



APPENDIX D

AGENCY COMPENSATION APPEALS

Compensation decisions are made on the basis of policy interpretation. The Director of the Department of Human Resource Management (DHRM) has the final authority to establish and interpret The Commonwealth's human resources policies and procedures (section § 2.1-114.5.13, Code of Virginia). However, all agencies participate in policy interpretation through the daily management of employee compensation, by virtue of their authority to effect compensation actions, and their exchange of information with DHRM.

Only agency heads or their designee(s) (appointing authority) are authorized to present appeals to the appropriate DHRM authority asking that compensation decisions be reconsidered as a means of resolving disagreement. The following are actions subject to appeal:

- assignment of ***Roles*** to pay bands
- establishing new ***Roles*** or ***Career Groups***
- pay differentials and supplements
- exceptions to policy

APPEAL PROCEDURE

The following describes the process to be used when an agency appeals a compensation decision to the appropriate authority in DHRM. Hereinafter, "Director" shall mean the Director of DHRM. An appointing authority may withdraw an appeal at any time.

Process for Requesting Reconsideration

1. When an agency does not agree with a compensation decision made by DHRM, the human resources professional should discuss the decision with the DHRM consultant who first reviewed and acted on the related request. This discussion may involve meetings and the exchange of written information, in which the affected agency has the opportunity to bring new information to light or to present arguments supporting the agency's position. The DHRM consultant may change the initial action or

recommendation on the basis of such discussions, or may adhere to the initial conclusion.

2. If the affected agency is not satisfied with this outcome, then the appointing authority or the human resource professional of that agency may address a written request for reconsideration to the State Compensation Director. The request must contain specific factual information to support the agency's contention, including reference to applicable policies and procedures.

The State Compensation Director will review the request with the staff involved in DHRM's decision. The affected agency will be given an opportunity to present or explain any materials relevant to the request. Upon consideration of all relevant information, the State Compensation Director will address a written decision to the agency.

3. The appointing authority of an agency may submit a written appeal to the Director in the event that the decision following reconsideration is not satisfactory. The appeal must cite factual and specific information supporting the action requested by the appointing authority. The Director, in addition to reviewing the appeal with the State Compensation Director, may invite the appointing authority and his/her representatives to meet and discuss the issues involved. The Director will provide written notification of his or her decision to the agency.