

OUT-OF-CLASS PAY FOR SELECT APPOINTED
POSITIONS AND ACCOMPANYING DOCUMENTATION
JACKSON COUNTY, MISSOURI
SEPTEMBER 15, 2025

EMPLOYEE	FORMER SALARY			CURRENT SALARY			
	Date	Pay Rate	Annual Salary	Effective Date	Pay Rate	Annual Salary	Difference
Employee A	8/18/2025	\$ 76.48	\$ 159,078	1/21/2025	\$ 92.82	\$ 193,066	\$ 33,988
Employee B	7/18/2025	\$ 82.48	\$ 171,558	7/7/2025	\$ 92.82	\$ 193,066	\$ 21,508

ATTACHMENTS:

- 1) Memo from [REDACTED] to County Executive Frank White, dated August 21, 2025, requesting out-of-class pay for [REDACTED] (Retro Pay: \$18,677).
- 2) Memo from [REDACTED] to County Executive Frank White, dated July 10 ,2025, requesting out-of-class pay for [REDACTED].
- 3) According to Charter Article III, Section 6.1,the appointment of acting officers are subject to the County Legislature's power to disapprove. The County Executive is required to file written notice with the County Clerk.
- 4) According to Charter Article II, Section 16.4, the County Legislature has fifteen days to disapprove all directors of departments and officers appointed by the County Executive after the notice is filed with the County Clerk.
- 5) According to Article II, Section 16.15, of the Charter, the County Legislature is responsible for setting the compensation of county officers and employees who are not part of the merit system.
- 6) **Personnel Policy, Rule 6: Out-Of-Class Pay policy for Eligible Merit Employees.
- 7) Amendment to The Personnel Rules-Executive Order No. 23-08, dated February 14, 2023, which eliminated Non-Merit Rule No. 25, entirely, making Non-Merit Employee's ineligible for Out-Of-Class pay.
- 8) County Counselor Bryan Covinsky issued an opinion on March 14, 2023, stating that the County Legislature cannot disapprove Executive Order No. 23-08.
- 9) Rule 25-Non Merit Employees.



OFFICE OF THE COUNTY EXECUTIVE

JACKSON COUNTY COURTHOUSE

415 EAST 12TH STREET
KANSAS CITY, MISSOURI 64106

(816) 881-3333
Fax: (816) 881-3136

1. Memo From [REDACTED]

INTEROFFICE MEMORANDUM

To: Frank White, Jr., County Executive

From: [REDACTED]

Date: August 21, 2025

Re: Request for Approval of Out-of-Class Pay

Pursuant to Rule, Section 6 of the Jackson County Personnel Rules, I respectfully request your approval to authorize out-of-class pay for [REDACTED] assumption of key responsibilities of the [REDACTED] [REDACTED]

Effective [REDACTED] began performing a substantial portion of the duties typically carried out by the county Administrator. These include providing executive leadership, coordinating operations across departments, and supporting the County Executive in high-level decision-making. While [REDACTED] may not be performing 75% of the formal job description for the county Administrator position, the scope, significance, and visibility of his temporary responsibilities clearly exceed those of his current role.

Accordingly, I am requesting your approval of:

1. Out-of-class pay for [REDACTED] effective January 21, 2025, in the amount of the minimum rate of pay for the County Administrator classification or his current salary plus 5%, whichever is greater, in accordance with Rule 6.1; and
2. An annual exception to the 75% responsibility threshold required under Rule 6.1(B), as permitted by Rule 1.10, based on the unique nature of this vacancy and the high level of responsibility [REDACTED] is assuming during this interim period.





