

SENATE BILL No. 140

By Senators Jenkins, Barnett, Barone, Brungardt, Downey, Feleciano, Gilstrap, Gooch, Goodwin, Haley, Hensley, Jackson, Lee, Oleen, Praeger, Salmans and Steineger

1-26

AN ACT concerning salaries and compensation for state officers and employees; providing for modification of pay plan; amending K.S.A. 75-2938 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-2938 is hereby amended to read as follows: 75-2938. (a) Except as otherwise provided in the Kansas civil service act, the director of personnel services, after consultation with the heads of state agencies or persons designated by them, shall assign each position in the classified service to a class according to the duties and responsibilities thereof. Titles shall be specified by the director for each such class for use in certifying the names of persons for appointment under this act. A description of the duties and responsibilities with suitable qualifications required for satisfactory performance in each class shall be specified by the director. The classes and titles so specified and described shall be used for: (1) Original appointments; (2) promotions; (3) payrolls; and (4) all other records affecting the status of persons in the classified service. Each class when approved or modified and approved as modified by the governor shall take effect on a date or dates specified by the governor. After consultation with the director of the budget and the heads of state agencies or persons designated by them, the director shall recommend changes in classes from time to time, and such changes, when approved or modified and approved as modified by the governor, shall take effect on a date or dates specified by the governor.

(b) The director of personnel services shall recommend to the governor the assignment, and from time to time the reassignment, of each class to a specified range approved or modified and approved as modified by the governor, the same shall become effective on a date or dates specified by the governor. In adopting or revising any plans, the governor shall give consideration to pertinent rates in other public and private employment in the appropriate labor markets, and for this purpose the director shall have made periodic wage and salary surveys with one survey to be conducted each year. The results of such survey and recommendations

1 for revisions in the pay plan are to be forwarded to the governor, the
2 secretary of administration, the director of the budget and the legislature.
3 The recommendations shall give consideration and weight to survey re-
4 sults, to changes in the cost-of-living and to proper internal alignment of
5 the various job classes. The director may use the results of other appro-
6 priate surveys conducted by public or private agencies in lieu of or in
7 addition to surveys authorized to be conducted under this subsection.

8 (c) The secretary of administration may delegate the authority to as-
9 sign positions in the classified service to a class according to the duties
10 and responsibilities thereof to the appointing authority. Such delegation
11 shall specify the particular classes, ranges, and schedules authorized. Ap-
12 pointing authorities delegated such assigning authority shall make
13 monthly reports of assigning transactions to the director of personnel
14 services. Any delegation of such authority is subject to review by the
15 secretary of administration who may modify any delegation made in order
16 to ensure consistency with the state classification plan and may withdraw
17 the delegated authority from the appointing authority upon evidence of
18 improper use of such authority by the appointing authority. The decision
19 of the secretary of administration in regard to the withdrawal of such
20 delegated authority shall be final.

21 (d) After consultation with the director of the budget and the sec-
22 retary of administration, the director of personnel services shall prepare
23 a pay plan which shall contain a schedule of salary and wage ranges and
24 steps, and from time to time changes therein. When such pay plan or any
25 change therein is approved or modified and approved as modified by the
26 governor, the same shall become effective on a date or dates specified by
27 the governor and any such modification, change of date shall be in ac-
28 cordance with any enactments of the legislature applicable thereto.

29 (e) The classes and pay plan for the classified service as approved by
30 the governor shall be used by the director of the budget in preparation
31 of the budget.

32 (f) Whenever any appropriation or other act specifies any pay plan or
33 any change, limitation or condition upon the pay plan, personnel or pol-
34 icies of the state or any state agency, such appropriation act or other act
35 shall control the provisions of this section to the extent of their application
36 thereto.

37 (g) *Each employee who has reached the maximum step on the salary*
38 *range of the pay plan to which such employee's position is assigned and*
39 *who cannot receive a pay increase pursuant to step movement and who*
40 *is otherwise eligible for an increase in compensation shall receive an in-*
41 *crease by being placed at the step of the next higher salary range of the*
42 *pay plan, which will provide the equivalent step increase. The assignment*
43 *of job classes to pay ranges of the pay plan for the classified service and*

1 *increases in compensation through step movement for classified employees*
2 *under the pay plan shall be subject to the provisions of this subsection.*

3 Sec. 2. K.S.A. 75-2938 is hereby repealed.

4 Sec. 3. This act shall take effect and be in force from and after its
5 publication in the statute book.

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