

Handbook of Operating Procedures

HAZARDOUS DUTY PAY

A. Purpose

The purpose of this policy is to provide for the administration of hazardous duty pay.

B. Persons Affected

Commissioned law enforcement personnel at The University of Texas Rio Grande Valley (UTRGV).

C. Definitions

Law Enforcement Personnel – Employees of UTRGV who are commissioned peace officers and hold hazardous duty positions.

D. Policy

Law enforcement personnel of UTRGV are entitled to hazardous duty pay in the amount of \$10.00 per month for each year of service in a hazardous duty position or as otherwise provided by law.

1. *Eligibility:*

All full-time commissioned law enforcement personnel employed by UTRGV who have completed at least 12 months of lifetime service credit as of the last day of the preceding month and are employed for any portion of the first workday of the month are eligible for hazardous duty pay. An employee who received hazardous duty pay before May 29, 1987, based on the terms of any state law, also may be eligible.

2. *Basis Of Service:*

- a. If an employee is receiving longevity pay and transfers to a position eligible for hazardous duty pay, the employee will continue to receive longevity pay for the years of service performed in the previously held longevity-pay eligible position. An employee may not receive longevity pay for the years they receive hazardous duty pay. However, when computing the total years of service as a state employee, the years spent at both the non-hazardous duty job and the hazardous duty job will be included.
- b. If an employee working in a position eligible for hazardous duty pay transfers to a position that is not eligible, the employee will no longer receive hazardous duty pay. The employee will receive longevity pay based on the total number of years of service as a state employee. Thus, the longevity pay will include the years of service in the eligible position requiring the performance of hazardous duty.

3. *Transfers:*

Commissioned full-time law enforcement personnel transferring within University of Texas System institutions shall be given credit for prior lifetime service. An institution employing an individual on the first day of the month will be responsible for hazardous duty pay.

E. Procedure

1. *Payment:*

- a. Payment of hazardous duty pay and changes in entitlement shall be based upon 12-month increments of lifetime service credit.
- b. Hazardous duty pay will not be prorated. The full amount must be paid to an employee who ceases to be eligible after the first workday of the month.
- c. After the completion of 12 months of service, hazardous duty pay commences on the first day of the next month at the specified rate and continues at that rate until the completion of another 12-month increment.
- d. A change in status occurring during the month will be effective the first day of the following month. For example, an employee appointed on September 1 of a given year completes 12 months' service on August 31, one year later. The hazardous duty payment will commence on the first day of the next month, September 1. Accordingly, an employee appointed on September 2 of a given year will complete 12 months service on September 1, one year later. Hazardous duty pay will commence on the first day of the next month, October 1.

2. *Method of Payment:*

- a. Hazardous duty pay is considered a part of total compensation although the base salary rate of the employee is not affected by such payment.
- b. The inclusion of hazardous duty pay as part of total compensation affects federal withholding, OASI, the amount of group insurance, and other benefit calculations and retirement contributions.
- c. Hazardous duty pay shall not be considered in calculating the amount of lump-sum payments for vacation upon termination. It shall, however, be considered in making calculations for lump-sum payments of vacation and sick leave to the estate of a deceased employee.

F. Relevant Federal and/or State Statute(s), Board of Regents' Rule(s), UTS Policy(ies), and/or Coordinating Board Rule(s)

Texas Government Code Chapter 659, Subchapter L

G. Dates Reviewed or Amended

July 11, 2022 - Reviewed and amended (non-substantive: updated responsible executive).