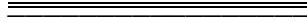
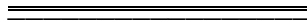


**The Bill Blackwood
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Step Pay Program: A Need for Implementation



**A Leadership White Paper
Submitted in Partial Fulfillment
Required for Graduation from the
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ABSTRACT

There are many medium sized sheriff's offices that do not have civil service protections that operate on a slotted pay program. Slotted pay programs are limiting to the officers within the agency as well as the agency itself. A preferable pay program is one that has steps within each rank. Step pay is more desirable for a number of reasons, to include: it keeps the agency competitive with comparable sized agencies in the region, it prevents attrition, it gives officers the ability to excel financially, and it increases morale within the agency.

There are some drawbacks to implementing a step pay program over a slot pay program. The largest obstacle to overcome is the initial up front cost of implementation. There will be a financial or budgetary outlay to start the program. Once the initial cost is absorbed, the reoccurring annual cost is much less significant. The other major concern is this type of financial commitment requires county commissioner approval. In county government, the county commissioners control the purse strings of the county. It is imperative that the county commissioners as well as the county judge understand and approve the need for the implementation of such a program.

After researching aspects associated with the costs and benefits to starting a step pay program, it is recommended that a step pay program be initiated. The implementation of such a program will keep the agency competitive and therefore reduce the officer turnover rate thus retaining experienced officers. This will also allow for transfers within the agency from one division to another without the need for rank movements. Lastly, it will enhance the overall morale of the agency and help maintain a positive work environment for the officers.

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INTRODUCTION

The existence of a positional or slotted pay program in an agency is extremely undesirable for a variety of reasons. A positional or slotted pay program is one that has no or little room for advancement in pay unless there is a position above the one occupied that becomes available. This usually occurs in an agency when an officer retires from active duty, quits the agency, gets terminated from the agency, or dies which results in a vacancy that opens up a slot or position that can then be occupied. The next person in line for that open position can, at that time, move up in the agency to the open slot. This movement sometimes also results in an upgrade in rank as well. In other words, if a higher ranking officer retires, such as a captain, the lieutenant that is next in line for a promotion, who is typically the one with the most seniority or in some cases, the lieutenant who is at the top of a promotional test list, will be promoted to the vacant captain slot, which results in a lieutenant slot vacancy. At that time, the sergeant who is next in line will promote to the rank of lieutenant and leave a sergeant vacancy and so on, which basically creates a domino effect all the way down the chain of command. In this type of pay program, there is typically no other way to increase one's pay other than a cost of living allowance (COLA) type of raise, if that is even granted.

In a law enforcement agency that has a step pay program in place, all the officers in the agency, from entry level to the top command staff positions, have steps within each grade to move to that increase pay. Typically, there are a standard number of steps, usually ten, within each pay grade or rank that correlates with an amount of time in that grade before the next step on the ladder can be reached. This will occur in any given position or rank, and the highest step in that rank will be lower than the lowest

step in the next highest position or rank. In other words, a sergeant rank at step ten in the pay scale will make less money than a lieutenant rank at step one.

This model is observed in the majority of law enforcement agencies in Texas, the federal government, and the United States military. In the federal system, this step pay scale is referred to as the General Schedule (GS) United States Civil Service Pay Scale and is overseen by the Office of Personnel Management. In that system, there are 15 grades or ranks and ten steps in each grade (Office of Personnel Management, 2011). As stated in a JD Edwards Enterprise One Policy for Human Resources, "You can also use pay grade step progression to establish job paths that employees can follow. Progression paths include predefined pay grade step levels, each with its own rate of pay" (Edwards, 2013, p.17-1).

In law enforcement agencies that do have civil service, it almost always includes a step pay program along with other positive employment characteristics that include a standardized hiring process, arbitration, remedies for disputes between officers and management, and even a process for termination and appeal. Civil service, as it relates to county government and specifically as it relates to sheriff's offices, is governed in Texas by the Texas Local Government Code Chapter 158. The code also dictates what agencies can have civil service, and Chapter 158 specifically states that only counties with a population of 190,000 or more as established by the last official census are eligible (Texas Local Government Code 158.002, 1987).

When a step pay program is in place within an agency, it allows the agency to remain competitive and allows for retention of trained officers. This also allows for lateral movement within the agency and keeps morale at a high level. George Mason

University Police Department found this to be the case during a study done in 2005 where morale was low and they were unable to retain trained officers due to a lack of a step pay program (Riddick, 2005). A medium sized county sheriff's office without civil service should implement a step pay program in place for its sworn deputies in lieu of a positional or slotted pay program.

