



PERSONNEL RULES

COMPENSATION BILINGUAL PAY §3302

Overview: Employees ~~in a position requiring bilingual skills~~ may be eligible to receive bilingual pay.

Applicable to: All employees, excluding retired annuitants, elected officials, contract employees unless otherwise specified, and temporary employees hired through an employment agency

Definitions: Bilingual – Refers to a person who speaks more than one language
Bilingual Pay – A salary differential allowance paid to employees in positions requiring bilingual proficiency
Interpretation – The process of orally translating the words of a person speaking a different language
Translation – The process of translating words or text from one language to another

Guidelines: The ability to speak a second language may be considered a critical business need in order to provide primary services to the public. When the use of bilingual skills has been determined to be an essential function in the day-to-day operations of a County department, Department Heads may submit a formal written request ~~to the Personnel Office~~ for bilingual pay designation allocation(s) during the annual budget process. The number of employees eligible to receive a bilingual pay designation(s) shall be established annually by Department with the adoption of the County's Position Allocation List (PAL), refer to TCPR §2201: Position Allocation List. Bilingual pay shall be documented as special pay on the personal action form.

Requests ~~for positions considered~~ for bilingual pay designation(s) allocations shall include:

- ~~• Title of position proposed for a bilingual pay allocation~~
- Description of the bilingual duties being performed by each employee in sufficient detail to indicate the second language to be utilized, purpose, nature, and frequency of use (frequency of use shall meet or exceed 10% of the employee's total work time – see Eligibility for Bilingual Pay)
- Location of work assignment

~~Designation of bilingual pay shall occur with corresponding approval by the Personnel Director and the Board of Supervisors.~~

Eligibility for Bilingual Pay

Bilingual pay ~~is specific to the position, and~~ shall be based exclusively upon the operational needs of the department. An operational need for a bilingual pay designation allocation exists when there is a need a position is required to communicate in a language other than English, more than 10% of the ~~ir~~ total work time. The total number of bilingual pay allocations will be approved in accordance with the Position Allocation List (PAL), refer to TCPR §2201: Position Allocation List.

~~According to the California Public Employee Retirement Law (PERL), retired annuitants cannot be paid any compensation or benefits which exceed the regular~~

~~hourly rate of pay for their assigned position. Therefore, retired annuitants and temporary employees, who are hired through an employment agency, are not eligible for bilingual pay.~~

All employees deemed eligible for bilingual pay must first successfully complete the required bilingual proficiency examination. ~~Upon approval of the proposed bilingual pay allocation by the Personnel Director and the Board of Supervisors, the department shall schedule the designated employee and / or applicants for the bilingual proficiency examination.~~

Extra-help employees may be eligible to receive bilingual pay upon successful completion of the required bilingual proficiency examination in an amount which does not exceed an additional 5% above their current hourly rate.

Bilingual Proficiency Examination

All bilingual proficiency examinations, methods, and/or vendors shall be approved by the Personnel Office in advance of the testing. Each department will coordinate their own bilingual proficiency examination and be responsible for corresponding fees associated with examination services.

Bilingual proficiency examinations may be administered by either oral examination or by written examination. Department Heads should determine whether ~~the position requires~~ the employee ~~will be~~ providing interpretation services or translation services before administering the bilingual proficiency examination. Positions which require interpretation services only and do not include a requirement to provide translation services shall administer oral examinations. Positions which require both interpretive services, as well as translation services shall administer written examinations.

Applicants for Tehama County employment who have continuously held a bilingual pay ~~designational allocation~~ in another government agency, without a break in service, may request to have proof of successful completion of the bilingual proficiency examination forwarded to the Tehama County Personnel Director. The Personnel Director in consultation with the Department Head will review the proof of successful completion of the bilingual proficiency examination before making a final determination of eligibility.

When an employee separates from Tehama County service and becomes reappointed to a position that requires the use of bilingual pay allocation skills, the employee may be required to retake the bilingual proficiency examination if a period of five or more years has passed since the initial bilingual proficiency examination was conducted.

Compensation

Bilingual pay amounts are defined within each applicable memorandum of understanding.

Bilingual pay shall be effective the first day of the following pay period after official notification to the department head, their designee, or the Personnel Office, indicating the employee's successful completion of the required bilingual proficiency examination.

Termination of Bilingual Pay

Bilingual pay shall discontinue if the ~~dDepartment functions of the position change and the position~~ no longer ~~has the need~~ requires for interpretation or translation services, or the employee is appointed to an alternative position (either by assignment, transfer, classification change, reclassification, promotion, or demotion) which does not require interpretation or translation services.

Language Line Interpreter Services

Some Tehama County Departments have contracts and procedures in place for outside interpretation services. Departments experiencing an infrequent or de minimis need for interpretation services may contact purchasing for information and authorization.

Procedure: Responsibilities for implementation, application, and enforcement of this rule are listed below.

Employee In order to be eligible for bilingual pay, e ~~Employees who are deemed eligible for a bilingual pay designation must successfully pass~~ complete the required a bilingual proficiency examination ~~first~~.

Department Head Requests for ~~classification specification~~ consideration of bilingual pay designation differential shall be submitted on the Position Allocation List Budget Worksheet in writing by the Department Head or designee to the Chief Administrator and the Personnel Director through the budget process. The Chief Administrator, Personnel Director, and the Board of Supervisors shall have final determination.

Personnel Office The Chief Administrator and Personnel Director ~~Office~~ is responsible for reviewing all new requests for bilingual pay designation(s) and making a recommendation to the Board of Supervisors final determination as outlined above. The Personnel Office will update the position allocation list, if necessary. All processes and/or vendors for bilingual proficiency examinations shall be approved by the Personnel Director before examinations can be conducted.

Required Forms: Position Allocation List Budget Worksheet ~~None~~

References: TCPR §2201: Position Allocation List; TCPR §2304: Post Retirement Employment; Memorandums of Understanding

Effective Date: July 21, 2020

Revised Date:

The provisions of this Code shall not supersede any state law, federal Law or current collective bargaining agreement between an employee organization and Tehama County. The provisions of these Codes shall not preclude specific County departments from developing operational policies and procedures.