**Section 310.415 Merit Compensation Salary Range Assignments**

a) Emergency, Temporary or Provisional Positions – When a position is allocated to a title only assigned to a bargaining unit pay grade and the agency is to appoint an employee to the position on an Emergency (80 Ill. Adm. Code 302.150(b)), Temporary (80 Ill. Adm. Code 302.150(c)) or Provisional (80 Ill. Adm. Code 302.150(d)) basis, a merit compensation salary range to be used for the position shall be assigned to the title as approved by the Director. The approval of the merit compensation salary range assignment shall be after comparing the highest maximum base salary within the bargaining unit pay grade assigned the title with the maximum base salary in the merit compensation salary range that is not more than the highest maximum base salary within the bargaining unit pay grade and after considering the merit compensation salary ranges assigned to other titles in the same classification series and the merit compensation salary ranges assigned to other titles assigned the same bargaining unit pay grade. The titles and their merit compensation salary range assignments from the previous and anticipated fiscal years shall be listed in the Section 310.410 proposed amendments to the Pay Plan for adoption at the beginning of each fiscal year.

b) Trainee Program Titles – When a classification is established as a Trainee Program (80 Ill. Adm. Code 302.170), the merit compensation salary range assigned to the Trainee Program title shall be approved by the Director. The approval shall be based on the recommendation of the agency head where the Trainee Program is established, comparison of the salary ranges assigned to other Trainee Program titles, and the maximum base salary in the recommended merit compensation salary range normally being less than the in-hire rate or the minimum base salary of the targeted classification title for which training is being conducted.

c) Positions excluded from bargaining unit representation by the Illinois Labor Relations Board – When a position is allocated to a title only assigned to a bargaining unit pay grade and the agency or the position is excluded from bargaining unit representation by ILRB, a merit compensation salary range to be used for the position shall be assigned to the title as approved by the Director. The approval of the merit compensation salary range assignment shall be made using the provisions in subsection (a) if the title is not a Trainee Program title or subsection (b) if the title is a Trainee Program title.

(Source: Amended at 44 Ill. Reg. 12146, effective July 13, 2020)