



MISSISSIPPI  
STATE PERSONNEL BOARD



**Variable Compensation Plan for the  
Implementation of Project SEC<sup>2</sup>  
Question and Answer Session  
November 9, 2021**

## Section A.1-4 – Salary Determination

Question #1:

If we have employees below minimum and fill vacancy after January 1st, how should we determine the new hire's salary?

## Section A.1-4 – Salary Determination

Answer #1:

If after the 3% is awarded your agency still has employees below minimum and you fill a vacancy at the same level, **the agency should ensure that the new hire's salary is equitable with current employees.** This may involve recruiting and hiring at a salary that is less than the current minimum.

## Section A.5 – Salary Zones

Question #2:

For Zone 3, what does 'previous closely related experience and a demonstrated ability to perform duties' mean? Is that going to make it difficult to make non-traditional leadership hires (e.g., retired military leader in an eligibility office)?

## Section A.5 – Salary Zones

Answer #2:

As has been our goal from the beginning, MSPB provides this language to help in determining an appropriate salary. MSPB would encourage each agency to decide what this means for their agency and then apply the same standard **equitably**.

## Section A.5 – Salary Zones

Question #3:

Can you provide more explanation for the Zones?

## Section A.5 – Salary Zones

Answer #3:

As mentioned in the last question, the Zones are there to provide guidance to agencies in determining new hire, promotional, and in-range adjustment salary amounts. Each agency will have the flexibility to determine how it will use the Zones within their agency.



## Section A.5 – Salary Zones

Question #4:

Have the Zones been published?

## Section A.5 – Salary Zones

Answer #4:

The Zones are listed on the last two pages of the new VCP, which is published on the SEC<sup>2</sup> Page on our website.

## Section A.5 – Salary Zones

Question #5:

Are the Zones for new hires or should they also be used for current salary increases?

## Section A.5 – Salary Zones

Answer #5:

The Zones established in the VCP should be used for both new hire and current employee salary determination.

## Section A.5 – Salary Zones

Question #6:

Are the Zones aligned to correlate with the 15% promotion/title change and 10% in-range adjustment caps?

## Section A.5 – Salary Zones

Answer #6:

There are not correlations between the Zones and the established caps.

## Section A.6 – Zone 4 Exemptions

Question #7:

What is the process for requesting additional criteria for Zone 4 qualifiers?

## Section A.6 – Zone 4 Exemptions

### Answer #7:

MSPB will review requests for additional Zone 4 qualifiers on a case by case basis. It is important to note that when MSPB takes the final version of the VCP to the board in December, additional qualifiers may be added that cover experience and performance automatic qualifiers. Zone 4 qualifiers require tangible and verifiable employment proficiencies and credentials that greatly exceed the average employee within a particular job title in comparison with other employees at the agency.



## Section B.1 – Title Change

Question #8:

With the special circumstance language still applicable, can you expand on the definition of a special circumstance? Will this be spelled out in the new VCP?

## Section B.1 – Title Change

Answer #8:

As has been the case since July 1, 2020, a special circumstance is defined as a direct threat in the agency's ability to not meet a statutory or court ordered obligation. MSPB does not intend to place this definition in the VCP.

## Section B.1 – Title Change

Question #9:

The Board has to approve title changes of a current employee from a worker level to a supervisor level. What positions are considered supervisor vs worker level?

## Section B.1 – Title Change

Answer #9:

Supervisory levels are readily identifiable within each job family. These are typically the higher levels of the family and include terminology such as ‘supervisory’ or ‘supervisory/managerial’ within the role itself.

## Section B.3 – In-Range Adjustment

Question #10:

If an agency awards an in-range adjustment after January 1, 2022, will it cost compliance money?

## Section B.3 – In-Range Adjustment

Answer #10:

Yes, it will cost compliance money.

## Section B.3 – In-Range Adjustment

Question #11:

Is the 12-month period referenced by fiscal year, calendar year, or rolling?

## Section B.3 – In-Range Adjustment

Answer #11:

It was intended to state fiscal year. MSPB will update this at the December 2021 board meeting when the final document will be approved.



## Section B.3.a – Salary Progression

Question #12:

Are we limited to benchmark and percentage per employee per year? Does the cap of 10% per year still stand for benchmarks after SEC<sup>2</sup> is active?

