

## **ORDINANCE NO. 2023-13**

### **ORDINANCE ESTABLISHING SALARY ADMINISTRATION GUIDELINES FOR CHAMPAIGN COUNTY DEPARTMENTS**

**WHEREAS**, The County Board of the County of Champaign, Illinois, is vested with the exclusive power to grant appropriations for the expenditure of public funds within Champaign County departments, and may take policy concerns into account when exercising its appropriation power, 55 ILCS 5/6-1001 et seq.;

**WHEREAS**, Elected Department Heads are vested with the exclusive power to manage personnel and internal department operations, subject to budgetary limitations established by the Champaign County Board, and subject to Collective Bargaining Agreements and law, 55 ILCS 5/3-1007 (Auditor), 705 ILCS 105/27.3(a) (Circuit Clerk), 55 ILCS 5/3-2003.5 (Clerk), 55 ILCS 5/3-3003 (Coroner), 55 ILCS 5/2-5009 and 5/2-5015 (County Executive), 55 ILCS 5/3-5005.5 (Recorder), 55 ILCS 5/3-6018 (Sheriff), 55 ILCS 5/3-9006 (State's Attorney), 55 ILCS 5/3-10005.4 (Treasurer);

**WHEREAS**, Appointed Department Heads have discretion to manage personnel, subject to budgetary limitations established by the Champaign County Board, and subject to Collective Bargaining Agreements and law;

**WHEREAS**, The County Board of the County of Champaign, Illinois, adopted Resolution No. 6697 exempting the Public Defender's office from some requirements of 55 ILCS 5/3-4008;

**WHEREAS**, The County Board of the County of Champaign, Illinois, adopted Ordinance No. 960 - An Ordinance Establishing the Champaign County Personnel Policy on March 19, 2015;

**WHEREAS**, The County Board of the County of Champaign, Illinois, has amended the Champaign County Personnel Policy via Ordinances 964 (Employment, Hiring, ADA and Probation Policy), 997 (Anti-Harassment Policy), 2019-14 (Cannabis, Drug and Alcohol Use/Abuse Policy), and 2023-6 (EEO, Background Checks and Conviction History, Holidays, Bereavement Leave, Paid Parental Leave);

**WHEREAS**, State law mandates, "no contract shall be entered into, and no obligation or expense shall be incurred by or on behalf of a county unless an appropriation therefor has been previously made." 55 ILCS 5/6-1005;

**WHEREAS**, Fiscal responsibility requires a systematic personnel budget appropriations procedure, which includes:

- Review and adjustment of budgeted Salary Ranges;
- Determination of funds required for requested personnel actions and policy implementation;
- Equitable distribution of funds among departments; and
- Efficient oversight of personnel appropriations utilization throughout the budget period;

**WHEREAS**, The County Board of the County of Champaign, Illinois, has determined that because it has the exclusive power to appropriate funds and the corollary duty to exercise fiscal responsibility in the appropriation of public funds for expenditure, and because it has the concern to promote employment best practices, pay equity, and high-quality services to the public in consideration of financial sustainability, the County Board adopts the below Salary Administration Ordinance;

**NOW, THEREFORE BE IT AND IT IS HEREBY ORDAINED** by the County Board of the County of Champaign, Illinois, that:

**Section 1 - GENERAL**

- 1-1. This Salary Administration Ordinance applies to all County departments whose personnel budgets are subject to the County Board’s appropriations, including bargaining and non-bargaining positions subject to the County Board’s appropriations.
- 1-2. When granting personnel budget appropriations, the County Board will consider a department’s compliance with this Salary Administration Ordinance. When compliance is not possible, the County Board will consider a department’s cooperation with the intent of this Ordinance, which is to promote transparency, communication, and fiscal responsibility in the expenditure of public funds.
- 1-3. The Board is less likely to grant a department’s full budget appropriations request in the next budget cycle when that department does not follow the procedures outlined in this Salary Administration Ordinance.
- 1-4. Chapter 9, Salary Administration Guidelines, of the Champaign County Personnel Policy is deleted and superseded by this freestanding Salary Administration Ordinance.
- 1-5. Champaign County Board Resolution No. 6697, which exempts the Public Defender’s office from some requirements of 55 ILCS 5/3-4008, is rescinded and nullified.

**Section 2 - DEFINITIONS**

- 2-1. Salary Administrator - The County Executive or the County Executive’s designee from within the County Executive’s office. The Salary Administrator’s responsibilities include the implementation and promotion of compliance with this Salary Administration Ordinance.
- 2-2. Position Description – A job description evaluated and graded by the Job Content Evaluation Committee (JEC) and funded by the County Board, which contains a written set of criteria regarding the essential duties and responsibilities performed in a position, and the minimum knowledge, skills, abilities, education, training, and experience required to perform the job. The Salary Administrator will keep on file the County’s Position Descriptions for Budgeted Positions.
- 2-3. Budgeted Position - A single job slot allocated to a County department and funded through County Board personnel budget appropriations as full time or part time. Part-time positions are stated as a percentage of full-time, or average hours worked. All Budgeted Positions shall be identified by a specified Position Description.

