Below are hiring scenarios and guidance to be compliant with the new law.

If you have an experience or issue not covered below, please contact your HR Business Partner or assigned Recruiter.

**Scenario 1: Your final candidate is NOT currently employed by the state:**

1. **WGS employees:**

Supervisor determines appropriate wage offer after considering candidate’s qualifications, internal equity, budget constraints and extends offer to candidate.

*Sample language: “I would like to extend you a job offer to our position at Range 42, Step G, $3,682/month.”*

If candidate negotiates, supervisor can consider candidate’s request independent of current salary, up to maximum amount allowed by range.

1. **WMS/EMS employees:**

Supervisor determines appropriate wage offer after considering candidate’s qualifications, internal equity, budget constraints and extends offer to candidate.

*Sample language, “I would like to extend you a job offer to our position at $5,000/month.”*

If candidate negotiates, supervisor can consider candidate’s request independent of current salary, up to maximum allowed by band.

**Scenario 2: Your final candidate IS currently employed as WGS by the state:**

**For another WGS position, supervisor extends offer with applicable rule of promotion:**

**1. WFSE employees:**

A) Employees promoted to a position in a class whose salary range maximum is less than fifteen percent (15%) higher than the salary range maximum of the former class will be advanced to a step of the range for the new class that is nearest to five percent (5%) higher than the amount of the pre-promotional step. The Appointing Authority may approve an increase beyond this minimum requirement, not to exceed the maximum of the salary range.

B) Employees promoted to a position in a class whose salary range maximum is fifteen percent (15%) or more higher than the salary range maximum of the former class will be advanced to a step of the range for the new class that is nearest to ten percent (10%) higher than the amount of the pre-promotional step. The Appointing Authority may approve an increase beyond this minimum requirement, not to exceed the maximum of the salary range.

**2. Teamsters:**

**Salary Assignment upon Promotion**

1. Employees promoted to a position in a class whose range is less than six (6) ranges higher than the range of the former class will be advanced to a step of the range for the new class that is nearest to five percent (5%) higher than the amount of the pre-promotional step. The Appointing Authority may approve an increase beyond this minimum requirement, not to exceed the maximum of the salary range.
2. Employees promoted to a position in a class whose range is six (6) or more ranges higher than the range of the former class will be advanced to a step of the range for the new class that is nearest to ten percent (10%) higher than the amount of the pre-promotional step. The Appointing Authority may approve an increase beyond this minimum requirement, not to exceed the maximum of the salary range.

**3. Non-Represented employees:**

A) Employees promoted to a position in a salary range less than six ranges above the pre-promotion range will receive a minimum two step increase not to exceed Step M.

B) Employees promoted to a position in a salary range six or more ranges above the pre-promotion range will receive a four step increase, not to exceed Step M.

C) An appointing authority may grant increases up to step M if:

* Significant increases in duties and responsibilities, as documented by the employer, warrant greater compensation;
* The increase is necessary for internal salary alignment, retention of the employee, or other documented business needs; or
* The increase is necessary to bring the employee to the minimum of the salary range for the position.

*Sample language: “I would like to extend you a job offer to our position at Range 42 with a 10% increase up to the top of the range in accordance with (Agency Policy or CBA).”*

If candidate negotiates, supervisor can consider candidate’s request within rules of promotion.

1. **WMS/EMS employees:**

Supervisor determines appropriate wage offer after considering candidate’s qualifications, internal equity, budget constraints and extends offer to candidate. If candidate negotiates, supervisor can consider candidate’s request independent of current salary, up to maximum allowed by band.

*Sample language, “I would like to extend you a job offer to our position at $5,000/month.”*

If candidate negotiates, supervisor can consider candidate’s request independent of current salary, up to maximum allowed by band.

**Scenario 3: Your final candidate is a current WMS/EMS state employee:**

1. **Going to WMS/EMS position:**

Supervisor determines appropriate wage offer after considering candidate’s qualifications, internal equity, budget constraints and extends offer to candidate. If candidate negotiates, supervisor can consider candidate’s request independent of current salary.

*Sample language, “I would like to extend you a job offer to our position at $5,000/month.”*

If candidate negotiates, supervisor can consider candidate’s request independent of current salary, up to maximum allowed by band.

1. **Going to WGS position:**

Depending on the level of position being offered, there are different considerations, so work with your assigned Business Partner to determine the best method to proceed.

**Scenario 4: You have made an offer and the candidate responds that they were looking for more money:**

If you have already made an offer based on the appropriate considerations, you are free to discuss expectations while engaging in negotiations. If the candidate does not counter your offer with a specific request, you are okay to ask them what they were thinking or what they are looking for. This is appropriate and acceptable AFTER an offer has been made and rejected. Counter-offers made in negotiations should be in alignment with posted salary range and within the position’s salary range maximum.