

# BILINGUAL PAY POLICY



### Purpose and Scope

Mono is a diverse County that acknowledges the value of employees who can communicate with residents and customers in languages other than English; the County offers a bilingual differential allowance to eligible employees for such skills. The purpose of this policy is to establish a criteria for designating bilingual positions as well as the procedures that need to followed to obtain bilingual pay.

### Policy

Departments may request bilingual pay differential for employees based on the use of a non-English language as part of their regular job duties. The additional compensation is provided for those employees who communicate or write in a second language, uses the second language in the performance of their duties, or who assists other employees in language translation. The language must be used on the job on a regular or on-going basis.

### Eligibility

1. Any bilingual person employed in a designated public contact position, which has been assigned duties involving regular or frequent use of bilingual skills, shall be eligible to receive the additional compensation.
2. Regular and frequent use shall mean using the skill on the average of once per workday and/or fifty percent (50%) of the time. However, exceptions can be made at the discretion of the department and concurrence of the Director of Human Resources for unique circumstances.
3. Positions pre-designated as bilingual prior to the recruitment must include bilingual designation in the job announcement under desirable qualification/additional special requirements.
4. Employees must pass an examination certifying their ability to speak or write the required non-English language. Until an employee has tested and certified, they cannot be asked to use bilingual skills on the job. *(Note: Employees who have been previously allowed to receive bilingual pay prior to July 1, 2022, and do not have an official record of a passing score shall be required to submit for testing on or before December 31, 2022, in order to continue to receive bilingual pay on or after January 1, 2023.)*
5. The County may, in its discretion, limit the number of individuals receiving bilingual pay to specified numbers within each department.
6. The provisions of this section shall be limited to those employees occupying permanent, probationary, or limited-term full-time and part-time positions.
7. The compensable second languages shall be limited to those required in the delivery of public services to the various target groups within the County (e.g., Spanish, etc.)

### Procedures

1. The department Director submits request for bilingual pay to Human Resources for each employee(s) who may qualify for the bilingual pay differential.

2. The Human Resources Department reviews classification and position eligibility.
3. The Human Resources Department approves substantiation for bilingual pay by verifying regular use of the non-English language on the job.
4. If the employee qualifies, the approved request form is routed to the employee along with a sheet of instructions on how to take bilingual examination (when appropriate, Human Resources may coordinate with a department to have certified bilingual employees administer the examination under Human Resources direction.)
5. The employee then makes an appointment for examination and gives the request form to the test administrator.
6. The test administrator returns the request form to Human Resources along with the test results.
7. If the employee passes the examination and meets all criteria for receiving the bilingual pay differential, Human Resources signs the request form, indicates the effective date (must coincide with the beginning of a pay period) and sends it to Payroll. Notification is also sent to the employee and the supervisor.
8. If an employee fails the bilingual examination(s), the employee is eligible to retest in ninety (90) days from the date of the failed test. Notification is sent to the employee and the supervisor.
9. Payroll then implements bilingual pay in employee's pay schedule.
10. In the event an eligible employee is on leave of absence, with or without compensation, for a period of one full pay period or more, the employee will not receive bilingual pay for that period.
11. Payroll reviews transactions and discontinues bilingual pay differential when employees leave a position for which bilingual pay was authorized.
12. Human Resources distributes annual report of employees receiving bilingual pay to each Department.
13. The department heads of the employees receiving bilingual pay will review the annual report and notify Human Resources if any employees should cease receiving bilingual pay due to a change in position or job duties.
14. Human Resources then notifies Payroll to discontinue pay to any employees who are no longer eligible based on department feedback.

### **Bilingual Differential Allowance**

1. Designated employees shall be eligible to receive additional compensation at the rate specified and established in each of the negotiated collective bargaining agreements as stated in the Memorandum of Understanding with each of the represented units.

2. Such compensation shall be effective the first day of the payroll period following certification by the Department of Human Resources that the employee is eligible to receive bilingual pay differential.
3. Designated bilingual employees hired or assigned bilingual pay within the first 15 days of the month shall receive the full monthly rate for their first month of employment; those hired or assigned bilingual pay after the 15<sup>th</sup> of the month will receive half of the bilingual pay for their first month of employment.
4. Designated bilingual employees leaving County service during the first 15 days of the month will receive half of the bilingual pay for that month; those leaving service any time after the 15<sup>th</sup> of the month will be paid the full monthly rate.
5. Bilingual pay will not be considered as part of an employee's salary for retirement calculation purposes.

### **Discontinuing Bilingual Pay**

1. Employees who leave a position in which they are receiving bilingual pay will cease to receive the pay. This will occur whenever an employee is transferred, promoted, reassigned, or otherwise leaves the specific position in which the pay was authorized.
2. Supervisors may recommend an employee's bilingual pay to be discontinued when the employee is no longer using their bilingual skills, or when the employee has not been available to interpret and/or translate, or when their bilingual skills are no longer required for their assignment.

### **Bilingual Examinations**

1. Human Resources is responsible for the development of examination content and rating criteria to evaluate an employee's ability to speak or write a non-English language. The examination may be administered by employees who have already been certified in that language, under the direction of Human Resources, or by an outside vendor selected by Human Resources.
2. The Bilingual Proficiency Test will be administered both orally and in writing to test bilingual staff in the areas of communication skills, pronunciation, fluency, listening comprehension, resourcefulness and written skills in the language being tested. The test will be administered consistently for each language.



# Memorandum

**To:** Director, Human Resources

**FROM:** \_\_\_\_\_  
Department Director/Designee

**SUBJECT:** Request for Bilingual Pay

**DATE:** \_\_\_\_\_

It is requested that pay for:

**ORAL** Bilingual Skills be

**WRITTEN** Bilingual Skills (used on a regular basis) be:

<input type="checkbox"/>	Initiated	<input type="checkbox"/>	Initiated
<input type="checkbox"/>	Continued	<input type="checkbox"/>	Continued
<input type="checkbox"/>	Discontinued	<input type="checkbox"/>	Discontinued

Employees receiving bilingual pay may be called upon to provide translation services for other departments, on an as needed basis, subject to current department/supervisor approval.

Name: \_\_\_\_\_ Employee ID: \_\_\_\_\_

Department: \_\_\_\_\_ Division: \_\_\_\_\_

Work Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Class Title: \_\_\_\_\_ Job Code: \_\_\_\_\_

Supervisor Name: \_\_\_\_\_ Supervisor Title: \_\_\_\_\_

Supervisor Work Phone: \_\_\_\_\_

Language used on the job (other than English): \_\_\_\_\_

How frequently is this language used on the job? \_\_\_\_\_

The circumstances requiring the use of this language on the job include:

- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_

\_\_\_\_\_  
Department Director or Designee Signature

**Human Resources Department Use Only**

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_ Recommendation:  Approved  Denied

Results of Bilingual Exam:  Pass  Fail | Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

HR Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Begin Bilingual Pay for:  **ORAL** and/ or  **WRITTEN** | Effective Pay Period/Date: \_\_\_\_\_