- 2-4. Reclassification - The process of deleting an existing Budgeted Position in a County department and creating a new Budgeted Position based upon a new Position Description, or of changing an existing Budgeted Position's job title, job description, or Salary Range.
- 2-5. Salary Range – The minimum to maximum dollar value the County Board expects an employee will be paid for a Budgeted Position when making annual personnel budget appropriations. Salary Ranges for non-bargaining employees are confirmed by the County Board during the annual budget cycle. Salary Ranges for bargaining employees are agreed to by the County Board and the Unions during negotiations for Collective Bargaining Agreements. Non-bargaining salary schedules can be found in the annual County budget. Bargaining salary schedules can be found on the county website at <https://www.co.champaign.il.us/headermenu/generalinfo.php#section-LaborContractsCurrent>.
- 2-6. Exempt/Nonexempt Pay Status - An employee's status under the Fair Labor Standards Act (FLSA), which determines whether the employee is legally entitled to overtime pay (nonexempt) or not legally entitled to overtime pay (exempt). Legal opinions about an employee's Exempt/Nonexempt Pay Status are provided by the Champaign County State's Attorney Office.
- 2-7. Job Content Evaluation Committee – The Job Content Evaluation Committee (JEC) evaluates, and grades Position Descriptions before the County Board will appropriate funds for job slots covered by the Position Descriptions. The JEC is convened by the Salary Administrator and is composed of a selected group of County managers who have experience with County government operations and employee management.

The Job Content Evaluation Committee standing membership consists of the Salary Administrator, the Director of Finance, and a member of the State's Attorney civil division. Additional members are appointed for evaluations as needed and as their experience and expertise fit the current job being evaluated. Members are non-elected full-time employees of Champaign County, and they are selected based on having adequate experience to fully assess how well a Position Description meets the needs of the Department and of the County, to identify and quantify the level of experience and managerial authority of the position, and to ensure decisions by the committee comply with federal, state, and local employment laws. These individuals will be selected by the Salary Administrator.

### **Section 3 – BUDGETING EXPECTATIONS**

- 3-1. The Salary Administrator will periodically update the County Board with data and information pertaining to departments' operation of their personnel budgets.
- 3-2. The County Board appropriates funds for each department's personnel budget based on the previous fiscal year's Budgeted Positions, with a potential but not guaranteed increase based on Collective Bargaining Agreement requirements, annual adjustment for non-bargaining employees, a department's appropriations request, and the department's cooperation with the procedures and intent of this Ordinance.
- 3-3. When granting annual personnel appropriations, the County Board forecasts that departments will operate their personnel budgets as budgeted during the annual budget cycle. In general, operating a department personnel budget as budgeted requires that:

- a. Departments hire and pay employees within each Budgeted Position's designated Salary Range and within the personnel appropriation for the Department;
- b. Raises are granted to employees as provided for in the Collective Bargaining Agreements with the Unions, as provided in the annual adjustment for non-bargaining employees, or otherwise as anticipated and built into the annual budget cycle. Departments do not grant to employees off-schedule raises that increase recurring costs beyond the department's current personnel appropriation level;
- c. Reclassification or creation of new Position Descriptions are done within the annual budget process, if needed;
- d. If a new position is needed, it is addressed during the annual budget process.

3-4. The Annual Budget Cycle Is the Time to Request Changes. When granting annual personnel appropriations, the County Board forecasts that departments will request personnel structure changes (e.g., Reclassifying positions, creating new Position Descriptions, or adding new positions) only during the annual budget cycle. This means:

- a. Change(s) to a department's personnel structure should be implemented during the next budget cycle, and updated personnel budget requirements should be factored into the department's next annual budget proposal;
- b. Departments should follow and complete the relevant process outlined in Section 4 below in a timely manner so that requested changes can be incorporated into the department's next annual budget proposal.

3-5. Exigent Needs. Departments may develop needs outside of the annual budget cycle.

- a. When meeting such needs, a department must seek County Board approval for personnel changes that its current year personnel appropriation does not support. Procedures for seeking County Board approval are outlined in Section 4 below.
- b. If mid-cycle changes require increases to a department's future budget personnel appropriations, the department should consult with the Salary Administrator about such changes, and if such changes require increases to the department's future personnel budget appropriations that the County Board has not previously anticipated, the department must seek County Board approval for those changes.

