



COUNTY OF LOS ANGELES DEPARTMENT OF HUMAN RESOURCES

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LISA M. GARRETT
DIRECTOR OF PERSONNEL

June 7, 2024

To: All Departmental Human Resources Managers

From: Lisa M. Garrett
Director of Personnel

UPDATE TO OUT-OF-CLASS ASSIGNMENT AND BONUS PROVISIONS POLICY

The Department of Human Resources, in collaboration with the Chief Executive Office's Classification and Compensation Division, has performed an administrative update to Policies Procedures and Guidelines (PPG) 1010 – *Out-of-Class Assignment and Bonus Provisions*.

The substantive content of the policy has not changed, and there is no change to how out-of-class bonuses are administered. The updates to this policy are intended primarily to provide departments with guidance and specific bonus scenarios. In addition, the policy has now been moved into the 300 – *Classification and Salary* section of the Human Resources Policy Manual for ease of reference. Finally, the policy was also updated to remove any outdated language and to move and consolidate the former "Legal Framework" section of the policy into an easily accessible list of applicable County authorities in the "Authorities" section of the policy.

The updated PPG 370 - *Out-of-Class Assignments and Bonus Provisions* (Attachment I) and the new accompanying Frequently Asked Questions document (Attachment II) have been attached for your review. The PPG and related materials can also be viewed online at <https://my.lacounty.gov/county-policies> under the Human Resources Policies and Manuals section.

Should you have any questions, please contact me or David M. Morfin, Senior Human Resources Manager, at DMorfin@hr.lacounty.gov.

LMG:RC:JAWT
DMM:LR:jy

Attachments (2)

c: CEO Classification and Compensation Division
CEO Employee Relations Division

S:HRDS_PPGs\PPG 370\Memo – LMG to All DHRMs Re Updates to OCB Policy (new PPG 370)

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County of Los Angeles
Department of Human Resources
POLICIES, PROCEDURES, AND GUIDELINES

Subject: OUT-OF-CLASS ASSIGNMENT AND BONUS PROVISIONS	Policy Number: 370	Pages: 6
	Effective Date: June 7, 2024	
	Approved By: <i>[Signature]</i>	

PURPOSE

The purpose of this policy is to establish uniform procedures and guidelines for the administration of out-of-class assignments and the bonus provisions of the Los Angeles County Code and various Memoranda of Understanding (MOUs).

POLICY

1. Employees of Los Angeles County shall be properly classified and compensated for the services they perform in accordance with Civil Service Rules (CSRs) and the County Charter.
2. An out-of-class assignment shall be the permanent, full-time performance of all the significant duties of an allocated, vacant, funded position in a higher-level class by an individual in a lower-level class.
3. Employees shall be compensated for working in an out-of-class assignment that is authorized by management in accordance with department procedures, County Code provisions, and applicable MOUs.
4. When it becomes necessary for management to assign an employee in a lower-level class to perform all the duties of a position in a higher-level class on a full-time basis in an out-of-class assignment, management will avoid working such employee in the out-of-class assignment for a prolonged period of time.
5. Line department management shall take appropriate action to ensure out-of-class assignments and payment of out-of-class bonuses comply with Countywide policies, procedures, and guidelines, County Code provisions, and applicable MOUs.
6. An out-of-class bonus shall not be paid to an employee who is placed in a training assignment for a higher-level class.

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GUIDELINES

A. Introduction

Out-of-class assignments provide management with the means to fill critical positions quickly on an interim basis. Out-of-class assignments can also provide employees the opportunity to gain higher-level experience and enhance career development and upward mobility. However, when improperly administered, out-of-class assignments can lower employee morale and lead to employee grievances and arbitrations. These situations can be minimized by more effective management of assignments through the observance of County policy, procedures, and guidelines and the out-of-class pay provisions defined in the County Code for non-represented employees and in various applicable MOUs for represented employees.

In accordance with provisions of the County Charter and County Code, it is the policy of the County that employees be properly classified and compensated for the services they perform. This includes appropriate compensation for duties performed by employees in out-of-class assignments. The Charter framework and County Code require employment decisions to be made in accordance with merit system principles.

