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ADMINISTRATIVE ADVISORY NO. 08-04

DATE: January 22, 2008
TO: Confidential Employees and Executive Staff
FROM: Robert A. Hawley, Deputy Executive Director
SUBJECT: **ADMINISTRATIVE ADVISORY NO. 08-04**
CONFIDENTIAL EMPLOYEE SALARY RANGES FOR 2008

Consistent with the responsibility of the Executive Director to determine the classifications and salary rates of confidential employees under the Rules and Regulations pertaining to the employment of confidential employees (Confidential Employee Rules) Section 10.A [Salary Rates and Classifications], effective January 1, 2008 the rate and salary ranges for confidential employees shall be revised. The attached salary ranges shall replace Appendix B to the Confidential Employee Rules for 2008.

On Anniversary dates in 2008 assuming a "meets requirement" or better overall performance rating on performance appraisals, confidential employees shall move two consecutive half steps in the 2008 salary range.

Employees not receiving any step increase in 2008 because they are at or above the top of the range, shall receive on employee anniversary dates, at an assuming "meets requirement" or better overall performance rating, a one time, lump sum payment equivalent to 5% of their annual wage as of their anniversary date, less all appropriate payroll deductions.

Employees receiving one half step increase in 2008 because they are one half step from the top of the range, shall receive on employee anniversary dates, and assuming "meets requirement" or better overall performance rating, the half step increase in base pay, and a one time, lump sum payment equivalent to 2.5% of their annual wage as of their anniversary date, less all appropriate payroll deductions.

Effective January 1, 2009, the existing step system for confidential employees shall be eliminated for all confidential classifications. The salary ranges shall be adjusted subsequent to January 1, 2009, in the discretion of the Executive Director and upon employee anniversary dates, employee shall receive salary adjustments in the discretion of the Executive Director in consultation with the operational senior executive.

This change effective January 1, 2009 conforms confidential employees to the executive staff compensation model. It remains the goal of the State Bar to maintain confidential employees salary ranges that are competitive and to maintain the differential above the bargaining unit salary ranges. Therefore, the adjustments that will be made in the discretion of the Executive Director seek to maintain the current standard. However, individual employee adjustments will be discretionary and not subject to the step system effective January 1, 2009.

Modifications to Section 10 [Salary Rates and Classifications] of the Confidential Employee Rules reflecting these changes will be effective in 2009 are attached.

(Signed original on file in the Office of the Executive Director)

SECTION 10. SALARY RATES AND CLASSIFICATIONS

A. The Executive Director shall determine the classifications, grades, salary rates, salary increases and other rewards for Confidential Employees. Subject to this paragraph A:

B. The classifications and grades applicable to Confidential Employees are set forth in Appendix A. The wage and salary ranges for Confidential Employees are set forth in Appendix B.

C. Confidential Employees shall be eligible, upon their annual anniversary date, and assuming a "Meets Requirements" or better performance evaluation rating, for annual ~~"step increases"~~ wage and salary increases within the salary ranges set forth in Appendix B. Employees at the maximum ~~step~~ of the range shall receive no further ~~step~~ increases based on performance ratings.

D. Confidential Employees shall, in addition, be eligible for ~~annual across-the-board increases~~ and other salary adjustments determined at the discretion of the Executive Director.

E. On the anniversary date of a Confidential Attorney, Grade 45CA, completing his/her third year as an Attorney, Grade 45CA, contingent upon a "Meets Requirements" or better performance rating, the Confidential Attorney, Grade 45CA, will be automatically promoted to Attorney Grade 46CA.

F. A Confidential Employee who is promoted to a higher grade shall be placed in the range for the grade to which he/she has been promoted at a salary which will result in an increase which most closely will approximate five percent (5%). In no event shall a Confidential Employee be placed ~~at a step~~ in the salary range of the grade to which he/she has been promoted which will result in a salary increase of less than five percent (5%).

G. A Confidential Employee who is appointed to temporarily fill a position in a higher pay grade shall be paid a differential equal to the starting salary of that higher pay grade, or five percent (5%) in excess of his/her current State Bar salary, whichever is greater, during the period of time that he/she is temporarily filling such position, provided that he/she is performing all of the major tasks and responsibilities of the position in the higher pay grade. This Subsection shall not apply to a Confidential Employee who is appointed to temporarily fill a vacant position in the same or a lower pay grade than his/her current position.

Source: Confidential Employee Rules §20 [Wages & Classifications]; Executive Staff Rules §8 [Placement, Hiring and Salary Rates]; substantially revised January 30, 1999. Minor revisions January 1, 2001, January 1, 2004, January 1, 2005-, January 1, 2009.