

Legislative Increase (LI) Frequently Asked Questions

(2021 Appropriations Act):

1. What are the eligibility requirements for the Legislative Increase (LI)?

- To be eligible for the legislative increase, employees must have been employed on both **June 30, 2021**, and **December 31, 2021**.
- Employees with permanent (full-time/part-time), probationary, and time-limited appointments that are employed on both **June 30, 2021**, and **December 31, 2021**, are eligible, including those who work a 9-, 10-, or 11-month schedule, employees on leave of absence (with or without pay), as well as those at step Z or FR (flat-rate).

2. Are temporary employees eligible for the LI?

- No. Temporary employees are not automatically entitled to the 2.5% legislative increase.
- Agencies may increase temporary employees' salaries at their discretion if funds are available. These actions, if applicable, will need to be processed by the agency by working with the OM/PA Operations team at BEST Shared Services (BSS).

3. How does the LI affect employees paid on a salary schedule?

- Employees who are paid on a salary schedule do not receive the LI, instead they are paid according to their respective schedule.
 - Correctional officers are paid according to the Correctional Officer Salary Schedule.
 - Law enforcement officers of the State Highway Patrol, Alcohol Law Enforcement, and the State Bureau of Investigation are paid according to the State Law Enforcement Officer Salary Schedule.
 - Probation and Parole Officers are paid according to the Probation and Parole Salary Schedule.
 - 115c employees in DHHS, DPS, and the State Board of Education (DPI) are paid based on the Teacher Salary Schedule.

*Note- If a Correctional Officer, State Law Enforcement Officers, or Probation and Parole Officers salary exceeds the scheduled salary level, then the officer shall receive an annual salary increase equal to two and one-half percent (2.5%).

4. What salary is the 2.5% LI applied to?

- The LI is applied to the employee's salary as of June 30, 2021.

- 5. Will employees receive retroactive payment due to the LI's effective date of July 1, 2021?**
- Yes, the payroll system will re-calculate the payments to include the LI, from July 1 through December 31, to determine retroactive payment. The employees will receive payment in the January 2022 paycheck. Note: This is only applicable to eligible employees that are employed on both June 30, 2021, and December 31, 2021.
- 6. Will longevity, overtime pay, holiday premium pay, etc. be recalculated for the period between July & December?**
- Yes, the payroll system will re-calculate these payments to include the increase from the LI, from July 1 through December 31, to determine retroactive payment. The employees will receive payment in the January 2022 paycheck. Note: This is only applicable to eligible employees that are active on both June 30, 2021, and December 31, 2021
- 7. Will retirement contributions be taken from any retroactive payment for the LI that's being paid in the January 2022 payroll(s)?**
- Yes, the 6% employee retirement contributions will be deducted from the earnings and applied to the January payments and reported to ORBIT for January 2022 earnings.
- 8. Are employees eligible for the LI if they are employed both on June 30, 2021, and December 31, 2021, but had a break in service between those dates, or were part-time employees between those dates?**
- Yes, these employees shall receive a prorated LI.
- Note: Part-time employees who meet the eligibility criteria are also eligible to receive the LI; their salaries of are prorated based on scheduled hours worked.
- 9. Are employees eligible for the LI if they are hired after June 30, 2021, but before December 31, 2021?**
- No, employees must be employed on June 30, 2021, and December 31, 2021, to be eligible for the LI.
- 10. Are employees that separate before December 31, 2021, eligible for a retroactive LI?**
- No, employees who separate before December 31 will not receive any retroactive amount as a result of the legislative increase.

Note: see the Pandemic Bonuses FAQ document for questions pertaining to the bonuses.

Scenarios

- 1. If an employee was active on June 30, 2021, left state employment, but then returned to state employment on or before December 31, 2021, would they be eligible for the LI?**
 - Yes, assuming the employee was still employed on 12/31/21. An employee would receive the 2.5% legislative increase, but the 2.5% would be added/ paid retroactively only for the months in which the employee worked for the state. Therefore, the resulting dollar increase will be a prorated amount.

- 2. If an employee is active on June 30, 2021, with a salary of \$50,000, and accepts a promotion with a salary change of \$60,000 on October 1, 2021, will the 2.5% LI be based on the new salary as of October 1, 2021?**
 - No, they will receive a 2.5% increase based on the June 30, 2021, salary. The LI amount on the June 30, 2021, salary will be added to the future dated salary action.

 - For example:
 - 6/30/2021 Salary: \$50,000 (LI of 2.5%= \$1,250)
 - 7/1/2021 Salary: \$51,250 (\$50,000 + \$1,250)
 - 10/1/2021 Salary: \$61,250 (\$60,000 + \$1,250)

- 3. If an employee is employed full-time on June 30, 2021, changes to part-time on October 1, 2021, and is still employed January 1, 2022, will the 2.5% LI be based on their part-time salary as of October 1, 2021?**
 - No, they will receive a 2.5% increase on the June 30, 2021, salary. The LI will add the dollar amount increase from the June 30, 2021, salary to the future dated, part-time salary in October 1, 2021.

- 4. If an employee is active on June 30, 2021, and resigns on December 30, 2021, are they eligible to receive the LI?**
 - Yes, the employee is eligible because they worked on the last available day of the month. In accordance with the OSHR Holidays Policy, when the holiday falls at the end of the month and the employee is in pay status through the last available workday, pay is received for the holiday. For purposes of the LI, “last day of work” refers to the last day on which the person is a paid state employee regardless, whether the employee came into the office on that day.

- 5. If an employee is on paid or unpaid LOA as of June 30, 2021, and is still employed on December 31, 2021, is this employee eligible for the LI?**
 - Yes, since the employee was employed on June 30, 2021, and December 31, 2021, they are eligible to receive the 2.5% LI based on the June 30, 2021, salary.