POSITION

The establishment of a step pay program in and of itself keeps the agency competitive with other agencies of similar size and demographics and includes the retention of seasoned well trained officers within the agency, thus reducing attrition. Without such a program, an officer can be at an agency five or even ten years or more and still make the exact same money that he or she was earning the day they hired into the agency. With this situation, officers start looking to better themselves through both rank and salary and subsequently end up leaving the agency for an agency that is more conducive for advancement. This creates a unique dilemma for the agency in that they lose their best, most highly trained officers to larger agencies or sometimes even smaller municipal agencies that can and do have civil service protection (Texas Local Government Code 143.002, 1987). A municipal police department can have civil service if the city has a population of 10,000 or more according to the Texas Local Government Code Chapter 143. That civil service protection addresses such issues as pay rates, promotional exams, certification pay, educational pay, vacations, and disciplinary actions that a sheriff's office without civil service does not.

Along with keeping an agency competitive, having a step pay program also keeps the agency from being a stepping stone for larger agencies. A young officer will

go through a police academy and get hired with an agency and then go through 17 weeks of field training with a field training officer. The officer will then put in a couple of years on patrol working a beat and receive a great deal of training. After this, they may apply and hire on at a larger agency to have the necessary experience agencies are looking for. This is done at the first agency's expense. George Mason University Police Department went through this situation. Riddick (2005) stated that "In 2002, the turnover rate within the Police Department was 26%" (p. 2). This number was disproportionately high compared to other agencies of similar size.

Another reason that a non-civil service sheriff's office should have a step pay program in place is that it will allow lateral movement within the divisions of the sheriff's office. With a positional or slotted pay program in place in an agency, there is no allowance for movement from one division to another unless the pay slots line up perfectly. For instance, some agencies that have slots that start at the bottom with deputy one, then deputy two, deputy three, corporal, sergeant, lieutenant, captain, chief deputy and then top out with the elected sheriff. If there is a deputy three in the patrol division who has a desire to go into narcotics and then a position comes available in the narcotics division, but the officer that vacated that position was a deputy two, there is no way to transfer that person to narcotics unless he is willing to take a reduction in pay to the deputy two slot. This creates a problem for officers who would like to get experience in different areas or divisions in law enforcement and increase their knowledge and get specialized training in an area or division. This also creates a predicament for the commanding officer who leads a division and who is trying to recruit the best officers to work for them because they have to take into consideration

everyone's current pay grade or slot. There is still the consideration of rank for agencies with a step pay program in place as it relates to changing divisions but certainly not to the extent of agencies with slot programs.

According to PayScale.com, a sheriff's deputies pay rate increase appropriately and in direct correlation to the amount of years of experience on the job ("Police or Sheriff's Patrol Officer Salary," 2014). This is also modeled at George Mason University Police Department by the following statement, "The unique culture of the department would lend itself to the predictability of a step pay scale which would be designed to have an appropriate curve in salary to correlate with years of service" (Riddick, 2005, p. 4). In the example above, if that agency had a step pay program, it would not be an issue because the deputy's pay rate would be assigned to that deputy and not to a position that the deputy occupies. The only relevant issue as it relates to pay rate would be rank. The title of deputy one, deputy two, and deputy three would be irrelevant, and all the deputies who currently occupy one of those titles would be deputies. The only ones who would be any different would be those that have a rank, whether it is corporal, sergeant, and so on.

Another major factor that must be explored as it that of employee morale. Morale is a huge issue that has to be looked at by any and all law enforcement agencies, especially as it relates to implementing a step pay program and hopefully doing away with a positional or slotted pay program. When there is a law enforcement officer performing that function for an agency and, in the next county or city, there is another officer doing the same job for substantially more money, it is a morale issue. Anytime

there are issues that include salaries in a police agency, whether good or bad, whether up or down, morale is affected.

It is commonly the goal of most progressive and forward thinking sheriffs or chiefs of law enforcement agencies as well as their command staffs to procure as competitive salaries and benefits for their officers as possible. However, there are still numerous law enforcement officers that work for agencies and do an excellent job and even love their job but are making far less money individually than other officers at agencies of comparable size and demographics but have very different salary and benefit packages. This disparity can be caused by a wide variety of reasons. One of which is the tax base and population for the city or county. Hill County Sheriff's Office is an example of that type of situation. Hill County has a 2010 census population of 35,089 (Texas Association of Counties, 2011). Hill County is mainly comprised of farms and ranches and has little industry to supply a healthy tax base. According to Hill County Sheriff Jeffery Lyon (personal communication, June 21, 2012), the pay for a patrol deputy is \$31,046 with no steps or increase until promotion in rank.

COUNTER POSITION

The largest single factor for any county government not to have a step pay program in place in lieu of a positional or slotted pay program is, without a doubt, money. To be more specific, it is the initial startup cost. Just like when George Mason University Police Department looked at implementing a step pay plan, the major cost of the plan included the salary adjustment that would be needed to put all the police department employees on the step pay program. For George Mason University Police Department to complete the task, it took approximately \$60,000 (Riddick, 2005, p. 4). In

an economy that is not in great shape, the initial expenditure of implementing a step pay program can be overwhelming and difficult to achieve; however, it is not impossible.

