



Legislation Text

File #: ORD. 2022-069, **Version:** 1

To amend the schedule of classifications and assigned ranges incorporated into section I of the Pay Plan for the purpose of revising the wording of certain classification titles, changing the pay ranges of certain classification titles, and providing for a 5.0 percent adjustment of general pay ranges; to amend section II(C) of the Pay Plan for the purpose of providing for a 5.0 percent increase for eligible employees; to amend the following sections of the Pay Plan: III(B)(11), providing for salary supplements for the Office of the Commonwealth's Attorney, III(B)(12), providing for salary supplements for the Office of the Sheriff, III(B)(25)(e), suspending the education incentive for sworn fire and police employees, III(B)(33), to increase the limit of the extraordinary performance bonus, III(B)(36), to increase the hourly minimum rate for City employees from \$13.00 to \$17.00, III(B)(40), to provide for the full implementation of the step-based pay plan for sworn fire and police employees, of the Pay Plan, and III(B)(41), to remove broadband or career development programs from exclusions to performance adjustments for classified employees; and to repeal section III (B)(4) of the Pay Plan, concerning a career development program.

WHEREAS, the Council of the City of Richmond adopted a pay plan for the City of Richmond, hereinafter the "Pay Plan," by Ordinance No. 2018-319, adopted January 14, 2019, and now desires to amend such pay plan;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, (i) effective beginning with the pay period commencing on ~~[July 3, 2021]~~ July 2, 2022, the [~~one-page~~] ten-page schedule entitled "Classifications and Assigned Ranges" and dated ~~[January 5, 2019]~~ October 9, 2021, as previously amended by Ordinance No. 2019-292, adopted November 12, 2019, ~~and~~ Ordinance No. 2020-102, adopted May 11, 2020, ~~and Ordinance No. 2021-054, adopted May 24, 2021~~, incorporated into the Pay Plan by section I of the Pay Plan, be and is hereby amended by excluding the classifications as shown on the [~~one-page~~] ten-page schedule entitled "Classifications and Assigned Ranges, ~~[July 3, 2021]~~ October 9, 2021, [~~Exclude," a copy of which schedule is attached to and incorporated into this ordinance,~~] and by including the classifications as shown on the [~~one-page~~] ten-page schedule entitled "Classifications and Assigned Ranges, ~~[July 3, 2021]~~ July 2, 2022, Include," a copy of which schedule is attached to and incorporated into this ordinance, and (ii) effective beginning with the pay period commencing on ~~[October 9, 2021]~~ July 2, 2022, the [~~nine-page~~] ten-page schedule entitled "Classifications and Assigned

Ranges,” and dated [January 5, 2019] October 9, 2021, [as previously amended by Ordinance No. 2019-292, adopted November 12, 2019, Ordinance No. 2020-102, adopted May 11, 2020,] Ordinance No. 2021-054, adopted May 24, 2021, and the schedules described in clause (i) of this section 1, incorporated into the Pay Plan by section I of the Pay Plan, is hereby repealed and replaced in its entirety by the ten-page schedule entitled “Classifications and Assigned Ranges, [October 9, 2021] July 2, 2022, Include,” a copy of which schedule is attached to and incorporated into this ordinance.

§ 2. That (i) section III(B)(29) of the Pay Plan shall not apply to the amendments made by section 1 of this ordinance, (ii) no employee whose position this ordinance moves to another classification, pay range, or pay band shall receive a pay increase or decrease due to any adjustment made by this ordinance, and (iii) for purposes of this section, words or phrases defined in section III(A) of the Pay Plan have the meanings set forth in section III(A) of the Pay Plan.

§ 3. That section II(C) of the Pay Plan be and is hereby amended as follows:

C. The provisions of this section II(C) apply to the fiscal year commencing July 1, [2021] 2022, and ending June 30, [2022] 2023. The annual budget for the fiscal year commencing July 1, [2021] 2022, and ending June 30, [2022] 2023, includes funding, in the Non-Departmental Budget for the fiscal year commencing July 1 [2021] 2022, and ending June 30, [2022] 2023 [to implement the recommendations of a study completed in 2018 that found significant compression in the lower end of the pay ranges and pay bands for non-sworn employees and recommended pay increases to move those employees toward the midpoint of their pay ranges or pay bands. This section II(C) provides for the use of that funding to achieve those recommendations.]

