

A Report on

# Executive Compensation at State Agencies 

August 2018

Report No. 18-705

A Report on
Executive Compensation at State Agencies

## Overall Conclusion

> The State Auditor's Office conducted a study of 71 executive officers' salaries and assigned salary ranges at select state agencies.
> The State Auditor's Office determined that disparities exist among the annual base salaries and salary groups of some executive officers compared with the annual base salaries and salary groups of other executive officers and/or the salaries of other management employees at state agencies. Specifically,
> Twenty-one ( 16.8 percent) executive officers were among the top 125 highest paid management employees at state agencies. However, the remaining 104 ( 83.2 percent) employees were in other management positions at state agencies ${ }^{1}$ (see Table 1 on page 4 for more information).
> Fifty-four executive officer positions are currently assigned to a salary group with a pay range that may limit the ability to offer a market-competitive salary. While reassigning 51 of those executive officer positions to a higher salary group would incur no cost, the annual cost to bring the 3 remaining executive officers who hold those positions to the minimum of the new salary group is $\$ 10,637$ for each year of the 2020-2021 biennium.
> Market data indicates that the current salary group 8 may no longer offer a salary range that allows for a salary competitive with similar professional positions in the

## Exempt Positions, <br> Executive Officers, and Other Management Positions

Exempt Positions. An exempt position is exempted from the State's Position Classification Plan (Plan). Article IX of the General Appropriations Act establishes conditions for exempt positions. The schedule of exempt positions specifies salaries of certain positions not covered by the Plan.
Executive Officers. For the purpose of this report, "executive officers" refers to state employees who serve as the administrative heads for state agencies and hold titles such as executive director and commissioner.

Other Management Positions. For the purpose of this report, "other management positions" refers to state employees who are not executive officers and hold titles such as deputy director, general counsel, and chief financial officer.

## Salary Groups, Salary Ranges, and Not-to-exceed Rates

For the 2018-2019 biennium, the State has eight salary groups for exempt positions. Each salary group has a corresponding salary range that establishes the appropriate minimum and maximum annual salary for each position assigned to that group.
In addition to having assigned salary groups, most executive officer positions also are assigned not-to-exceed rates, which limit the amount a position may be paid. Those rates cannot be changed unless specifically authorized in accordance with the General Appropriations Act (85th Legislature, Article IX, Section 3.04).
Twenty-four ( 35.3 percent) of 68 executive officer salaries are lower than the not-toexceed rates. While a total of 71 executive officers were included in this report, 3 were interim; therefore, their salaries were not considered in the comparison to the not-toexceed rates.

[^0][^1]market for three state agencies with some of the largest budgets and amounts of full-time equivalent employees.

Furthermore, pay compression exists between the executive officer's base salary at some state agencies and the base salaries of other staff within the agency. Pay compression is when the pay of subordinate employees comes close to (or at times exceeds) the pay of direct supervisors. Specifically, a total of 30 employees at 14 state agencies had annual base salaries that exceeded the annual base salaries of their executive officers. That was a slight increase since fiscal year 2016 when 28 employees at 13 state agencies had annual base salaries that exceeded the salaries of their executive officers.

The State Auditor's Office placed agencies in one of three executive officer compensation tiers, which are agencies grouped according to recommended salary groups, based on factors such as the size of an agency's budget, the number of authorized full-time equivalent (FTE) employees, and the complexity of an agency's mission.

## Project Objective and Scope

The objective of this report was to conduct a study reviewing compensation for positions that are exempt from the State's Position Classification Plan to:
> Compare exempt positions to market average compensation for similar executive positions.
> Compare exempt position salaries to classified position salaries.
> Prepare an analysis of exempt position compensation that considers agency size and complexity, agency appropriations, and full-time equivalent employee levels.

The Legislature directed the State Auditor's Office to conduct a study that reviews the compensation of exempt positions in Article IX, Section 3.08, the General Appropriations Act (85th Legislature). The scope of this study included 71 executive officer positions that were exempt from the State's Position Classification Plan during the 2018-2019 biennium.