While it is understood that the largest single obstacle to the implementation of a step pay program that county government faces is cost, it is not as large an obstacle as the turnover of experienced officers leaving the agency and them being replaced with young inexperienced rookie officers who lack adequate training and life experiences. Orrick (2002) reported that the primary cause for turnover is salary and that to keep good officers in an agency and lower attrition, competitive salaries that meet or exceed the competition must be obtained. Even though it is very difficult to place a dollar amount on the cost of training and even the experience as it relates to replacing a well-trained seasoned officer, it far outweighs the cost of implementing a competitive step pay program.

Another argument against a step pay program for a non-civil service sheriff's office is that for it to be implemented by a county government, it requires commissioners court approval. Sheriff's office budgets in Texas are governed by the county commissioners who are elected from citizens in their prospective precincts and who control the purse strings in county government. A sheriff's office will submit its budget to the county commissioners as well as the county judge who will approve, deny or ask for modifications to be done. The initial startup cost of a step pay program is a relatively large cost that would have to be generated from somewhere. Several means of generating this income could include a tax rate increase, transferring monies from other areas within the budget, using the counties rainy day surplus fund, or, in some cases, the sheriff could utilize seized funds. Seized funds are monies the sheriff's office has

seized from illegal activities. Another possible avenue to obtain a portion of the necessary monies is to use funds the county has set aside for a COLA. This could be realized by the sheriff's office employees foregoing the COLA and using those funds to assist in raising the amount needed to institute a step pay program.

If a proposal is presented to commissioner's court on the implementation of a step pay program and the proposal is defeated by the commissioner's court voting against the plan, then the only other possibility for the implementation would be a referendum. The term referendum is defined as "the principle or practice of submitting to popular vote a measure passed on or proposed by a legislative body or by popular initiative." This would be realized by the deputies going through the process, which includes gathering the appropriate required number of signatures from county voters in the way of a petition to get the proposal on a ballot to actually be voted on by the voters of that county. If the voters approved the proposal then the commissioners would have to find a way to implement the step pay program.

Whether or not there would be adequate support for such a program depends on several situations. One would be the economic outlook of the particular area, another is the citizen's view and perception of the agency and its success as it relates to the agencies vision and mission in the community, and even the comparative salary structure of other agencies in the area. With that in mind, it would be advisable to have a salary survey done for agencies in the area with similar size and structure. There are several professional respected associations that routinely assist with that type of survey. The two most noted in Texas are the Texas Municipal Police Association (TMPA) and Counsel on Law Enforcement Education and Training (CLEET).

RECOMMENDATION

When a sheriff's office is examining its salary structure and trying to determine the best system for its deputies as well as what is best for the office, numerous situations need to be explored to reach a clear and logical conclusion for which salary structure is the best for the particular culture of an agency. After exploring the different possibilities for an agency, one conclusion can be reached without much controversy, which is that a step pay program should be implemented over or in lieu of a positional or slotted pay program for a non-civil service sheriff's office.

There are many reasons in support of implementing a step pay program. One of the primary supporting points includes keeping an agency competitive with other agencies, which also discourages turnover and keeps experienced well trained officers. Another reason to implement such a plan is the allowance of internal lateral movement or transfers within the agency. The last point discussed is the increase of morale for the officers which create a harmonious work environment. George Mason University Police Department had a similar situation and Riddick (2005) stated "Turnover costs, an experience drain, and morale issues were creating a perfect storm and our officers were leaving Mason far too quickly. Hence, it was very important for the university to address this situation and develop a creative solution" (p. 3).

The largest oppositional point to the implementation of a step pay program is the initial upfront cost. While this is a substantial outlay from the county coffers, it is one that will eventually pay for itself with the retention of professional experienced trained officers and thus lowering the attrition rate of the agency. The cost of an experienced trained officer is difficult to put a dollar amount on. It is similar to the Supreme Court's

opinion on obscenity, which is summarized by “I know it when I see it” (Potter, 1964). Which, in this context, basically means it is subjective and difficult to calculate.

Yet another opposing view to implementing a step pay program is that it would require commissioner’s court approval. Due to the fact that the county commissioners hold and control the purse strings for the county in which they are elected in, as well as the sheriff’s offices in each county in Texas, their approval or ratification of such a program is required especially when county funds must be utilized. In a depressed economy, these elected officials can be reluctant to authorize such expenditures. There is, however, an alternative to commissioner’s approval. If the commissioner’s court denies approval, then a petition can be used, and if enough signatures of county citizens are collected, the proposal can go on the ballot for the citizens to vote on.

It is imperative that law enforcement and the communities in which they serve have and maintain a cohesive reciprocating relationship. It is just as important for officers within a community to protect and serve the citizens fairly and without prejudice or bias as it is for the citizens to respect and follow the laws of the land and the officers who enforce those laws. To implement a step pay program in a non-civil service sheriff’s office would be a positive step in showing officers that they are appreciated for their service and dedication to their communities.

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