**Section 310.90 Decreases in Pay**

Employees other than those whose base salaries are determined by the Schedule of Rates (Subpart B) shall have their salaries reduced only as specified below and shall become effective the first day of the pay period following date of approval:

a) Demotion for Cause to a Lower Class − Upon demotion, the employee's base salary will be reduced to Step 8 of the pay grade for the lower class if the current base salary is in excess of that pay grade, or to the step in the lower pay grade that provides the salary nearest in amount, but less than, the current base salary, except that an employee demoted during a probationary period following promotion will have the employee's salary reduced to the step in the lower pay grade that represents the salary had the employee not been promoted, and the employee's previous creditable service date will be restored.

b) Position Reallocated to a Lower Class − The employee's base salary will be reduced to Step 8 of the lower pay grade, if in excess of that pay grade, or to the step in the lower pay grade nearest in amount to, but in no case more than, the current base salary. However, as provided in Section 8(a) of the Personnel Code [20 ILCS 415], the pay for an employee whose position is reallocated because of loss of duties and responsibilities after the employee's appointment to that position shall not be required to be lowered to an exact step for a period of one year. When the base salary is identical to an exact step in the lower range, the employee shall be placed on this step with no further reduction required. An employee's creditable service date will not be affected.

c) Voluntary Reduction to a Lower Class − Upon the voluntary reduction of an employee to a vacant position in a class having a lower pay grade than the class from which the reduction was made, the employee's base salary will be reduced to Step 8 of the lower pay grade if in excess of that pay grade, or to the step in the lower pay grade that provides the base salary nearest in amount, but less than, the current base salary, except that an employee who voluntarily requests a reduction to a lower class during a probationary period following promotion will have the employee's salary reduced to the step in the pay grade that represents the salary had the employee not been promoted, and the employee's previous creditable service date will be restored.

d) Assignment of a Lower Pay Grade to a Class − Upon assignment, an employee's base salary will be that step in the new pay grade nearest to, but not greater in amount than, the step being vacated in the former pay grade. The reevaluation shall not change the creditable service date.

e) Adjustment – An employee may receive a downward adjustment in the employee's base salary for the purpose of correcting a previous error or oversight or when the best interest of the agency and the State of Illinois will be served. Adjustments must have the prior approval of the Director in writing. In determining the appropriateness of a request for a salary adjustment by an employing agency, the Director will consider whether the need for the adjustment is substantial, whether the action is consistent with the treatment of other similar situations, and whether the action is equitable in view of the particular circumstances prompting the request. The adjustment shall not change the creditable service date.

f) Reclassification – If the class to which the position is being moved has a lower pay grade, the employee's base salary will be the salary in the new pay grade nearest to, but not greater than, the employee's former salary. As provided in Section 8(a) of the Personnel Code, the pay for an employee whose position is reclassified shall not be lowered for a period of one year. If the base salary is identical to an exact step in the lower range, the employee shall be placed on this step with no further reduction required. An employee's creditable service date will not be affected.

(Source: Amended at 44 Ill. Reg. 12146, effective July 13, 2020)