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INTEROFFICE MEMORANDUM

2. Memo From [REDACTED]

To: Frank White, Jr., County Executive

From: [REDACTED]

Date: July 10, 2025

Re: Request for Approval of Out-of-Class Pay

Pursuant to Rule 6, Section 6.1 of the Jackson County Personnel Rules, I respectfully request your approval to authorize out-of-class pay for [REDACTED]

[REDACTED] due to her assumption of key responsibilities of the [REDACTED]

Effective July 7, 2025, [REDACTED] began performing a substantial portion of the duties typically carried out by the [REDACTED]. These include providing executive leadership, coordinating operations across departments, and supporting the County Executive in high-level decision-making. While [REDACTED] may not be performing 75% of the formal job description for the [REDACTED] position, the scope, significance, and visibility of her temporary responsibilities clearly exceed those of her current role.

Accordingly, I am requesting your approval of:

1. Out-of-class pay for [REDACTED] in the amount of the minimum rate of pay for the [REDACTED] classification or her current salary plus 5%, whichever is greater, in accordance with Rule 6.1; and
2. An annual exception to the 75% responsibility threshold required under Rule 6.1(B), as permitted by Rule 1.10, based on the unique nature of this vacancy and the high level of responsibility [REDACTED] is assuming during this interim period.

The Manager of the Division of Finance has confirmed that sufficient funds are budgeted to support this request. Out-of-class pay will continue until a new [REDACTED] is appointed.



appointee, who shall be of the same political party of the outgoing County Executive, by a simple majority vote of the County Legislature to hold the Office of County Executive until January 1 following the next general election. If the County Legislature fails to make the appointment within the thirty (30) days, the presiding judge of the Sixteenth Judicial Circuit Court shall appoint an appointee, who shall be of the same political party of the outgoing County Executive, to hold the Office of County Executive until January 1 following the next general election. A successor shall then be elected at the next general election for the unexpired or full term as the case may be.

In all cases for Section 3 and Section 4, the person appointed to the position of County Executive shall meet the qualifications of the position as set forth in this charter and nothing herein shall preclude the person temporarily appointed to the vacant office from being duly elected to that position.

Section 5. The County Executive shall be responsible for the administration of all affairs of the county placed in his or her charge by this charter, by law or by county ordinance. The County Executive may appoint a staff as may be authorized by county ordinance, and shall appoint a budget officer, who shall have all the powers and duties prescribed by law and by county ordinance, all of whom shall serve at his or her pleasure.

Section 6. The County Executive, in addition to other powers and duties provided in this charter, shall have the power to:

1. Appoint, subject to the County Legislature's power of disapproval, directors of departments, officers not otherwise provided for, members of boards and commissions, and acting officers to fill any vacancy in any appointive or elective office, except that of County Legislator; the County Executive shall file written notice of such appointments with the Clerk of the County Legislature.

2. Employ experts and consultants in connection with any of the functions of the county, and ensure that all professional services contracts over \$5,000, except in emergency situations, follow a competitive process to determine award of the contract.

3. Coordinate and supervise the work of the departments, officers and agencies of the county subject to his or her control.

4. Transfer employees from one department to another department to promote efficiency and economy. If the employee reports to the County Legislature, Sheriff, Prosecuting Attorney, or Circuit Court, the transfer shall require the approval of the Legislature, applicable office holder or presiding judge of the Circuit Court.

Section 14. Any vacancy in the County Legislature shall be filled by a majority vote of the remaining members from a list of three nominees certified in writing within fifteen days after the vacancy occurs by a majority of those ward and township committeemen and committeewomen of the political party of the previous occupant of the office whose wards and townships lie in whole or in part within the vacated district. All nominees shall meet the qualifications for the position as set forth in the charter. If no such list is submitted within fifteen days, a majority vote of the remaining members of the County Legislature shall fill the vacancy with any person of such district and of the political party of the previous occupant who meets the qualifications for the position set forth in the charter. In any case, the County Legislature shall act within thirty days of the vacancy occurring.

SALARY

Section 15. Members of the County Legislature shall receive an annual salary of \$36,441.00 (rate in effect for 2019, established by ordinance).