## Section B.3.a – Salary Progression

### Answer #12:

Educational benchmarks, as they are under the current VCP, will not exist as a part of SEC<sup>2</sup>. **Each agency will be limited to 10% per fiscal year for each employee.**

Educational attainment (whether degree, license, certification, etc.) is just one of the reasons to award an in-range adjustment in SEC<sup>2</sup>. The current limits on percentages that can be awarded will not carry forward in SEC<sup>2</sup>. Rather, each agency should determine **which educational attainments are valued within its organization and what that attainment is worth to them.** MSPB will not place a cap on a specific attainment. MSPB will only ensure that the 10% total cap is not exceeded per fiscal year and that the agency is applying the values **equitably** when awarding.

## Section B.3.a – Salary Progression

Question #13:

If someone is over market value but receive certification with benchmark, will they still be awarded the benchmark increase?

## Section B.3.a – Salary Progression

Answer #13:

As stated in the last answer, **educational benchmarks do not exist in SEC<sup>2</sup>**. If an employee is above maximum, they will not be eligible for any increase until such time as the maximum salary for their grade exceeds their current salary.

## Section B.3.a – Salary Progression

Question #14:

What is the maximum of amount and maximum of number increases? For example, only two benchmarks are allowed per year with the current VCP.

## Section B.3.a – Salary Progression

Answer #14:

There is no maximum on the number of reasons/events that can be awarded within a fiscal year, and the only maximum on amount is the 10% cumulative total per fiscal year. I do want to point out that the cap referenced in this question for the current VCP was removed in FY 2012.

## Section B.3.a – Salary Progression

Question #15:

For X-16 positions, can we still award 25% or are they capped by the 10% limit per fiscal year?

## Section B.3.a – Salary Progression

Answer #15:

**The maximum amount that can be awarded through in-range adjustments is a cumulative total of 10% per fiscal year.**



## Other Questions

Question #16:

How will employees be notified of their new classification?

## Other Questions

Answer #16:

Each agency should notify their employees of their new classifications. The VCP, roles, and grades will not be finalized and published until after the December 2021 MSPB meeting.

## Other Questions

Question #17:

Will the employees have to agree to the new classification?

## Other Questions

Answer #17:

No, employees do not have to agree with their new classifications. In the future, we do envision a process where an employee can request to have their classification reviewed.

## Other Questions

Question #18:

Will the employees be able to file a grievance if they don't agree?

## Other Questions

Answer #18:

**No, this adjustment in employee classification as a result of this project is not grievable.**

## Other Questions

Question #19:

Will there be changes in time-limited and X-16 status?

## Other Questions

Answer #19:

There will be no changes to an employee's time-limited or will-and-pleasure status with the rollout of SEC<sup>2</sup>. In the future, MSPB intends to work with all interested parties in reviewing how statutorily defined (time-limited, will-and-pleasure, etc.) employees are classified and treated.



## Other Questions

Question #20:

Will SPB automatically implement the 3% or can agencies enter these with a future date?

## Other Questions

Answer #20:

Each agency will receive a list of their employees in early December at which point they will decide to award all, some, or none of the 3% increase. MSPB will handle uploading the new classifications and salaries into MAGIC for January 1, 2022. **No actions should be entered into SPAHRS for these increases.**

## Other Questions

Question #21:

Will employees be brought up to the minimum salary? What do we do for new hires into classifications with current employees below minimum?

## Other Questions

Answer #21:

Employees will not be brought up to minimum at implementation. Agencies with employees who are still below minimum after January 1, 2022 may award an in-range adjustment of up to 10% provided the agency has available funds and compliance dollars. As stated earlier, **each agency should ensure that the new hire's salary is equitable with current employees.**

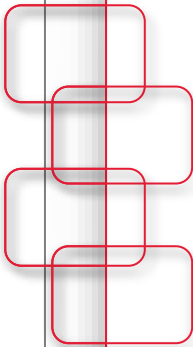
## Other Questions

Question #22:

When will the new job descriptions and salaries be made public?

## Other Questions

### Answer #22:



As you are all aware, MSPB is currently soliciting comments on the roles themselves. Additionally, through our meetings with agencies over the past two weeks MSPB is reviewing salary survey data for specific job families. Any changes to grade assignments as a result of this review will be presented to the MSPB at its December 2021 meeting. MSPB intends to publish each final role and salary grade after the December 2021 board meeting.

## Other Questions

Question #23:

How will vacant positions be classified/handled?

## Other Questions

### Answer #23:

Vacant positions will roll into the new plan at their current title. Once an agency decides to recruit or fill a vacancy, MSPB and the agency will determine the appropriate occupational group, job family, and level. MSPB staff has worked through this process with the Legislative Budget Office, and **the first move of a vacancy to the new plan will not require a board approved special circumstance.**



## Other Questions

Question #24:

How will staff be classified that are hired or promoted between 11/9/2021 and 12/13/2021? When will they complete a PDQ?