B. Roles and Responsibilities

1. The Chief Executive Office (CEO) is responsible for providing oversight and direction in the administration of out-of-class assignments, and performs the following functions relating to out-of-class assignments and bonuses:
 - a. Manages the County's employee relations, and classification and compensation programs for employees including the negotiation of MOUs which may include out-of-class bonus language;
 - b. Provides consultation to departmental staff in the day-to-day administration of out-of-class assignments and the application of out-of-class policies and procedures;
 - c. Interprets provisions of the County Code and provisions of the MOUs relating to out-of-class assignments; and
 - d. Coordinates and may arbitrate employee grievances relating to out-of-class pay and assignments from employees represented by a bargaining unit.
2. The Department of Human Resources (DHR) is responsible for ensuring compliance with merit system principles. Accordingly, DHR is responsible for:
 - a. Maintaining policies, procedures, and guidelines for the administration of out-of-class assignments which are consistent with provisions of the County Code for non-represented employees, and MOUs for represented employees; and

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- b. Reviewing line department compliance with out-of-class policies, procedures, and guidelines.
- 3. All departments are accountable for adhering to applicable MOUs, CSRs, County Code, and Countywide policies, procedures, and guidelines when making out-of-class assignments. Department management may develop specific guidelines and procedures to monitor their day-to-day out-of-class activities.

Specifically, departments shall:

- a. Adhere to Countywide policies, procedures, and guidelines for assigning and approving out-of-class assignments and bonus payments;
- b. Maintain out-of-class assignment and bonus documentation in employee personnel files, including approvals; and
- c. Implement systems for monitoring out-of-class assignments and bonus payments to ensure that they are not continuing for prolonged periods of time, and that the employees who are receiving the bonus are still performing the out-of-class assignment.

C. Criteria for Out-of-Class Assignments

- 1. An out-of-class assignment is defined as the full-time performance of all the significant duties of an allocated, vacant, funded position in a higher-level class by an individual in a lower-level class who has been given such assignment and confirmed in writing by management.
- 2. The out-of-class assignment provisions of County Code Section 6.10.040 and various MOUs shall not apply to temporary positions, recurrent positions, persons who are not full-time permanent employees, or Management Appraisal and Performance Plan (MAPP) participants.
- 3. The guidelines to be used by line departments when selecting individuals for an out-of-class assignment are as follows:
 - a. If a departmental reemployment list exists for the same class or for a similar class for which an existing reemployment list should be used, management **must** select an employee on the reemployment list(s);
 - b. If no reemployment list exists, select from an eligible list for the same position as the out-of-class position;
 - c. If no eligible list exists, select from one or more qualified employees who meet the minimum requirements of the out-of-class position;
 - d. If no qualified employees meet the minimum requirements, select individuals who have gained experience in the same or similar positions and demonstrate they possess the requisite knowledge, skills, and abilities to

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perform all of the significant duties of the higher-level position and who can reasonably be expected to meet the minimum requirements within a short period of time.

An individual who does not meet performance requirements, such as typing, or who does not meet any licensing requirements established for the higher-level class, shall not be placed in an out-of-class assignment.

4. When an employee has been assigned to a legitimate and authorized out-of-class assignment for more than 20 consecutive working days or other period of time required by an MOU, management shall, upon receipt of a written request for relief from the employee or from the employee's union, review the request and verify if the employee has performed all the significant duties of an existing vacant, allocated and funded position in the higher-level class, and advise the employee if the out-of-class assignment and request for relief satisfies County Code, policy, or MOU requirements.