Examples of changes that usually require consultation with the Salary Administrator and County Board approval:

1. Paying a rate above the Budgeted Position's designated Salary Range;
2. Granting off-schedule raises that require increases to the department's current or future budget appropriations;
3. Changing personnel structure (e.g., Reclassifying positions, creating new Position Descriptions, or adding new positions).

**Section 4 – PROCEDURES FOR SEEKING BOARD APPROVAL**

- 4-1. Procedure for requesting changes, which do not require a new Position Description, but which will incur costs exceeding a department's current fiscal year personnel budget appropriation and/or that will result in increased future personnel budget appropriations. Departments should:
- a. Prepare a memorandum explaining the reasons for the requested change(s). Include in the memorandum a detailed description of the costs of the requested change(s) and additional current and future personnel appropriations needed to support the changes;
  - b. Prepare a budget amendment for the current fiscal year, if necessary;
  - c. Submit the memorandum and budget amendment to the Salary Administrator, who will include them in the next agendas for all relevant committees of the County Board;
  - d. The Department Head or their deputy should attend all relevant committee and board meetings pending approval of the changes, to answer questions.
- 4-2. Procedure for making changes that involve a new Position Description. Departments should:
- a. Contact the Salary Administrator for a Position Description Questionnaire;
    - i. If this is for a Reclassification, the employee working in the position to be reclassified should complete the questionnaire. If this is for a new position, the direct supervisor of the new position should complete the questionnaire;
  - b. Prepare a Position Description;
  - c. Prepare a memorandum explaining the reasons for the requested change(s). Include in the memorandum a detailed description of the costs of the requested change(s) and additional current and future personnel appropriations needed to support the changes;
  - d. Submit completed materials to the Salary Administrator;
  - e. After receipt, the Salary Administrator will convene the Job Content Evaluation Committee. The Job Content Evaluation Committee will evaluate and grade the position for classification and salary range. The Job Content Evaluation Committee will also work with the department to finalize the Position Description;
  - f. The Salary Administrator will submit all materials to the relevant committees of the County Board, and will include a budget amendment prepared by the Department Head, if necessary;
  - g. The Department Head or their deputy should attend all relevant committee and board meetings pending approval of the changes, to answer questions. If all relevant committees approve the recommendation from the JEC, the recommendation will be submitted to the County Board for final approval.

**Section 5 – EXCEEDING EXISTING PERSONNEL APPROPRIATIONS IS PROHIBITED BY LAW**

- 5-1. State law mandates, “no contract shall be entered into and no obligation or expense shall be incurred by or on behalf of a county unless an appropriation therefor has been previously made.” 55 ILCS 5/6-1005. It is a Class B Misdemeanor for anyone, including a County Board member, to contract, obligate, or spend public funds that have not been duly appropriated by the County Board, 55 ILCS 5/6-1008.
- 5-2. The County Executive’s Office will not make payroll change(s) when the County Executive’s office knows that a department does not have sufficient remaining personnel appropriations to pay for requested change(s) through the remainder of the current fiscal year. 55 ILCS 5/6-1005 and 5/6-1008.
- 5-3. When a department’s Memorandum of Understanding with a Union contracts or obligates funds for the remainder of the current fiscal year, and the department does not have sufficient remaining personnel appropriations to pay for the requested change(s), the County Executive’s office will not process the change(s) and the MOU is void as a matter of law. 55 ILCS 5/6-1005 and 5/6-1008.
- 5-4. When a department’s requested personnel changes are not supported by the department’s current personnel appropriation, the County Executive’s Office shall direct the department back to this Ordinance and shall advise the department on correct procedures to follow for seeking additional personnel appropriations. The County Executive’s Office shall not process the requested personnel changes without the County Board’s appropriation of funds for the requested personnel changes.
- 5-5. When a department’s requested personnel changes can be supported by remaining current fiscal year personnel appropriations but will result in increased future recurring costs, the County Executive’s Office shall direct the department back to this Ordinance and shall advise the department on correct procedures to follow for seeking additional personnel appropriations. If the department declines to follow these procedures, the County Executive’s Office shall process the requested changes and shall notify the County Board.

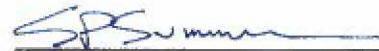
**Section 6 – COMPENSATION STUDIES & ANALYSIS**

- 6-1. The Salary Administrator will complete a compensation study or analysis at least once every 5 years. The study or analysis will include recommendations for the Board on salary entry rates and range adjustments to make County employment competitive.

**PRESENTED, ADOPTED, APPROVED and RECORDED** this 22<sup>nd</sup> day of June, 2023.



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Kyle Patterson, Chair  
Champaign County Board



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Steve Summers  
Champaign County Executive

ATTEST:



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Aaron Ammons, County Clerk and  
*Ex-Officio* Clerk of the County Board