



Date: May 27, 2011

Title of Proposed Procedures: Acting Capacity Procedures

Procedures (check one): New _____ Revised X

Applies to (check all that apply):

Full-time PIN Faculty X Full-time PIN Staff _____ All Personnel _____

Division/Department _____ College X

Topic/Issue:

Reformatting and revised Acting Capacity Procedures

Background to Issue/Rationale for Procedure:

This procedure is in support of the Acting Pay Policy and is intended to communicate acting capacity guidelines and to ensure that the process and compensation is uniform, fair and restricted to the established timeframes.

State/Federal Regulations and Other Policies/Requirements

Memorandum of Understanding (MOU) between Baltimore City Community College and AFSCME Council 92/AFSME Local 1870, Article 23

Proposed Procedural Language:

A. Acting Capacity Offer

In order to meet urgent needs, it may be necessary to appoint a person to a position in an acting capacity. Designating an employee to an acting capacity status is justified only when time or circumstances do not permit the immediate selection of a permanent appointment under the established selection and hiring procedures of Baltimore City Community College.

The following conditions shall apply to acting capacity assignments:

- A. Offers for acting will be made by only after they have been approved

by the President. The Office of Human Resources (HR) will prepare the Personnel Action Request (PAR) form and verify that the assignment is voluntary. Prior to accepting the assignment, the employee shall be notified in writing of the duties expected and/or a job description with performance expectations. No employee shall be disciplined or retaliated against for rejecting an opportunity to work in an acting capacity.

B. Three Day Waiting Period

Employees serving in an acting capacity must complete three (3) continuous work days in the position before receiving acting pay. An employee in acting capacity shall not be relieved of such capacity prior to the completion of the three-day waiting period for avoiding acting capacity pay.

C. Acting Capacity Responsibilities

An employee serving in an acting capacity is serving in a blended role, comprising the employee's current role and responsibilities plus additional duties assigned to fulfill the College's requirements during the period in acting capacity. A position description will be provided to the employee, including blended responsibilities to demonstrate the acting capacity duties during the assigned period.

Exception -

In the event that a position within the department/College is abolished and the department/ College has positions, which are underutilized, or roles with additional capacity, the vice president of the division may assign additional tasks to be absorbed in current job functions, which are subject to evaluation by HR by request of the vice president, but not subject to acting pay provisions.

D. Acting Capacity Pay- Higher Classification.

An employee assigned to perform the duties associated with a classification with higher rate of pay than that of the employee's current position shall receive the hourly rate applicable to the higher classification. The higher rate of pay is Acting Capacity Pay-Higher Classification. The initial assignment shall be limited to six (6) months or less and may be extended for a period up to six (6) months.

Pay exceeding 15% of the employee's current rate of pay requires a Memorandum of Recommendation and Support from the divisional vice president. The memorandum must reflect the acting capacity position job description and performance expectations, including blended

responsibilities as well as the performance expectations for the period.

The College shall not rotate employees in an acting capacity position to avoid acting capacity pay, nor shall employees be recurrently scheduled in an acting capacity position without compensation.

E. Acting Capacity Compensation- Increased Role and Responsibilities

Employees who are assigned significant responsibilities through a recombination of existing job responsibilities and significant additional responsibilities from a separate role may be eligible for additional compensation as determined from a blended job description highlighting the combination.

The higher rate of pay is Acting Capacity Pay-Increased Responsibilities. The initial assignment shall be limited to six (6) months or less and may be extended for a period up to six (6) months.

Acting Capacity Pay-Increased Responsibilities is a recommended premium increase, not to exceed 15% of the employee's current rate of pay. Approval requires a Memorandum of Recommendation and Support from the divisional vice president, a Letter of Endorsement from the director of Human Resources. The memorandum must reflect the Acting Capacity position job description, including blended responsibilities as well as the performance expectations evaluation form for the period.

An employee who believes that they are eligible should first discuss and present documentation to their supervisor for eligibility. The supervisor will respond within 15 business days. If the employee disagrees with the supervisor's decision, then the employee may file a request with Human Resources for review and determination of qualification for acting capacity pay.

HR will conduct a wage analysis and prepare an additional compensation worksheet to support the recommendation.

F. Acting Capacity Performance

Employees who do not satisfactorily perform the required key responsibilities of the acting classification shall be relieved of their acting capacity duties rather than suffering formal disciplinary action.

G. In-Charge Pay

Employees who are designated as "In-Charge", who are designated to perform the immediate daily supervision duties of a supervisor for an entire shift, or tour of duty shall be eligible for a daily stipend of Twenty Dollars (\$20) per day, not to exceed three (3) continuous days. The designation must be pre-approved by the Divisional Vice-President or a President Staff member and must consist of the daily direction,

organizing, planning and controlling of a department or work unit.
If the designation is longer than 3 continuous days, then the Acting Pay provisions of this procedure shall apply for the entire period of acting pay.

Proposed Implementation Date: Upon Board Approval

Proposed by: Tony Warner
Executive Director-Human Resources/Senior Staff Member

Policy Approved by the Board of Trustees: October 26, 2010

Originator/Division: Human Resources/Office of the President