1. *Eligibility.* The pay increases for which this section II(C) provides shall apply to all employees in [permanent] classified and unclassified positions except for the following:

a. [~~Employees not employed continuously in a permanent position on~~

~~[September 30, 2020]~~ July 1, 2021, unless the employee's salary is below the minimum of the employee's new pay range;

- b. ~~Employees paid at or above the midpoint of their assigned pay ranges or their pay zones within their assigned pay bands as of October 9, 2021, except as provided in section II(C)(2)(b);~~
- e.] Employees of constitutional officers whose classifications are not listed in section I of the Pay Plan;
- ~~[d.]~~ b. Employees in the classifications of Police Recruit, Police Officer [~~I, Police Officer II, Police Officer III, Police Officer IV, Master Police Officer, Police Sergeant, Police Lieutenant, Police Captain~~], Fire Recruit, Fire Fighter [~~I, Fire Fighter II, Fire Fighter III, Fire Fighter IV, Master Fire Fighter~~], Fire Driver Operator, Fire Lieutenant, Fire Captain, Fire Battalion Chief, and Staff Battalion Chief~~[-]~~ ; and
- ~~[e.]~~ Employees with a performance issue, performance improvement plan, or disciplinary action, each documented according to the applicable City laws, regulations, and rules, occurring on or after October 8, 2020.]
- c. Employees in a continuous leave without pay status since October 10, 2021.

2. *Administration.* The following provisions shall govern the administration of the pay increases for which this section II(C) provides:

- a. The amount of the pay increase shall be calculated on the employee's base rate of pay as of ~~[October 8, 2021]~~ July 1, 2022.

- b. Each employee who is eligible under section II(C)(I) shall receive a pay increase equal to ~~[3.25]~~ five percent of the employee's salary as of ~~[October 8, 2021]~~ July 1, 2022, unless the amount of such increase would exceed the maximum of the employee's pay range. If the amount of such increase exceeds the maximum of the employee's pay range, the employee's salary will be equal to the greater of the maximum of the employee's pay range or the employee's salary as of ~~[October 8, 2021]~~ July 1, 2022.
- c. ~~[If the employee's salary remains lower than the midpoint of the employee's pay range after the application of section II(C)(2)(b), the employee will receive an additional salary increase based on the employee's years of service as determined by the Director of Human Resources and the employee's appointing authority in accordance with section II(C)(2). Using records available to the Director of Human Resources, the Director of Human Resources shall analyze and calculate each employee's years of service based on~~
- (1) ~~The employee's years of service in the employee's job classification as of October 9, 2021;~~
 - (2) ~~The employee's years of service in a higher job classification in the job classification series to which the employee's job classification as of October 9, 2021, belongs as determined by the Director of Human Resources using the City's job class codes; and~~

~~(3) The employee's years of service in a classification equivalent to the employee's job classification as of October 9, 2021, as determined by the Director of Human Resources using the City's job class codes.~~

~~In developing the analysis for each employee, the Director of Human Services shall include both City service and service that is not City service, provided that the Director of Human Resources shall include service that is not City service only for employees hired before April 1, 2021. The Director of Human Resources shall provide each employee's analysis to that employee's appointing authority for review based on each employee's individual experience, performance and qualifications.~~

~~d. Each appointing authority shall review, for each employee for whom the appointing authority serves as appointing authority, the analysis provided by the Director of Human Resources pursuant to section II(C)(2)(c)(2) to confirm or make changes based on that employee's individual experience, performance, and qualifications and provide the appointing authority's concurrence or any changes to the Director of Human Resources. No changes by an appointing authority to the calculation of years of service by the Director of Human Resources for an employee shall be effective unless approved by the Director of Human Resources. The determination of the Director of Human Resources as to whether years of service qualify under this section II(c)(2)(c) shall be final and not subject to further appeal. Once the Director of Human Resources has reviewed any changes by the employee's~~