POWERS

Section 16. The County Legislature shall have the power, pursuant to and in conformity with the constitution, and without limiting the generality of the powers vested in the County Legislature by this charter, to:

1. Exercise all legislative powers now or hereafter conferred upon counties, county courts, county governing bodies and county officers by the constitution, by law, and by this charter, and to determine and make provision for any matter of county government not otherwise provided for herein, including any matter involved in the transition to the form of government provided by this charter.

2. Exercise and perform any and all powers of a non-legislative nature which it may possess and any and all other duties which it may need to or be required to perform by the constitution, by law or by this charter.

3. Exercise legislative power pertaining to public health, police and traffic, building construction, and planning and zoning in the part of the county outside of incorporated cities and exercise legislative power in the part of the county within incorporated cities, and on such other subjects as may be authorized by the constitution, by law or by county ordinance.

4. Disapprove, within fifteen days after notice is filed with the Clerk of the County Legislature, the appointment of all directors of departments, officers and members of boards or commissions who are appointed by the County Executive, except the apportionment and reapportionment commit

14. Implement by county ordinance the merit system established by this charter.

15. Set the compensation of members of boards and commissions, and of county officers and employees not under the merit system, whether or not this charter fixes any such compensation, except that the compensation of elective officers shall be fixed at least ten months prior to the election of such officers and shall not be increased or diminished during their term of office.

16. Require any county officer or employee, elected or appointed, before entering upon the duties of their office or service to give a corporate surety bond for the faithful performance thereof, in such penal sum as may be fixed by law or by the County Legislature, and to provide for the payment of the premium thereof out of county funds.

17. Make provision for the reasonable compensation for personal injury or death of any officer or employee of the county or courts arising out of and in the course of their employment and to contract for insurance for the payment of such compensation.

18. Establish health, hospitalization, compensation, insurance, pension and retirement plans, contributory or non contributory, for officers and employees of the county and courts, and their dependents or beneficiaries.

19. Establish plans calling for voluntary deductions from the salary or income of county and court employees and officers for purposes authorized by this charter, by law or by county ordinance.

20. Employ such financial, research, legal, or other technical advisors as are necessary.

21. Acquire property for county purposes.

22. Take and hold property in trust and provide for the administration thereof.

23. Exercise all the rights and powers of eminent domain, in the manner provided by law for the condemnation of land by public and private corporations and under such limitations as may be provided by law, to acquire by eminent domain such property or rights in property together with any grants and privileges in excess of that actually to be occupied by the public improvement or used in connection therewith, as is reasonably necessary to effectuate the purposes intended, and to cause the fee simple title to such property or the control or the use thereof to be vested in the county, and to provide for

**6. Personnel Policy, Rule 6:
Out-Of-Class Pay**

RULE 6 - OUT OF CLASS PAY

Section 6.1 - Eligibility

Out of class pay may be authorized by the Appointing Authority upon certification by the Manager of the Division of Finance that sufficient funds are budgeted. Merit employees who work out of class shall receive the minimum rate of pay for such work or their regular rate of pay plus 5%, whichever is higher and will begin on the seventh day after working in the higher classification. Out of class pay is appropriate only in the following circumstances:

- A. If the merit employee works out of class more than six consecutive working days in a higher classification; and
- B. The merit employee has been assigned 75% or more of the out of class job's responsibilities, tasks, and duties; and
- C. The out of class work results from a vacancy which is not immediately filled or an approved leave of absence, not vacations. Vacation replacement is not eligible for out of class pay.
- D. Out of class pay applies only to actual hours worked and not to vacation or sick leave which is computed at the employees regular rate of pay. Out of class pay will be paid for holidays.



