1, 2023 <u>2017</u>	Reg. 5.04 (SPDOC 1516-056 , May 24, 2015 <u>January 1, 2017</u>)

1. Purpose

This regulation establishes standards for ~~application of~~ special pay premiums approved by the ~~Civil Service C~~ommission ~~for nonexclusively represented employees. It also establishes the standards and procedures for to reviewing positions to approve or disapprove 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 ~~An employee who meets any of the following eligibility criteria is paid P-rate:~~

- (1) ~~An employee assigned regular and recurring responsibility for custody or supervision of prisoners in the department of corrections.~~
- (2) ~~An employee in a position at a correctional facility or the Center for Forensic Psychiatry who regularly handles, on a regular and recurring basis, the personal, financial, or other matters affecting the well-being of prisoners of the department of corrections or forensic patients.~~
- (3) ~~An employee whose work location is within the security perimeter of a correctional facility or the Center for Forensic Psychiatry, thereby placing the employee in an environment where physical confrontation could occur.~~

(b) **Exceptions.** An employee is not eligible for P-rate if (1) the employee's classification or a predecessor classification was granted received a special 5-percent% increase in Part 1B of the minutes of at the commission's meeting on December 14, 1978 or (2) eligible for high-security retention premium under rule 5-5.2. ~~The state personnel director shall list the current ineligible classifications in the regulations.~~

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

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3. Definition

A. Definition in This Regulation.

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

4. Standards

- A. An employee is eligible for P-rate ~~compensation~~ if the employee's position ~~has been~~ 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.

~~1.~~ The position must be located ~~within an institution under the jurisdiction of the Department of Corrections, Correctional Facilities Administration, or at a Corrections Center in the Field Operations Administration.~~

~~2.~~ No two employees are given credit for supervising the same prisoners.

~~3.~~ Positions in other agencies must supervise prisoners assigned from the ~~Department of Corrections, Correctional Facilities Administration.~~

- B. An employee is eligible for P-rate ~~compensation~~ 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.

~~An~~ The employee ~~who handles the personal, financial, or other matters affecting the well-being of prisoners or forensic patients~~ must have regular recurring and face-to-face contact with prisoners or forensic patients ~~them~~. The work ~~being~~ performed must ~~be of such potentially a nature that it could~~ create an adversarial relationship ~~with the employee~~. Regular, recurring, and face-to-face contact is defined as contact with prisoners or forensic patients in person, ~~25% percent~~ or more of the time, in an environment that could permit a physical act between a prisoner or forensic patient and the employee to occur. Work performed that ~~could potentially~~ creates an adversarial relationship is defined as ~~those~~ situations ~~when there is~~ 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 ~~compensation~~ if the employee's work location is within the security perimeter of a correctional facility or the Center of Forensic Psychiatry, ~~thereby placing the employee in an environment where physical confrontation could occur.~~

- D. An employee is ~~not~~ ineligible for P-rate ~~compensation~~ if ~~classified~~ in the following classifications identified in ~~Part 1B, Special Increase, of the minutes from of~~ the December 14, 1978, ~~Civil Service C~~ommission meeting (as updated with ~~the~~ current nonexclusively represented classifications): Assistant Resident Unit Supervisor 11,

Corrections Security Inspector 13, Corrections Shift Supervisor 11-13, and Forensic Security Supervisor 11-13.

- ~~Assistant Resident Unit Supervisor 11~~ ~~Forensic Security Supervisor 11~~
- ~~Corrections Security Inspector 13~~ ~~Forensic Security Supervisor 12~~
- ~~Corrections Shift Supervisor 11~~ ~~Forensic Security Supervisor 13~~
- ~~Corrections Shift Supervisor 12~~ ~~Resident Unit Officer E10~~
- ~~Corrections Shift Supervisor 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 ~~considered~~ “regular and recurring” and do not qualify a position for P-rate ~~compensation~~.
- F. Incidental contact, such as passing by a prisoner porter, does not qualify for P-rate ~~compensation~~.
- G. Appeals of staff decisions on P-rate ~~compensation~~ for individual positions are processed through the technical ~~appeal~~ complaint process ~~established in~~ under regulation 8.02.
- H. If an employee vacates a position previously approved for P-rate ~~compensation~~, the new employee may be assigned P-rate ~~compensation~~ without Civil Service review if the employee ~~is performing~~ is the same duties.
- I. If an employee receiving P-rate ~~compensation~~ moves to another position, the new position must be reviewed by Civil Service ~~for the to~~ continuation of P-rate ~~compensation~~.
- J. When a change occurs to an employee’s position, ~~whereby and~~ the employee is no longer eligible for P-rate ~~compensation~~, the appointing authority must remove the P-rate ~~assignment designation~~ must be removed by the Appointing Authority.

5. Procedure

Responsibility	Action
Appointing Authority	1. Submits a Position Action Request (CS-129) and a Position Description form (CS-214) to Civil Service for a position review and approval before assigning P-rate compensation .
Civil Service	2. Reviews the request for position review <u>CS-129 to</u> <u>and</u> approves or disapproves P-rate compensation . 3. If approved, releases the CS-129 to the appointing authority. 4. If disapproved, documents the reasons on the CS-129 and releases to the appointing authority.

Responsibility	Action
Appointing Authority	5. Receives the -approved CS-129 and assigns P-rate compensation -to the employee in the -Human Resources Management Network (HRMN). 6. Removes P-rate compensation -in HRMN when-if an -employee becomes ineligible for such .

CONTACT

Questions on this regulation may be directed to Compensation, Civil Service Commission, P.O. Box 30002, 400 South Pine Street, Lansing, Michigan 48909; ~~by telephone at 517-241-0837 or 517-373-7618~~; or ~~to~~ MCSC-Compensation@mi.gov.