



Martin Luther King, Jr.  
OUTPATIENT CENTER

POLICY AND PROCEDURE

<b>DIVISION:</b> ADMINISTRATION	<b>NUMBER:</b> 04-021
<b>SUBJECT: OUT-OF-CLASS ASSIGNMENT AND COMPENSATION</b>	
<b>SECTION:</b> HUMAN RESOURCES	<b>PAGE:</b> 1 <b>OF:</b> 3
<b>REVIEWED BY:</b> HR ADMINISTRATOR AND PROCEDURE & POLICY COMMITTEE	<b>EFFECTIVE DATE:</b> 01/07/92
<b>TO BE PERFORMED BY:</b> ALL DEPARTMENT & SERVICE AREA MANAGERS	<b>REVIEWED DATE:</b> 04/16/07
	<b>REVISED DATE:</b> 04/2017

**PURPOSE**

It is intended that employees will perform jobs consistent with their classification title.

**POLICY**

An employee's compensation for assigned performance beyond the scope of their classification is governed by applicable provisions of the L.A County Code and, for represented employees, by the provisions of applicable Memoranda of Understanding (MOU).

**PROCEDURE**

Section 6.10.040 of the Los Angeles County Code governs out-of-class assignments and compensation, and provides for the following management actions upon notice by the affected employee, or by the employee's representative, who has been assigned to an out-of-class assignment for more than twenty (20) consecutive working days:

- Appoint the employee to the higher-level classification, according to the provisions of governing Civil Service Rules;
- Return the employee to an assignment within their own natural classification;
- If neither of the two above is accomplished within 30 calendar days of the request for relief, pay the employee a bonus for each 30 calendar days from the request date until the out-of-class assignment is terminated. The bonus shall be the lesser of two standard salary schedules or five percent of the salary of a flat-rated class, or the difference between the salary of the employee's class and the higher-level class to which he is assigned. This bonus shall not be prorated for incremental periods of less than 30 calendar days each.

**REQUEST FOR BONUS COMPENSATION**

Requests for out-of-class bonus compensation *may* originate from the employee, the employee's representative, or the employee's manager. However, the employee's manager is *not* responsible for submitting such request on behalf of the employee.

Out-of-class bonus compensation is governed by Section 6.10.040 of the Los Angeles County Code, and provides as follows:

- In no event shall an employee receive compensation for the first 20 aggregate working days of said assignments.

- If the employee working out-of-class is appointed to the higher level class during the first 20 aggregate working days of the assignment, he/she shall not be entitled to out-of-class compensation.

## **ELIGIBILITY**

Eligibility of an employee to receive out-of-class bonus is governed and outlined by the Los Angeles County Code (Section 6.10.040), the applicable MOU, and the Department of Human Resources Policies, Procedures, and Guidelines. A brief outline of the criteria is as follows:

- A vacant, budgeted and funded item must exist.
- The employee must have worked more than 20 consecutive working days, performing all of the significant duties of the higher level position.
- The employee must be in a lower-level classification. Should be on an eligible list, or meet the minimum requirements for the higher level, or be reasonably expected to meet the requirements in a short period of time. All licensure, permit, registration or certification requirements must also be met.
- The provisions of this section shall apply only to employees appointed to positions and working in assignments within classes specifically approved for such payment by the Board of Supervisors. (Ordinance 6222 Chapter 1 Article 6 §93, 1953).

## **EMPLOYEE'S RESPONSIBILITY**

Employees shall consult with their immediate supervisor to determine their "out-of-class" status. Employees who believe that they are performing at a higher-level should submit a "Request for Out-of-Class Compensation" form (Attachment 1) to their immediate supervisor; one (1) copy of such request should be retained by the employee. The request should be submitted after working twenty (20) working days on the higher-level position to initiate an out-of-class assignment evaluation by DHS Human Resources.

Employees who are assigned to perform in an out-of-class capacity have a responsibility to submit their request within the first twenty (20) days of such assignment. Management actions in response to an employee's request for relief, or compensation, relative to the out-of-class assignment (see Attachment 2 – Status of Out-of-Class Assignment letter) are time-sensitive, and are measured relative to the actual date of the employee's request. It is not intended that requests for relief will be retroactive if the employee's request is delayed in its submission. The status of Out-of-Class Assignment letter must be submitted to DHS Human Resources monthly until the termination of the out-of-class assignment.

## **MANAGEMENT'S RESPONSIBILITY**

It is management's responsibility to ensure that employees are appropriately assigned to job duties consistent with their classification and unless specifically assigned, as approved by DHS Human Resources – employees do not routinely perform in a full-time capacity, tasks that exceed the scope of their classification, management is expected to take necessary and appropriate actions to ensure that authorized out-of-class assignments are not prolonged. Managers who fail in their responsibility relative to the appropriate assignment of staff will be subject to progressive disciplinary action(s).

## **DHS HUMAN RESOURCES**

The DHS Human Resources shall review each request for employee "out-of-class" compensation bonus, and make a determination regarding the employee's eligibility on the basis of criteria established in the governing L.A County Code Section (6.10.040), in performing this responsibility, DHS Human Resources will:

- Maintain a record of all requests for out-of-class compensation, including disposition of such requests.
- Notify the appropriate manager of the out-of-class determination.

- As appropriate, notify the responsible department/service manager/supervisor of the availability of certified eligible candidates from which to fill the vacant, budgeted position –or- request to open examinations for vacant position authorized to be filled.
- Make quarterly evaluations of each out-of-class assignment.
- Terminate out-of-class assignments exceeding a stipulated period of duration.

**DEFINITION:**

An “out-of-class assignment” is the permanent, full-time performance of all the significant duties of an allocated, vacant, funded position in a higher-level classification by an individual in a lower-level classification.

**AUTHORITY:**

Los Angeles County Code Section 6.10.040  
Applicable Memorandum of Understanding (MOU)

**NOTED AND APPROVED:**

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Cynthia M. Oliver, Chief Executive Officer

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Date

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Ellen Rothman, M.D., Chief Medical Director

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Date

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Lessie Barber, Nursing Director

\_\_\_\_\_  
Date

Signature(s) on File.