

# Administrative Office of the Courts

## OUT-OF-CYCLE INCREASE GUIDELINES, CRITERIA & FORM INSTRUCTIONS

*(Effective July 1, 2003, 2<sup>nd</sup> Revision August 1, 2005)*

### **Purpose**

Out-of-Cycle increases provides agency management with the opportunity to provide salary progression for classified employees within their assigned salary range in recognition of demonstrated performance and job competency. Appropriate salary placement in the salary range should reflect the employees demonstrated job competency and performance relative to the assigned market value (100% Compa-Ratio).

Out-of-Cycle increases and effective dates are subject to funding and appropriate salary placement within the employee's assigned pay range and/or agency and Judicial Branch salary distribution.

### **Appropriate Salary Placement and Progression**

Each individual employee has knowledge, skills and competencies that relate to the job assigned. Each job has a monetary value, represented as a salary range. It is the purpose of Out-of-Cycle increases to recognize appropriate positioning of an employee within their assigned salary range. Employee positioning within their assigned range, should be independently reviewed, based upon the scope of duties and responsibilities of the job, and those actually being performed.

### ***Judicial Branch Salary Range Width (80-125%)***

Ideally, employees enter their respective jobs as a new-hire or via a promotion, and are paid between the minimum and midpoint values of the salary range. As the employee acquires job competency through time-in-class and demonstrated performance, the employee's salary should progress consistently in recognition of this acquired competence and demonstrated performance.

The Salary Placement and Progression Benchmarks listed below is the prescribed method and guidance to managers

and supervisors as to the rationale for proper salary progression and placement in utilizing the Out-of-Cycle provision.

---

### **SALARY PLACEMENT AND PROGRESSION BENCHMARKS - (For proper placement and salary progression within an employee's assigned pay range).**

**Compa-ratio 80% to 95% (Learn)** - The applicable employee knowledge base is a success indicator for entry placement. The employee is actively learning the skills and competencies to perform assigned job tasks independently. Based upon measurable standards of performance the employee is achieving success in obtaining a greater degree of independence and their depth/breadth of job knowledge is progressively

increasing.

***Placement within this compa-ratio range should occur within the first three (3) years of the employee's appointment to their current job classification.***

**Compa-ratio of 96% to 110% (Competent)**- An employee is considered to be "full performance" and should be able to perform independently, with little supervision. Full accountability for successful completion of tasks. - Based upon measurable standards of performance the employee is independent thinking, consistently achieves defined goals and meets measurable performance standards. ***Placement within this compa-ratio range should occur within the first six (6) years of the employee's appointment to their current job classification.***

**Compa-ratio of 111% - 125% (Excel)**- Applicable knowledge, skill and competencies are at the highest level. An employee should be able to perform independently on a consistent basis the most complicated work associated with the job. Full accountability for successful completion of tasks. - Based upon increasingly complex standards of performance the employee is an independent contributor, is performing all job assignments independently, brings new knowledge and ideas to the job and is able to solve problems independently. ***Placement within this compa-ratio range should occur within the first ten (10) years of the employee's appointment to their current job classification.***

### **Total Increases per Fiscal Year**

An employee's salary may be increased up to a total of 10%, during a fiscal year. An employee may receive more than one adjustment within a fiscal year, provided the salary increases do not exceed 10%, and the base salary does not exceed the maximum of the salary range. Exceptions may be made only if it is to bring an employee up to the minimum of a salary range due to range adjustments.

## **OUT-OF-CYCLE INCREASE CRITERIA**

Requests for Out-of-Cycle Salary Increases must be based on at least one of the following Criteria:

- 1. Demonstrated Exceptional Performance** - The employee must have demonstrated a significant increase in job performance; performance of more complex tasks and duties within the current classification; or application of higher job-related training and education resulting in increased knowledge, skills and abilities or competencies that add more value to the organization over a prolonged period of time. To document such performance, performance measures and expectations must have been set.
- 1. Salary Alignment** - Inequities due to salary compression or external Labor/Salary Market forces require salary alignment. Salary alignment would be applied to employees who are assigned the same duties and responsibilities; are performing with comparable levels of training, experience, knowledge, skills and abilities; demonstrated job performance and competency, whose compensation is not in alignment.

This may also apply to the following:

Inequities due to Labor/Salary Market differences between the pay of new employees and experienced employees in the same job (adjustments due to hiring rates).

Upward changes in job assignment range due to a classification study and job measurement analysis, budget permitting (compa-ratio restoration).

- Employee Pay Progression** - This movement provides for salary progression through the assigned pay range. Employee pay progression and placement within their assigned pay range is based upon demonstrated successful performance. This is not an automatic progression based upon tenure in class, but rather recognition of acquired job competence along with exceptional job performance and is contingent upon agency funding.