Management shall then take one of the following actions:

- Appoint an eligible and reachable employee from an existing list to the higher-level class according to CSRs;
 - Return the employee to an assignment within their own class.
 - If neither of the above options is taken within 30 days, pay the approved out-of-class bonus to the eligible employee as warranted, in accordance with provisions of the County Code or MOUs until the employee is appointed to the higher-level class or the out-of-class assignment is terminated. This may mean appointing another employee to the vacant position if the employee working the out-of-class assignment is not appointable.
5. Written confirmation of the out-of-class assignment indicating the higher-level class shall be placed in the employee's personnel file.
 6. An out-of-class assignment should be made by the appropriate level of management within the organization. Departmental management, having made a legitimate out-of-class assignment, need not wait for an employee or union to request out-of-class pay, but may take the initiative to ensure that employees are properly compensated for qualifying, valid, and authorized out-of-class assignments.
 7. Management must not place a succession of employees on an out-of-class assignment for brief periods to avoid having to pay the bonus.

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D. Procedures for Out-of-Class Assignment Requests

1. When an employee or his/her representative initiates a claim for recognition of working out-of-class and requests bonus pay, the request shall be submitted in writing through the employee's supervisor, approved by the section/division manager and forwarded to the departmental human resources office for review and approval.
2. The department must first establish that there exists an allocated, vacant, funded position. The request must include:
 - The name and title of the individual who assigned the employee to the out-of-class assignment, and a copy of the written notification of the assignment with the proper authorizations;
 - The organizational unit and title of the higher-level classification in which the duties are performed;
 - The name, payroll title, item number, and item sub letter of the employee;
 - The date the position became vacant;
 - The date the assignment was made and is expected to end;
 - The specific duties and responsibilities performed in the out-of-class assignment;
 - The location of the vacant, allocated, funded position; and
 - The approval of the employee's section/division manager.

Note: If no allocated, vacant, funded position exists, the employee may request an additional responsibilities bonus in accordance with the applicable MOUs for represented employees, or County Code Section 6.10.073 for non-represented employees, or a classification/compensation study in accordance with CSR 5.

E. Payment of Out-of-Class Bonuses

1. Out-of-class bonuses shall be paid when the definition of out-of-class assignment has been met in accordance with the bonus provisions of County Code Section 6.10.040 for non-represented employees, or the provisions of the various MOUs for represented employees.
2. Out-of-class bonuses shall not be paid to MAPP participants or to individuals employed on temporary, recurrent, or less than full-time permanent positions.
3. Out-of-class bonuses shall not be paid to individuals who are performing higher-level duties for the purposes of training.

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4. No employee shall be approved for an out-of-class assignment bonus pay if there exists a viable departmental re-employment list.
5. The out-of-class bonus shall not be paid for the period of time the employee is not performing the out-of-class assignment, i.e., on a long-term leave of absence.

NOTE: For additional information, refer to the County Code, Section 6.10.040, and the out-of-class provisions in the various MOUs.

In summary, employees who are working in valid out-of-class assignments shall be properly compensated.

In addition, in those situations where an allocated, vacant, funded position does not exist, and the employee has been assigned higher-level duties, an additional responsibilities bonus may be considered in lieu of an out-of-class bonus.

Departments must develop procedures and forms for administration and control of out-of-class provisions of the County Code and applicable MOUs and be able to provide documentation of out-of-class assignments upon request by CEO's Classification and Compensation Division.

Departmental human resources staff may contact the CEO's Classification and Compensation Division for guidance pertaining to the provisions and application of the out-of-class assignment and bonus.

AUTHORITIES

- County Code 2.09.050, [Specific Duties and Functions](#)
- County Code 6.10.040, [Out-of-class assignments](#)
- County Code 6.10.073, [Assignment of additional responsibilities](#)
- Civil Service Rule 1.02, [Purpose](#)
- Civil Service Rule 5, [Classification](#)