~~appointing authority and finally determined an employee's years of service in accordance with section II(C)(2)(c), the Director of Human Services shall apply one 2.5 percent salary adjustment for each of the employee's complete years of service to the minimum of the employee's pay range, apply a salary increase equal to the difference between the employee's salary immediately following the salary increase for which section II(C)(2)(b) provides and the midpoint of the employee's pay range, and implement that salary increase, if any, effective beginning with the pay period commencing October 9, 2021.~~

- e. ~~No employee's salary shall be decreased as a result of any application of this section II(C). If the appropriation for the salary increases for which section II(C)(2)(c) and (d) provide made in the Non-Departmental Budget for the fiscal year commencing July 1, 2021, and ending June 30, 2022, is not sufficient to fund all of the salary increases for which section II(C)(2)(c) and (d) provide, the Director of Human Resources shall prorate the salary increases of all employees who would receive a salary increase pursuant to section II(C)(2)(c) and (d) so that those salary increases do not exceed the available appropriation.] For purposes of this section II(C), the term "pay range" has the meaning set forth in section III(A)(8), except that for each classification assigned a broad band established pursuant to section III(B)(38) within which the Chief Administrative Officer has established pay zones pursuant to section III(B)(38)(a), the term "pay range" means the pay zone within that broad band to which the employee is assigned.~~

§ 4. That section III(B)(11) of the Pay Plan be and is hereby amended as follows:

11. **Commonwealth Attorney's Office.** The Commonwealth Attorney shall receive a salary supplement of \$53,628 together with a contribution to the Virginia Retirement System on her behalf of \$10,822 in Fiscal Year [~~2021-2022~~] 2022-2023. The Commonwealth Attorney's Office shall receive [~~\$934,456~~] \$929,729 to be used as salary supplements together with [~~\$212,571~~] \$212,447 to be used for a contribution to the Virginia Retirement System in Fiscal Year [~~2021-2022~~] 2022-2023 for members of the office. The proper administration of salary supplements is the responsibility of the constitutional officer.

§ 5. That section III(B)(12) of the Pay Plan be and is hereby amended as follows:

12. **Sheriff's Office.** The Sheriff's Office shall receive in Fiscal Year [~~2021-2022~~] 2022-2023 an amount [~~10.82~~] 12.06 percent greater than the amount approved by the Compensation Board for the Sheriff's deputies to be used as salary supplements for members of the office, excluding the Sheriff, for which the City is reimbursed for 100 percent of salary costs approved by the Compensation Board. The Sheriff's Office shall receive an amount not to exceed [~~\$1,773,117.01~~] \$1,960,579 in Fiscal Year [~~2021-2022~~] 2022-2023 to be used as salary supplements for members of the office, excluding the Sheriff. From such allocation, the Sheriff's Office may, in Fiscal Year [~~2021-2022~~] 2022-2023, provide salary supplements for positions that the City is not reimbursed for 100 percent of approved Compensation Board salaries, excluding the Sheriff. No salary supplements to any positions shall be paid unless authorized by the City's Director of Budget and Strategic Planning. Any salary supplement paid directly to the Sheriff from either of these amounts shall only be for the specific amount authorized by this section. The Sheriff shall receive a salary supplement of [~~\$47,399.99~~] \$50,000 in Fiscal Year [~~2021-2022~~] 2022-2023. The proper administration of salary supplements is the responsibility of the constitutional officer.

§ 6. That section III(B)(25)(e) of the Pay Plan be and is hereby amended as follows:

- e. No new applications for educational incentives or increases in educational incentives in accordance with this section shall be accepted between July 1, 2010, and July 1, ~~2022~~ 2023.

§ 7. That section III(B)(33) of the Pay Plan be and is hereby amended as follows:

- 33. **Extraordinary Performance Bonus.** The appointing authority may grant a classified employee a one-time bonus for extraordinary performance. Unless approved by the Chief Administrative Officer, the bonus may be no more than ~~[\$1,000]~~ \$5,000 and may not be given to an employee more than once in a fiscal year.

§ 8. That, effective beginning with the pay period commencing on July 2, 2022, section III(B)(36) of the Pay Plan be and is hereby amended as follows:

- 36. ~~[Living Wage]~~ **Minimum Rate.** Any employee in a position (other than Summer Youth Program, Special Event Worker, Intern, or other special employment program participants as determined by the Director of Human Resources) working either full-time or part-time shall have an hourly rate of pay at least ~~[\$13.00]~~ \$17.00.

