

Supreme Court of Kentucky

2022-29

AMENDED ORDER

IN RE: Amendments to Pay Practices for the Kentucky Court of Justice

Under Sections 110(5)(b) and 116 of the Kentucky Constitution, the following amendments to the Pay Practices for the Kentucky Court of Justice are hereby adopted:

(1) Probationary Increment

The first six months of service from the effective date of hire constitutes a probationary period for all tenured employees. This probationary period may be extended for a period of up to six months at the discretion of the appointing authority.

The starting salary of an employee in a tenured position will be 5% below the designated salary for his or her pay grade. An employee in a tenured position will receive tenured status and a 5% salary increase following the completion of the designated probationary period.

(2) Salary Increases Based on Continuous Years of KCOJ Service

(a) Eligible KCOJ employees shall receive a 10% increase in salary upon reaching five, ten, fifteen, and twenty years of continuous KCOJ service. The adjustment will be applied in the year of the service milestone, on the first day of the month in which the employee was first hired.

(b) Eligible KCOJ employees who have more than twenty years of continuous KCOJ service as of February 1, 2022, shall receive a one-time 10% increase in salary. The adjustment will be applied on the first day of the month in which the employee was first hired.

- (c) Salary increases authorized by this Section are subject to the salary cap provisions set forth in Section (9) of these Pay Practices.
- (d) A KCOJ employee whose salary at the time of reaching five, ten, fifteen, and twenty years of continuous KCOJ service meets or exceeds the lowest judicial salary established by the Judicial Branch pursuant to KRS 48.195 is not eligible for a salary increase under this Section.

(3) Moving from Grade to Grade

- (a) An employee promoted to a higher-grade level may receive a salary increase of 7% per grade, not to exceed a total increase of 21%; or be assigned to the appropriate pay tier of the pay grade based on his or her years of continuous KCOJ work experience.
- (b) An employee transferred or demoted to a lower grade level may receive a salary decrease of 7% per grade, not to exceed a total decrease of 21%; or be assigned to the appropriate pay tier of the pay grade based on his or her years of continuous KCOJ work experience.

(4) Shift Differential

An employee assigned to work a full 7.5-hour shift between the hours of 3:00 p.m. and 8:00 a.m. for a period of ninety days or more is eligible for shift differential of 10% of his or her base salary.

(5) Increased Job Duties

- (a) An employee who has a substantial and permanent change to his or her job duties may receive an increase in salary, subject to the approval of the Chief Justice or his or her designee.
- (b) If an employee provides support to two or more judges, resulting in a reduction of a full-time vacant position, he or she will be eligible to receive a one-time 15% salary increase. If the employee ceases to provide support for two or more judges, the employee's salary will be decreased by 15%.

- (c) Judicial support specialists will be eligible to receive a one-time 7% salary increase if they meet the following criteria:
 - (i) The judge to whom the judicial support specialist reports is utilizing e-Filing for the entry and issuance of court orders and is regularly conducting remote court proceedings; and
 - (ii) The judicial support specialist has completed standardized training provided by the Administrative Office of the Courts (AOC) on various remote meeting platforms (i.e. MS Teams, Zoom, etc.) and e-Filing procedures, and completes additional training on these topics when new or updated trainings become available.

The AOC Human Resources Department will verify that the judicial support specialist meets the criteria in paragraphs (i) and (ii). To request a salary increase based on this increase in job duties, the judge to whom the judicial support specialist reports must submit a request to the AOC Human Resources Department with any requested documentation. If the judicial support specialist ceases to meet the criteria in paragraphs (i) and (ii), the employee's salary will be decreased by 7%.

(6) Rehired Employees

- (a) An individual who is rehired to the same tenured position within six months of separating from employment with the KCOJ will be hired at the same salary he or she earned at the time of separation.

An individual who is rehired under this provision must successfully complete a probationary period under AP Part III, Kentucky Court of Justice Personnel Policies, Sections 1.06 and 4.03. However, he or she will not receive a salary increase at the completion of the probationary period.

- (b) An individual who is rehired to the same non-tenured position six months or less after separating employment with the KCOJ will be hired at the same salary that he or she earned at the time of separation.
- (c) An individual who is rehired to a different tenured or nontenured position six months or less after separating employment with the KCOJ will be paid according to the applicable pay practices.
- (d) An individual who is rehired more than six months after separating employment with the KCOJ will be paid according to the applicable pay practices.

(7) Salary Adjustment for Experience Outside KCOJ and Earning a College or Graduate Degree

- (a) A new employee's starting salary may be adjusted from the minimum of a pay grade based on his or her job-related experience outside of the KCOJ.
- (b) A new employee's starting salary may be adjusted from the minimum of a pay grade based on college or graduate degrees earned.
 - (i) An associate degree will equate to two additional years of experience on the salary scale; a bachelor's degree will equate to an additional four years of experience on the salary scale; and a graduate degree, such as a master's, doctorate, or juris doctor, will equate to seven (7) additional years of experience on the salary scale.
 - (ii) The employee's starting salary will be determined by subtracting the educational and experience requirements of the position from the employee's combined total years of higher education and work experience outside of the KCOJ.
- (c) An employee who has completed twenty-four months of continuous KCOJ work service and subsequently earns an

associate, bachelor's, master's, doctorate, or juris doctor degree from a nationally or regionally accredited academic institution in a field of study relevant to the employee's official job duties may apply to receive an education achievement salary increase.

- (i) To be eligible for a salary increase, an employee must follow all policies and procedures set forth by the AOC. Questions regarding eligibility requirements should be directed to AOC Human Resources.
- (ii) To request an education achievement salary increase, an employee must file an official application with AOC Human Resources. The application will be reviewed by the AOC Director, Human Resources Director, and Budget Director. Eligibility and approval of the salary increase is within the discretion of the AOC Director and subject to the availability of budgetary funds. An employee can obtain an application by contacting AOC Human Resources.
- (iii) Employees who complete a work-related advanced degree while employed by the KCOJ may be eligible for a 7% salary increase if they otherwise comply with the requirements of this rule and do not hold a similar advanced degree.
- (iv) Only degrees obtained after February 24, 2020, are eligible for an education achievement salary increase.
- (v) Employees with the official job title of manager, executive officer, chief information officer, deputy director, or director are not eligible to receive an education achievement salary increase.

(8) Salary Adjustments Due to Revised Salary Schedule

If the salary schedule is revised, those employees whose salary would fall below the new salary associated with their pay grade and tier will have their salaries automatically increased to the

minimum salary for their pay grade and tier under the revised salary schedule.

(9) Salary Cap

- (a) Except for those positions identified in Section 1.05(1)(c) of the KCOJ Personnel Policies, no employee's salary shall be established or increased in excess of the lowest judicial salary established by the Judicial Branch pursuant to KRS 48.195.

- (b) If an increase in salary authorized under these Pay Practices or otherwise would result in a violation of Subsection (a) of this Section if awarded in full, then the salary increase shall be reduced so the new salary meets but does not exceed the lowest judicial salary established by the Judicial Branch pursuant to KRS 48.195.

This Order shall be effective February 1, 2022, *nunc pro tunc*, and until further Order of this Court.

Entered this 7th day of June 2022.

All sitting; all concur.


CHIEF JUSTICE