

UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM

SECTION: Human Resources

NUMBER: 02.B.08

AREA: Compensation

SUBJECT: Hazardous Duty Pay

1. PURPOSE

State employees certified as law enforcement officers under Texas Government Code, [Section 659.301](#) are eligible for hazardous duty pay for each year of service. This policy sets standards for the payment of hazardous duty pay and defines eligibility and creditable service.

2. POLICY

- 2.1. It is the policy of the System to ensure all eligible law enforcement officers receive hazardous duty pay at the rate of pay in accordance with the statute for each year of service as an employee of the State of Texas in a position that requires the performance of hazardous duty.
- 2.2. Hazardous duty pay does not commence until completion of 12 months of lifetime service credit with the State of Texas in a qualifying hazardous duty position.

3. ELIGIBILITY

- 3.1. All commissioned peace officers of the System who are certified as law enforcement officers or custodial officers under Texas Government Code, [Section 659.301](#) are entitled to hazardous duty pay upon completion of 12 months of State of Texas service.
- 3.2. Commissioned peace officer includes the police chief, assistant police chief, captains, lieutenants, sergeants, corporals, and police officers. Commissioned peace officer does not include guards, communications specialists, records specialists, clerical or other administrative personnel.

4. CREDITABLE SERVICE

- 4.1. A State employee who receives hazardous duty pay based on total State of Texas service performed before May 29, 1987, is entitled to continue to receive hazardous duty pay based on those services if, on or after that date, the employee continues to hold a position that requires the performance of hazardous duty. A break in service after May 29, 1987, voids this provision.

- 4.2. When eligible, employees in hazardous duty positions on May 29, 1987, who were not yet receiving hazardous duty pay, shall receive hazardous duty pay for all State of Texas hazardous duty service and longevity pay for all non-hazardous duty State of Texas service.
- 4.3. A State employee who previously received longevity pay under Chapter [659](#), [Subchapter D](#) of the Government Code for services performed in a non-hazardous duty position and who transfers after May 29, 1987, to a hazardous duty position is entitled to continue to receive longevity pay for the years of service to the State of Texas performed in the prior position(s). Prior service in a hazardous duty position shall count toward service credit for hazardous duty pay. The employee is not entitled to additional longevity pay for the period during which hazardous duty pay is received, but that period is included in computing the employee's total years of State of Texas service.
- 4.4. A State employee who after performance in a hazardous duty position, transfers after May 29, 1987, to a non-hazardous duty position, is not entitled to a continuation of the hazardous duty pay earned in the prior position but is entitled to longevity pay based on each year of service as an employee of the State of Texas, including years of service in hazardous duty positions.
- 4.5. Individuals previously employed by the State of Texas who are hired after May 29, 1987, into a position eligible to receive hazardous duty pay shall be given credit for prior State of Texas service as follows:
 - a. Persons previously employed in a hazardous duty position(s) are eligible for hazardous duty pay based upon prior hazardous duty State of Texas service.
 - b. Prior service in a non-hazardous duty position shall not count toward service credit for purposes of hazardous duty pay calculations but shall count toward credit for longevity pay if the employee is otherwise eligible for such pay.
 - c. Individuals with a combination of prior State of Texas service in both a hazardous duty position and a non-hazardous duty position shall be given credit for each type of service independently. Prior non-hazardous duty service shall count toward longevity pay service credit. Prior hazardous duty service shall count toward service credit for those individuals in hazardous duty positions.

- 4.6. Individuals hired into a position eligible to receive hazardous duty pay on or after May 29, 1987, who have not previously been employed by the State of Texas shall accumulate hazardous duty State of Texas service and shall be entitled to hazardous duty pay for each year of service in that capacity, beginning after the completion of one full year.
- 4.7. New employees shall be advised of the effect of previous State of Texas service on hazardous duty pay entitlement, and of the need to document previous creditable service.
- 4.8. Employees who have had previous employment with the System or other institutions and agencies of Texas shall provide to the component university human resources department a statement from each prior State of Texas employer verifying the employment, giving beginning and ending dates of each period of employment, and verifying whether service qualified for longevity or hazardous duty pay. This documentation shall be retained in the employee's official personnel file.

5. POLICY PROVISIONS

- 5.1. In assessing both hazardous and non-hazardous duty eligible service, all prior employment with the System and with any other agency or institution of the State of Texas shall be counted except for employment with independent school districts and junior colleges.
- 5.2. Creditable prior service is to be counted regardless of method of salary payment (hourly, monthly, etc.), length of appointment, percentage of full-time worked, or continuity of service in a prior position. One month's service is to be counted for each month or fraction of a month of employment. In case of breaks in service, one month shall be counted for fractional months of employment at the beginning and end of each appointment; however, in no case shall more than one month's credit be granted for a single calendar month.
- 5.3. An eligible employee who terminates State employment and who remains on the payroll to exhaust vacation entitlement is entitled to payment of full hazardous duty pay for each month or fraction of a month the individual continues on the payroll. However, hazardous duty pay will not be considered in the calculation of the lump-sum vacation pay of an eligible employee who terminates State employment.
- 5.4. The calculation of vacation and sick leave benefits payable to the estate of a deceased employee is to include hazardous duty pay.
- 5.5. Hazardous duty pay is an integral part of each eligible employee's gross compensation and is subject to the same payroll deductions and payroll charges as regular salary or wages.

5.6. Hazardous duty pay is included as part of base salary for determination of life insurance and long term disability benefits in accordance with salary specifications set forth by the [Employees Retirement System of Texas \(ERS\)](#), administrators of the System's group insurance program.

6. REVIEW AND RESPONSIBILITIES

Responsible Party: Associate Vice Chancellor for Finance

Review: Every five years on or before March 1

7. APPROVAL

Approved: Jim McShan
Interim Vice Chancellor for Administration and Finance

Renu Khator
Chancellor

Date: September 25, 2015

REVISION LOG

Revision Number	Approval Date	Description of Changes
1	11/04/1994	Initial edition
2	06/09/2009	Applied revised SAM template to meet current documentation standards. Revised Section 1 to combine text and added reference to Texas Government Code, Section 659.301. Removed pay rate in Section 2.1. Removed prior hazardous service from calculation in Section 2.2. Changed references throughout to reflect current documentation. Removed Section 5.7 on component Human Resources' departments developed detailed procedures on hazardous duty. Changed responsible party from Vice Chancellor for Administration and Finance to Associate Vice Chancellor for Finance. Changed review period from odd numbered years on or before August 1 st to every five years on or before March 1 st . Added Executive Vice Chancellor for Administration and Finance to Section 7.0

Revision Number	Approval Date	Description of Changes
3	09/25/2015	Applied revised SAM Template and added new Revision Log. Provided minor grammatical redlines. Changed title in Section 7 to Interim Vice Chancellor for Administration and Finance. No additional changes were required per the Subject Matter Expert (SME)