Disapproved by Legislature
March 14, 2023

FRANK WHITE, JR.
Jackson County Executive

EXECUTIVE ORDER NO. 23-08

**TO: MEMBERS OF THE LEGISLATURE
CLERK OF THE LEGISLATURE**

**FROM: FRANK WHITE, JR
COUNTY EXECUTIVE**

DATE: FEBRUARY 14, 2023

RE: AMENDMENT TO THE PERSONNEL RULES

RECEIVED

FEB 14 2023

**MARY JO SPINO
COUNTY CLERK**

*gjk
3:00 pm*

Pursuant to section 706.1, Jackson County Code, 1984, I hereby promulgate the following amendments to Rules 1, 4, 5, 9, 11, and 25 of the Jackson County Personnel Rules for Jackson County associates. This amendment shall be effective immediately. The following sections and the associated sections of the Table of Contents shall be updated as follows:

Section 1.2 - Positions Covered by a Memorandum of Understanding

These rules shall apply to all positions in all divisions, department, boards, commissions, and agencies of the county absent specific provisions to the contrary. Employees in positions within an established bargaining unit shall also be governed by the provisions of a Memorandum of Understanding where applicable and where in effect.

Section 4.1 - Job Classification

All appointed positions in County employment shall be assigned a job class, grade, and job description in accordance with Section 4.2

Section 4.3 - Review of Job Classification

The Director of Human Resources, under the supervision of the Manager of the Division of Administration, shall establish a system and schedule for the continuous review of the job evaluation plan. The review shall include the verification of the current duties of positions, a study of the job descriptions and of the job titles to assure that they are currently accurate and complete. If such review indicates that changes to the classification plan may be in order, recommendation of such changes should be communicated in writing to the appropriate Appointing Authority who may then initiate action pursuant to Rule 4.4 or 4.5.

**7. Amendment to The Personnel Rules -
Executive Order No. 23-08**



Section 4.4 - Creation of New Positions

The Appointing Authority shall request the creation of a new position by application to the County Executive. If approved by the County Executive, the Director of Human Resources shall study the duties and responsibilities of the proposed position and shall work with the Appointing Authority, Manager of the Division of Finance and the County Executive to determine the appropriate job description and grade. This section shall not apply to the position of Legislative Aide, which shall be governed by the code of ordinances.

Section 4.5 - Reclassification

When the Appointing Authority believes it is necessary to reclassify a position, he shall submit a written request to the Director of Human Resources who shall act on it within a reasonable amount of time. The Director of Human Resources shall promulgate a fair and equitable process for determining the proper classification of a position. The process should be the same, or reasonably similar, to the approach recommended in the County's most recent Classification and Compensation Study.

Section 5.7 - Six Month Review

After an employee has completed the applicable probationary period following his initial appointment, the Appointing Authority shall review his job performance in accordance with Rule 14.1, 14.3 and 14.4. At that time, the Appointing Authority may increase that merit employee's compensation within the grade not to exceed 10%, subject to the approval of the County Executive or his/her designee.

Section 9.10 - Probationary Employees

During the six-month probationary period, employees may take sick leave but not vacation or a floating holiday.

Section 11.2 - Filing Applications

The applicant may submit such application and/or supplemental information as outlined in the official job posting. The Director of Human Resources shall set the time period for the acceptance of applications for any County position and for promotional examinations in accordance with the request of the Appointing Authority.

RULE 14 - EVALUATIONS OF EMPLOYEES**Section 14.1 - Performance Evaluation**

The Director of Human Resources shall prepare a system for evaluating the work performance of all County employees. The performance evaluation shall also be used as a factor in determining compensation increases, training, promotion, demotion, transfer, or dismissal and for other purposes as set forth in these rules.