§ 9. That, effective beginning with the pay period commencing on July 2, 2022, section III(B)(40) of the Pay Plan be and is hereby amended as follows:

- 40. **Step-Based Pay System for Sworn Fire Fighters and Police Officers.**

- a. The following sworn fire and police classifications shall be part of a step based pay system as shown in Table 1, dated ~~[May 10, 2021]~~ March 4, 2022 (a copy of which is attached hereto and incorporated herein):

Positions

Range

Fire Recruit 1

Police Recruit	1
Fire Fighter [1]	2
Police Officer [1]	2
[Fire Fighter II]	[3]
[Police Officer II]	[3]
[Fire Fighter III]	[4]
[Police Officer III]	[4]
[Fire Fighter IV]	[5]
[Police Officer IV]	[5]
[Master Fire Fighter]	[6]
[Master Police Officer]	[6]
Fire Driver Operator[7]	<u>4</u>
Fire Lieutenant [8]	<u>6</u>
Police Sergeant [8]	<u>6</u>
Fire Captain[10]	<u>8</u>
Police Lieutenant[10]	<u>8</u>
Fire Battalion Chief[12]	<u>10</u>
Staff Battalion Chief[12]	<u>10</u>
Police Captain[12]	<u>10</u>

b. Sworn fire and police personnel shall be eligible to move to their appropriate step on July [~~1, 2006~~] 2, 2022, and thereafter shall be eligible to move in accordance with this ordinance at the beginning of the first full pay period in July of each calendar year thereafter. The initial placement [~~and future movement~~] of sworn fire and police personnel [~~in the classifications of Fire Fighter I, Fire Fighter II,~~

Fire Fighter III, Fire Fighter IV, Master Fire Fighter, Police Officer I, Police Officer II, Police Officer III, Police Officer IV and Master Police Officer will be based on full years of sworn service after the completion of the Fire Academy or the Police Academy (as) is outlined in Table 2, dated March ~~5, 2021~~ 4, 2022, a copy of which is attached hereto and incorporated herein) [~~or the step closest to but above their current salary, whichever is greater~~].

For purposes of this plan, sworn service time will begin upon graduation from the Fire Academy or the Police Academy less any break in service (except military or other leave as required by law), and step movement shall be based upon years of service as of June 30 of each year (e.g., an officer with 9 months of service as of June 30 will be considered to have 0 years of service) [~~Refer to Table 2~~]. The initial placement of sworn fire and police personnel in the classifications of Fire Driver Operator, Fire Lieutenant, Fire Captain, Fire Battalion Chief, Staff Battalion Chief, Police Sergeant, Police Lieutenant, and Police Captain shall be based upon service time in their current classification or the step closest to but above their current salary, whichever is greater, as outlined in Table 2.] Future movement shall be one step per fiscal year based on the [implementation schedule set forth in Table 3, dated March 6, 2020 (a copy of which is attached hereto and incorporated herein)] funding availability until the maximum step is obtained.

[~~On October 9, 2021, (i) employees in the classifications of Police Officer I, Police Officer II, Police Officer III, Police Officer IV, Master Police Officer, Fire Fighter I, Fire Fighter II, Fire Fighter III, Fire Fighter IV, and Master Fire Fighter shall be eligible to advance to corresponding steps for FY2022 as shown on Table~~

2 and (ii) employees in the classifications of Police Sergeant, Police Lieutenant, Police Captain, Fire Driver Operator, Fire Lieutenant, Fire Captain, Fire Battalion Chief, and Staff Battalion Chief shall be eligible to be placed in the step of their classifications that most closely corresponds to the step they would have attained had the step_movement provisions of the step-based pay system been funded for the fiscal year commencing July 1, 2020, and ending June 30, 2021, and the fiscal year commencing July 1, 2021, and ending June 30, 2022.]

In order to relieve salary compression and with the concurrence of the Director of Human Resources, the Chief of Fire and Emergency Services or the Chief of Police may place sworn personnel at a higher step.