DATE ISSUED/REVIEW DATE

Original Issue Date: May 18, 2001
Revision Date: June 7, 2024

APPENDIX

MODEL PROCEDURES FOR PAYMENT OF AN OUT-OF-CLASS BONUS

1. If management recommends an employee be paid the bonus, a bonus authorization request signed by an appropriate level of management shall be submitted to the departmental human resources office for review and approval. Departments may already have or may develop their own form. The request shall include the following information:
 - Confirmation that an allocated, vacant, funded position exists;
 - The name and title of the individual who assigned the employee to the out-of-class assignment;
 - The organizational unit and title of the higher-level classification in which the duties are performed;
 - The name, payroll title, item number and item sub letter of the employee;
 - The date position became vacant;
 - The date the assignment was made and is expected to end;
 - The specific duties and responsibilities performed in the out-of-class assignment;
 - The budget location-of the vacant, allocated, funded position; and
 - The approval of the employee's section/division manager.
2. Upon verification that all out-of-class assignment and bonus criteria have been met, the human resources office shall approve the request, notify the employee, and place a copy of the bonus authorization in the employee personnel file. If the employee's request for the bonus is not approved, the employee shall be notified of the reason(s) in writing.
3. A written verification from the employee's manager shall be submitted to the departmental human resources office on a regular basis to document the employee's continued performance of the out-of-class assignment and payment of the bonus.
4. The departmental human resources office will implement controls to ensure that the bonus is not paid for a prolonged period of time, is paid at the appropriate rate, and is terminated in eHR when the assignment terminates.



Los Angeles County
DEPARTMENT OF

Human Resources



PPG 370 – OUT-OF-CLASS ASSIGNMENT AND BONUS PROVISIONS Frequently Asked Questions

1. What is the difference between an Out-of-Class Assignment and an Additional Responsibilities Assignment?

Answer: An Out-of-Class Assignment is defined as the full-time performance of all the significant duties of an allocated, vacant, funded position in a higher-level class by an individual in a lower-level class who has been given such assignment and confirmed in writing by management. If management believes or determines that an employee is performing duties at a higher level, but there is no higher-level vacant, funded position, then the employee's position may be subject to a classification study, or the employee may be eligible for an Additional Responsibilities Bonus (ARB).

An Additional Responsibilities Assignment is when an employee is assigned additional duties of a higher-level class by management and confirmed in writing when there is no vacant, funded position (for example, an employee may be assigned higher-level duties during the temporary absence of a higher-level employee). An ARB requires prior Chief Executive Office (CEO) approval, and the percentage of the ARB is determined by CEO. All ARBs expire at the end of each Fiscal Year unless an extension is approved by the CEO.

2. Are part-time and/or temporary staff eligible for Out-of-Class Bonuses (OCB)?

Answer: The OCB applies to represented or non-represented classifications, holding a full-time permanent position acting on a vacant, higher-level full-time permanent budgeted position. The bonus does not apply to positions that are not full-time permanent (except for Registered Nurses employees on a D Sub Item), nor to Management Appraisal Pay Plan (MAPP) participants.

3. Are employees who sometimes perform duties of a higher-level item qualified for the OCB?

Answer: An employee on an Out-of-Class Assignment must perform all of the significant duties of the higher-level classification. Significant duties are level-defining for the class. In essence, duties that make the classification different from the lower-

level classification within the same occupation. For example, an employee working out-of-class on a supervisory classification must fully exercise both technical and administrative supervision. All the significant duties of the higher-level classification must be performed of the vacant, funded position.

4. Can an employee who is in a lower-level classification without the required license(s) of the higher-level classification be assigned to the Out-of-Class Assignment?

Answer: An employee who does not meet the performance requirements or who does not meet the licensing requirements established for the higher-level position shall not be placed on an Out-of-Class Assignment. Employees on an Out-of-Class Assignment **must** meet any license requirements established for the higher-level class.

5. Can an employee receive an OCB long-term?

Answer: The OCB is not intended to be continued for a prolonged period of time. The OCB should be treated as a short-term solution pending the regular appointment of an employee to that position, pursuant to Civil Service Rules.

6. Where can employees find more information on the OCB?

Answer: Employees may refer to County Code 6.10.040 – [Out-of-Class Assignments](#) and their respective [Memorandum of Understanding](#) for additional information on OCBs.

For questions pertaining to the application of the OCB, employees are encouraged to speak with the Classification section in their department's Human Resources for further guidance.

7. Who is responsible for the oversight of the provisions in the OCB?

Answer: Departmental human resources staff may contact the CEO's Classification and Compensation Division for any guidance pertaining to the provisions and application of the OCB at BENCOMPOLICY@ceo.lacounty.gov.