## Other Questions

Answer #24:

These employees will be handled on a case-by-case basis after January 1, 2022. We will make every effort to get them classified correctly and award up to 3% if they are eligible after go-live.

## Other Questions

Question #25:

For jobs that are vacant and have been recruited using the old titles, how will MSPB handle that?

## Other Questions

Answer #25:

MSPB and the agency will determine the appropriate occupational group, job family, and level. The agency will not have to re-recruit for the position using the new title.

## Other Questions

Question #26:

For escalations, we have submitted applications to federal grantors using current classifications. How will these be handled?

## Other Questions

Answer #26:

MSPB is aware that in most instances federal grants require titles for positions. In these instances, we will work with the agency to find the most similar classification in the new plan to accommodate the grant escalation requirements.

## Other Questions

Question #27:

What do we have to do about individual job descriptions?

## Other Questions

### Answer #27:

MSPB will transition over the coming months to allowing agencies to have a bigger role in describing what additional aspects of a job description are necessary at the agency level when advertising for job openings. Additionally, the agencies will need to address these issues to establish equitable job expectations for the necessary Performance Review System rating for each employee.



## Other Questions

Question #28:

For actions prior to January, will the Current VCP govern the actions?

## Other Questions

Answer #28:

Yes, any actions process between now and the December 14th lockout will be governed by the current VCP.

## Other Questions

Question #29:

For employees hired into unclassified/vacant PINs, will they be eligible for the 3% if they qualify?

## Other Questions

Answer #29:

If they are hired in the period between November 9th and December 31st, their salary is below market, and the agency wishes to award 3%, MSPB will work with the agency to award the increase after go-live. Employees hired into vacant positions after January 1st should be hired at an appropriate rate within the pay grade.

## Other Questions

Question #30:

Will salaries be considered an HR function or a payroll function when HR is converted to MAGIC? If it is an HR function, will the increases for January 1st be required to be established in MAGIC?

## Other Questions

Answer #30:

Salary determination and adjustments will be an HR function in MAGIC, and all increases for January 1st will be uploaded into MAGIC prior to reopening the system.

## Other Questions

Question #31:

What are MSPB's legislative initiatives for the next session to fully implement SEC<sup>2</sup>?

## Other Questions

### Answer #31:

MSPB is in the process of discussions with leaders from the Legislative and Executive branches to determine the most feasible legislative establishments for the 2022 session. Among those topics of discussion are the following four legislative items:

- Bring all employees below the minimum salary for their pay grade to the minimum salary
- Revise the compliance report language to reflect true dollars the legislature intends for an agency to spend on salaries in relation to actual payroll expenditures.
- Assisting state-wide elected officials in gaining salary flexibility for their staffs by either removing their salaries from statute or exempting them from the provisions of 25-3-39.
- Appropriating a maximum headcount for each agency rather than positions.



## Other Questions

Question #32:

Currently the legislature does a snapshot each September and if a position is less than 180 days old, it makes the list to be removed? With this new method and no longer using the shell game to move positions around, will we still be subject to lose vacant (PINS/Headcounts)?

## Other Questions

Answer #32:

MSPB is still working with the legislative leadership and the Legislative Budget Office in how this process will work moving forward.

## Other Questions

Question #33:

Does the 10% max increase in a year not apply to Automatic Qualifiers for Zone 4, executive directors, or any X16 positions?

## Other Questions

### Answer #33:

The 10% maximum does not apply to Automatic Qualifiers for Zone 4 or agency heads. It does apply to all other scenarios.

## Other Questions

Question #34:

Are all intra agency and promotional hires in the General Pay Plan from one position with a “title change” to another capped at the 15% increase from the current salary?

## Other Questions

### Answer #34:

While promotions and title changes are two different compensation delivery mechanisms within the new VCP, both are capped at 15%.

## Other Questions

Question #35:

Will the agencies get any guidance on what we need to maintain for an MSPB Equity Audit of each action?

## Other Questions

### Answer #35:

For equity audits, it is the intention of MSPB to work collaboratively with each agency in identifying any potential inequities that may exist, examining the reasons for a perceived inequity, and developing solutions to address any true inequities.



## Other Questions

Question #36:

Will the agencies still have to provide MSPB with Organization Charts for the fiscal year and for all actions?

## Other Questions

### Answer #36:

Organizational Charts will be housed in MAGIC after January 1, 2022. These charts will always be up-to-date as well as provide access to historical structures based on dates. MSPB does not intend to request copies of organizational charts once MAGIC goes live.



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