

123:1-37-04 **Hazard pay.**

- (A) The granting of hazard pay is subject to the approval of the director, and justification ~~will must~~ be submitted prior to the payment of this supplement as prescribed by the director.
- (B) A hazardous condition may be of a permanent or temporary nature, and the duties performed under hazardous conditions rather than the classification itself determines the hazard supplement. A hazardous condition which exists for all positions in a classification is compensated for in the pay range level assigned to that classification. Such normal hazards as are inherent in the classification ~~will shall~~ not be compensated further by this supplement.
- (C) A permanent hazard is a condition which exists when an employee is performing duties which either by nature or location place the employee in a situation for which the probability of an incident involving personal injury is continuous, and is not common to the duties of that classification.
- (D) A temporary hazard is a condition which exists on an infrequent basis when an employee is performing duties which either by their nature or location place the employee in a situation for which there is a probability of an incident involving personal injury, and is not common to the duties of that classification.
- (E) The hazard pay supplement ~~will shall~~ vary in proportion to accident severity as follows:

	HAZARD LEVEL	PAY SUPPLEMENT
(1)	Unusual hazard condition	5%
(2)	Considerable hazard condition	7 1/2%
(3)	Exceptional hazard condition	10%

- (F) The director ~~will shall~~ categorize hazardous conditions for each classification from information received into the above-mentioned hazard levels. Hazard severity ~~will shall~~ be established through OSHA and Bureau of Workers' Compensation statistics.
- (G) All instances of hazard pay supplement inclusive in payroll are subject to audit by the director, and the authorization for the hazard pay supplement may be withdrawn at any time by the director if the hazardous conditions which existed for the job at the time of original hazard pay authorization have substantially changed.

Effective: 4/3/2023
Five Year Review (FYR) Dates: 1/17/2023 and 01/15/2028

CERTIFIED ELECTRONICALLY

Certification

03/24/2023

Date

Promulgated Under: 119.03
Statutory Authority: 124.09
Rule Amplifies: 124.181
Prior Effective Dates: 01/09/1976, 03/01/2002