

**55:10:11:10. Rate of pay upon change in pay grade of classification.** If the pay grade of a classification is changed to one with a greater market value, the incumbents shall receive a rate of pay at least equal to the new minimum of the new pay grade. ~~An employee's rate of pay shall be adjusted to at least five percent above the minimum of the pay grade upon completion of six months of service in the new pay grade.~~ If the pay grade of a classification is changed to one with a lower market value, the incumbents' rate of pay may not be adjusted.

**Source:** 39 SDR 99, effective December 3, 2012; 44 SDR 99, effective December 11, 2017.

**General Authority:** SDCL [3-6D-11](#).

**Law Implemented:** SDCL [3-6D-11](#).

**55:10:11:13. Rate of pay on promotion.** When an employee accepts appointment to a position with a higher market value than the employee's previous position, the appointing authority may request an increase in pay up to 90 percent of the market value of the new position. With prior approval of the commissioner, an increase of over 90 percent of market value, up to the market value, may be given. Criteria for approval includes internal equity, availability of applicants outside state government, and budget. ~~An employee's rate of pay shall be adjusted to at least five percent above the minimum of the pay grade after the completion of six months of service in the new classification.~~

**Source:** 39 SDR 99, effective December 3, 2012; 44 SDR 99, effective December 11, 2017.

**General Authority:** SDCL [3-6D-11](#).

**Law Implemented:** SDCL [3-6D-11](#).

**55:10:11:14. Rate of pay on classification to a pay grade with a higher market value.** If a position is reclassified to a classification with a higher market value, the incumbent may receive the minimum rate or up to a ten percent increase in base pay, whichever is greater. ~~An employee's rate of pay shall be adjusted to at least five percent above the minimum of the pay grade upon completion of six months of service in the new classification.~~

**Source:** 39 SDR 99, effective December 3, 2012; 44 SDR 99, effective December 11, 2017.

**General Authority:** SDCL [3-6D-11](#).

**Law Implemented:** SDCL [3-6D-11](#).

**55:10:11:18. Pay adjustment upon completion of probation.** ~~An employee's rate of pay shall be adjusted to at least five percent above the minimum of the pay grade upon completion of the probationary period. If the An employee's rate of pay is more than five percent above the minimum of the pay grade, the employee's pay may be adjusted upon the completion of the probationary period by up to five percent. In no case may the employee's rate of pay exceed the maximum of the pay grade.~~

If an employee is promoted during the employee's probationary period, this section is superseded and § 55:10:11:13 applies.

**Source:** 39 SDR 99, effective December 3, 2012; 44 SDR 99, effective December 11, 2017; 45 SDR 83, effective December 17, 2018.

**General Authority:** SDCL [3-6D-11](#).

**Law Implemented:** SDCL [3-6D-11](#).