**Salary increases associated with progression benchmarks must be applied in the following manner:**

Employees receiving an “Exceeds Expectations” or higher on their previous two annual performance evaluations are eligible to receive an out-of-cycle salary increase within the appropriate progression benchmark range, **up to 10%**.

Employees receiving a “Meets Expectations” rating in any of their two previous Performance Evaluations are eligible to receive an out-of-cycle salary increase within the appropriate progression benchmark range, **up to 5%**.

Probationary employees are not eligible for out-of-cycle salary adjustments under the Employee Pay Progression provision.

**Important Note** - Requests for flat % increases to a group of employees, or a seniority approach based only upon years of service would be unacceptable under the above analytical format. Each adjustment must include an individual analysis on the appropriate placement of each employee based upon demonstrated performance, competency and contribution to the agency.

## **OUT-OF-CYCLE INCREASE FORM INSTRUCTIONS**

***An Out-of-Cycle Request Form must accompany all requests for Out-of-Cycle Increases.*** While additional sheets may be attached, it is requested that the form be utilized to the greatest extent possible. The form is flexible (not protected) and will allow for document growth.

**Employee Information Section** - Please complete all information requested in this section. The requesting supervisor, designated financial/budget officer and Chief Judge must sign the request form. Their signatures indicate the review and/or approval of the request by the supervisor, Chief Judge and certification of funding.

**SECTIONS 1 & 2** - Please complete Section 1 and/or Section 2 of the request form. *It may be that both sections are applicable.* Ref: AOC Out-of-Cycle Guidelines

**Section 1** - This section should include applicable information used to justify the proposed increase. This section may include applicable information on current and past performance/evaluation ratings; a summary of how the duties assigned have grown in complexity; exemplary performance (over and above expectations, special project initiatives, an analysis of how this employee’s performance compares to those in the same classification); additional related higher education that will increase the employees effectiveness on the job (i.e., completion of a Bachelors Degree in Finance, for a Financial Specialist, special certifications); number of years of related job experience.

**Section 2** - This section should include a thorough analysis of the salary inequity, justification for the adjusted salary and a summary of comparison information. Comparisons must be similar in job content, scope, and level of responsibility (generally the same job classification).

**JUDICIAL INTERNAL OR EXTERNAL AGENCY COMPARISONS** - At least three (3) comparisons must be provided. Comparisons within a Judicial agency (internal) or other Judicial agencies (external) may be used. For example, there is only one Court Administrator in each District Court, therefore, a comparison would need to be made between other District Courts (external). There are many Court Clerks in each court and a comparison could be made within the court (internal). Both internal and external comparisons may be made, if applicable.

**AOC/HR Recommendation & AOC Director Approval/Disapproval** - Please submit the completed Out-of-Cycle Form and any other pertinent information to the Director of the AOC/Human Resources Division. The AOC/HR

Director will provide a thorough analysis of the request and make a recommendation to the AOC Director. Upon review, the AOC Director will approve or disapprove the request and provide a response letter to the requesting Chief Judge or Administrative Authority

**Administrative Office of the Courts**  
**OUT OF CYCLE INCREASE REQUEST FORM**

Employee Name:	Agency:	Classification:
Employee Status:	TOOL #:	Position Status:
Hire Date:	PERM #:	Effective Date:
SS#:	Current Hourly Rate: Compa-Ratio:	Proposed Hourly Rate: <i>(Proposed increase not to exceed 10%)</i> Compa-Ratio:
Requesting Supervisor: <i>(Signature)</i>	Funding Certification: <i>(Signature of financial/budget officer.)</i> Yes _____ NO _____	Final Agency Approval Authority: <i>(Signature)</i>

*Below, please complete the section(s) criteria that applies to the request. Additional sheets may be attached.*

<b>1. <u>Demonstrated Performance</u></b>	Please describe the employee's scope of duties and job responsibilities; their increased level of expertise, competency, job performance, knowledge, skills and abilities, based upon their relative contribution to the agency.		
<b>2. <u>Salary Alignment</u>*</b> (please provide additional information on internal/external agency comparisons in table below)	Please describe salary inequities' internal or external to the agency, which resulted in this employee's salary being out of alignment.		
<b>3. <u>Employee Pay Progression</u></b>	Please describe the employee's job competency, demonstrated job performance and years in current job class supporting the employee's progression in their salary range. (Please attach the most recent two years annual performance evaluations.)		
*Employee Name & Classification	*Judicial Agency	*Current Hourly Rate	*Compa-Ratio
AOC/HR Recommendation:			
AOC/HR Director Recommendation:		AOC Director Approval or Disapproval:	
Date:		Date:	

cc: Employee Personnel File  
 Attachments: Any other additional information.