- c. [~~Movement through the steps for Fire Recruits, Police Recruits and all levels of Fire Fighters and Police Officers hired after July 1, 2006 shall be based on the schedule in Table 4 dated March 6, 2020 (a copy of which is attached hereto and incorporated herein).~~
- d. Pursuant to the Career Development Plan, an employee shall move to the identical step in the higher range (e.g., if a Police Officer II is in Step 2 and moves up in the Career Development Plan, that police officer shall then move to a ~~Police Officer III in Step 2~~) (Refer to Table 1).
- e.] Sworn fire and police personnel promoted to higher non-supervisory sworn classifications shall move to the next higher step within the new classification that guarantees at least a five percent increase over their former salary. Sworn fire and police personnel promoted to higher classifications of Fire Lieutenant, Fire Captain, Fire Battalion Chief, Staff Battalion Chief, Police Sergeant, Police Lieutenant and Police Captain shall move to the next highest step within the new

classification that guarantees at least a [~~five~~] ten percent increase over their former salary.

[~~f.~~] d. Sworn fire and police personnel currently in the retirement program DROP plan may *not* withdraw from the plan to return to regular service, and retirement benefits are based on the employee's salary at the time of enrollment eligibility in the DROP plan.

[~~g.~~] e. Sworn police personnel hired into the Department of Police as lateral transfers shall be placed in the step plan based upon pro-rating their external sworn service to sworn service the Department of Police. The pro-rating ratio shall be determined by the Department of Police.

[~~h.~~] f. Sworn fire personnel hired into the Department of Fire and Emergency Services as lateral transfers shall be placed in the step plan based upon prorating their external sworn service to sworn service in the Department of Fire and Emergency Services. The prorating shall be determined by the Department of Fire and Emergency Services.

[~~i.~~] g. Sworn police personnel shall be eligible for special assignment pay up to [~~\$0.75~~] \$1.00 per hour. Assignments qualifying for this special assignment pay shall be determined by the Chief of Police with the approval of the Chief Administrative Officer. Police personnel assigned as Police Training Officers shall be eligible for five percent special assignment pay. Police personnel assigned as Community Policing Leads shall be eligible for ten percent special assignment pay.

[~~j.~~] h. Sworn fire personnel shall be eligible for special assignment pay up to [~~\$0.75~~] \$1.00 per hour. Assignments qualifying for this special assignment pay shall be determined by the Chief of Fire and Emergency Services with the approval of the

Chief Administrative Officer.

~~[k.] i.~~ Sworn fire and police personnel in the classified service shall no longer be a part of the Performance Based Pay System. However, to be eligible for a step increase, the employee must have obtained at least a “Meets Standards” or an equivalent rating on the employee’s last annual performance evaluation.

~~[l.] j.~~ All salary increases and step advancements for which this section provides are subject to annual appropriations of sufficient funds therefore by the City Council.

§ 10. That section III(B)(41) of the Pay Plan be and is hereby amended as follows:

41. **Performance Adjustment for Classified Employees.** The appointing authority, upon the review and approval of the Director of Human Resources, may grant certain classified employees an increase up to five percent. The increase is available to employees in a classified position that is not part of a step system~~[, broadband, or career development program]~~. The employee must have a performance evaluation higher than “Meets Standards” on the employee’s evaluation for the prior fiscal year and shall not be eligible for more than one increase per fiscal year. Increases of more than five percent also must be approved by the Chief Administrative Officer.

§ 11. That section III(B)(4) of the Pay Plan be and is hereby repealed as follows:

~~[4. **Police and Fire Career Development.**~~

~~a. For employees assigned to the positions in the PF pay ranges, advancement shall be in accordance with the provisions of a “career development plan” recommended by the head of the employee’s department and approved by the Director of Human Resources and the Chief Administrative Officer. A copy of the approved career development plans and all amendments thereafter shall be the official career development plans and shall~~

~~be filed with the Director of Human Resources.~~

- ~~b. Advancement between classifications in accordance with career development plans implemented pursuant to this section, except for advancement from Police Recruit to Police Officer I and from Fire Recruit to Fire Fighter I, shall be suspended.]~~

§ 12. This ordinance shall be in force and effect on July 1, 2022.