

**Representative Melvin R. Brown** proposes to substitute the following bill:

**PERSONNEL MANAGEMENT ACT AMENDMENTS**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Terry R. Spencer**

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; OUTLINING PRINCIPLES GOVERNING THE CAREER SERVICE SYSTEM; AMENDING PROVISIONS FOR VOLUNTARY ACCEPTANCE OF LOWER POSITIONS AND DISMISSALS AND DEMOTIONS; MODIFYING SALARY RANGE REQUIREMENTS FOR CERTAIN PROMOTIONS AND RECLASSIFICATIONS; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**67-19-15.7**, as last amended by Chapter 213, Laws of Utah 1997

ENACTS:

**67-19-3.1**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **67-19-3.1** is enacted to read:

**67-19-3.1. Principles governing interpretation of act and adoption of rules.**

(1) The department shall establish a career service system designed in a manner that will provide for the effective implementation, by agencies, of the following merit principles:

- (a) recruiting, selecting, and advancing employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment;
- (b) providing for equitable and competitive compensation;
- (c) training employees as needed to assure high-quality performance;
- (d) retaining employees on the basis of the adequacy of their performance and separating

26 employees whose inadequate performance cannot be corrected:

27 (e) fair treatment of applicants and employees in all aspects of personnel administration  
28 without regard to race, color, religion, sex, national origin, political affiliation, age, or disability,  
29 and with proper regard for their privacy and constitutional rights as citizens;

30 (f) providing information to employees regarding their political rights and the prohibited  
31 practices under the Hatch Act; and

32 (g) providing a formal procedure for processing the appeals and grievances of employees  
33 without discrimination, coercion, restraint, or reprisal.

34 (2) The principles in Subsection (1) shall govern interpretation and implementation of this  
35 chapter.

36 Section 2. Section **67-19-15.7** is amended to read:

37 **67-19-15.7. Promotion -- Reclassification -- Market adjustment.**

38 (1) (a) Each employee who is promoted or whose position is reclassified to the next higher  
39 salary range shall be placed at the merit step within the new range corresponding to a salary  
40 increase of between 2.75% and 11%.

41 (b) The employee may not be placed higher than the highest merit step in the new salary  
42 range.

43 (2) (a) Each employee who is promoted or whose position is reclassified to a salary range  
44 higher than the next higher range shall be placed at the merit step within the new range  
45 corresponding to a salary increase of between 5.5% and 11%.

46 (b) The employee may not be placed lower than the lowest merit step in the new salary  
47 range.

48 [~~(3) Each employee who voluntarily accepts a position in the next lower salary range shall~~  
49 ~~be placed at the merit step within the new range corresponding to a salary decrease of 2.75% or~~  
50 ~~as close to 2.75% as possible. The employee may not be placed lower than the lowest merit step~~  
51 ~~in the new salary range.]~~

52 [~~(4) Each employee who voluntarily accepts a position in a salary range lower than the~~  
53 ~~next lower range shall be placed at the merit step within the new range corresponding to a salary~~  
54 ~~decrease of 5.5% or as close to 5.5% as possible. The employee may not be placed higher than the~~  
55 ~~highest merit step in the new salary range.]~~

56 [(5)] (3) (a) Each employee whose salary range is approved by the Legislature for a

57 selective salary adjustment consistent with Subsection 67-19-12(4)(c)(viii) shall be adjusted to the  
58 new range at the beginning of the next fiscal year.

59 (b) Employees shall be placed at the step value on the new range consistent with the  
60 appropriation authorized by the Legislature.

61 [~~6~~] (4) (a) Department-initiated revisions in the state classification system that result in  
62 consolidation or reduction of class titles or broadening of pay ranges may not be regarded as a  
63 reclassification of the position or promotion of the employee.

64 (b) These revisions are exempt from the provisions of Subsections (1) and (2).

65 Section 3. **Effective date.**

66 This act takes effect on July 1, 2000.