In addition, the following portions of the Personnel Rules, as well as the associated portions of the Table of Contents, shall be removed in their entirety:

PART II - NON-MERIT EMPLOYEE RULES

Rule 25- NON-MERIT EMPLOYEES

Sections 25.1-.4

2/14/23
Date


Frank White, Jr.
County Executive



OFFICE OF THE COUNTY COUNSELOR

JACKSON COUNTY COURTHOUSE
415 EAST 12TH STREET
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MEMORANDUM

TO: MEMBERS OF THE COUNTY LEGISLATURE
CLERK OF THE COUNTY LEGISLATURE

FROM: BRYAN O. COVINSKY *BC*
COUNTY COUNSELOR

DATE: MARCH 14, 2023

RE: **AUTHORITY OF THE COUNTY LEGISLATURE TO DISAPPROVE
EXECUTIVE ORDER 23-08, AMENDING THE JACKSON COUNTY
PERSONNEL RULES**

The following item appears on the agenda for the County Legislature's meeting of March 14, 2023, under "Unfinished Business": *Executive Order #23-08 titled "Amendment to the Personnel Rules."* This office understands that there is some sentiment among the members of the County Legislature to disapprove this executive order. The executive order does simply what its title says, amend the Jackson County Personnel Rules. The County Executive issued this executive order pursuant to the authority granted to him by the County Legislature in section 706.1 of the Jackson County Code to "by executive order, adopt reasonable rules to implement this chapter (County Personnel) and the policies expressed in this chapter." **This executive order is not subject to the disapproval of the Legislature.** The only authority for legislative disapproval of county executive orders is found in article II, section 16.4 of the Jackson County Charter. That provision gives the Legislature limited authority to disapprove executive orders that appoint county department directors and members of county boards and commissions and executive orders that "create, consolidate, abolish, or reorganize departments." Executive Order 23-08 does not appoint any department director or member of any board or commission and does not create, consolidate, abolish, or reorganize any county department. Therefore, it is not subject to disapproval by the Legislature.

PART II - NON-MERIT EMPLOYEE RULES

RULE 25 - NON-MERIT EMPLOYEES

Section 25.1 - Non-Merit Positions

The Merit System shall not apply to: directors of departments; prosecuting attorney and sheriff and one assistant and one secretary for each of them; other elected officers; members of boards and commissions; the clerk of the county legislature; auditor and members of the staff of the legislature; members of the staff of the county executive including the budget officer; the public administrator; the court administrator and his/her employees except to the extent provided by order of the circuit court en banc; the director of the office of human relations and citizen complaints and one secretary appointed by him; attorneys, physicians and investigators serving in the offices of prosecuting attorney, county counselor and one secretary appointed by the medical examiner; and the Director of Human Resources and one secretary appointed by him. The only other exemptions from the merit system shall be those recommended by the Merit System Commission and authorized by the Legislature.

Section 25.2 - Creation of Non-Merit Positions

Non-merit positions not specifically designated as such by the Charter shall be created in accordance with the Charter upon recommendation of the Merit System Commission and approval of the Legislature. The Legislature is to set compensation for such positions. Such appointments are made by transmitting to the Director of the Finance Department notice thereof.

Section 25.3 - Appointing Non-Merit Employees

In accordance with the Jackson County Charter, Article IX, Section 2, non-merit positions which are so designated in the Charter, and which are further designated by the County Executive or the County Legislature and for which compensation is set by the Legislature, may be filled by the appropriate Appointing Authority. Such appointments are made by transmitting to the Director of the Finance Department notice thereof. When making an appointment of an assistant to the director or secretarial non-merit position the Appointing Authority shall require the appointee to sign an acknowledgment of the non-merit status of the appointment. Such acknowledgment should then be filed with the Director of Human Resources to be placed into the Personnel file of the employee and a copy should be retained by the Appointing Authority.

Section 25.4 - Application of Other Rules

Non Merit employees are not subject to the following Rules herein:

Rule 3 – Merit Positions; Rule 4 – Merit Job Classification; Rule 12 – Selection, with the exception of Section 12.5 Background Checks; & Rule 15 – Termination, Demotion, and Other Disciplinary Action

The remaining Personnel Employee rules listed herein shall apply to non-merit employees unless specifically excepted by the County Executive.