

**PPM #12**

**Policy Name:** *Voluntary Demotions*  
**Effective Date:** *January 1, 2000*  
**Revision Date:** *December 1, 2011; October 19, 2018*

**Authorization:**   
*Nancy Watkins, Undersecretary*

**POLICY**

In accordance with Civil Service Rule 6.10(d), it shall be the policy of the Office of the Lieutenant Governor (OLG) and Department of Culture, Recreation and Tourism (DCRT) to waive the standard pay reductions upon voluntary demotions. Fraudulent promotion/demotion practices used as a method of granting pay increases to employees are prohibited.

**RESPONSIBILITY**

It shall be the responsibility of the Secretary, Deputy Secretary, Undersecretary, Assistant Secretaries, and/or their designees to:

- A. Review and approve/disapprove requests for pay reduction waivers;
- B. Ensure that fraudulent promotion/demotion practices are not used as a method of granting pay increases to employees under their jurisdiction; and
- C. Maintain records of waivers granted for audit purposes and to notify a receiving Office/facility of any pay reduction waivers granted an employee on or after July 01, 2018 when an employee leaves their jurisdiction.

**AUTHORITY**

Civil Service Rule 6.10, rate of Pay Upon Demotion, states that when an employee is demoted for any reason under any circumstances, his pay shall be reduced as follows:

- If the demotion is to a job within the same schedule or to a job in another schedule with a lower maximum his pay shall be reduced by a minimum of 7% and may be set at a lower rate in the range provided that it is no less than the minimum.

Civil Service Rule 6.10(d) also allows that an appointing authority may grant exceptions to this rule for voluntary demotions; however, no exception will allow the employee's pay to exceed the maximum of the pay range attached to the job title assigned to the employee.

An appointing authority shall waive a pay increase on promotion, reallocation, or detail to special duty for an employee who has neem demoted without a reduction in pay until such time the employee surpasses the pay level from which he demoted.

## POLICY PROVISIONS

### **A. Eligible Demotions**

A pay reduction waiver may be granted for the following circumstances:

1. Voluntary demotion

An employee voluntarily demotes into a lower level position and has not received a demotion pay waiver under this policy within the preceding 6- month period.

2. Transfer in and demotion

A permanent, classified employee is transferred into OLG/DCRT from another state agency in a position which is at a lower level than the employee's current position, and he or she has not received a demotion pay waiver within the preceding 6-month period.

3. Circumstances which are not specifically described above must be presented, in writing to the Human Resources Office for review.

### **B. Non-eligible Demotions**

1. Demotion within 6 months after a promotion

A pay reduction waiver shall not be granted to an employee who requests to be demoted back to his or her former position or any other lower level position within six months of a promotion.

2. When the employee is involuntarily demoted as the result of official disciplinary action. That is, a conditional waiver of pay reduction will not be granted to an employee who is demoted as a result of an official disciplinary action.

## QUESTIONS

Questions regarding this policy should be addressed to the Human Resources Division.

Summary of Changes: additional information from CS Rule 6.10, 6.10(d) and demotion resulting from disciplinary action