The State Auditor's Office analyzed executive officer pay at state agencies and other public and private sector entities, taking into account factors such as:
> The size of the agency's annual appropriations.
> The agency's number of authorized FTE employees using data as of February 28, 2018, including changes approved by the Governor and the Legislative Budget Board.
> The market average compensation for similar executive positions.
> The executive officer position's annual base salary compared to the annual base salaries of classified positions within the agency.
> Specialized education required for each position.
This study excluded positions at higher education institutions and legislative agencies, elected officials, the Secretary of State, and the courts. Self-directed, semi-independent agencies were included only for determining the 125 highest annual base salaries for management at state agencies and the 5 -year percent change in base pay by position; otherwise they were excluded from this study. Salaries for elected officials are a public policy decision that is not tied directly to the market average for similar professional positions.

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## Detailed Results

## Chapter 1

# Highest Salaried Management Positions at State Agencies and Recommended Salary Ranges for Executive Officers 

## Executive Officers

For the purposes of this report, "executive officers" refers to state employees who serve as the administrative heads for state agencies and hold titles such as executive director and commissioner.

## Authorized Full-time Equivalent (FTE) Employees and Budget

Authorized FTE employees are based on the second quarter of fiscal year 2018 (quarter ending February 28, 2018), including changes approved by the Governor and the Legislative Budget Board.
Budget data is from the General Appropriations Act (85th Legislature) "total method of financing" category in agencies' bill patterns.

Executive officers for state agencies make decisions that directly affect the delivery of services to the citizens of Texas. Therefore, it is in the State's best interest to ensure equitable pay for executive officer positions to help recruit and retain qualified executive officers capable of effectively and efficiently managing state agencies.

The State Auditor's Office reviewed the salaries and salary ranges for 71 executive officer positions. Disparities remain between the salaries and assigned salary ranges of some executive officer positions at state agencies with some of the largest FTEs and budgets and the salaries and assigned salary ranges of other executive officer and management positions within the State (see text box for more information about authorized employees and budget). For example, the Texas Workforce Commission's executive director-who administers an agency that is responsible for overseeing and providing workforce development services to employers and job seekers, and administers the unemployment benefits program in Texas-was not among the 125 highest management annual base salaries among state agencies. The agency had a budget of approximately $\$ 1.6$ billion for fiscal year 2018 and $4,885.0$ authorized FTE employees, ${ }^{2}$ which made it one of the largest of the agencies reviewed.

For this analysis, the State Auditor's Office placed agencies in one of three executive officer compensation tiers, which are agencies grouped according to recommended salary groups, based on factors such as the size of an agency's budget, the number of authorized FTE employees, and the complexity of an agency's mission.

## Chapter 1-A

Highest Salaries for Management Positions at State Agencies
The two highest paid executive officers at state agencies, based on annual base salaries, are the executive officers at the Teacher Retirement System and the Department of Transportation. The Teacher Retirement System's

[^2]board of trustees sets the annual base salary for the executive officer position, which is also eligible for additional compensation.

Table 1 on page 4 lists the 125 highest annual base salaries for management among state agencies as of June 30, 2018 (see text box for definitions of classified, exempt, and unclassified positions). ${ }^{3}$ Of those 125 top salaries, 21 were executive officers. The remaining 104 employees were:

- Eighty-nine ( 71.2 percent of the 125 highest annual salaries) classified employees who were within the State's Position Classification Plan in salary groups B32 through B35. The titles for those 89 employees were first assistant attorney


## Types of Positions

- A classified position is included in the State's Position Classification Plan in Article IX of the General Appropriations Act (85th Legislature).
- An exempt position is either listed in the General Appropriations Act under a state agency's schedule of exempt positions or is exempted by the Governor from the State's Position Classification Plan.
- An unclassified position is neither classified nor exempt. general, general counsel, district engineer, director, deputy director, and deputy comptroller. (See Table 11 in Appendix 2 on page 33 for the salary ranges for selected salary groups in Salary Schedule B of the State's Position Classification Plan.)
- One employee ( 0.8 percent of the 125 highest annual salaries), who was exempt from the State's Position Classification Plan.
- Fourteen ( 11.2 percent of the 125 highest annual salaries) employees who were unclassified and not assigned to a salary group. Ten of those employees were at the Teacher Retirement System, and four employees were at the Treasury Safekeeping Trust Company.

While salaries for several executive officers have increased since fiscal year $2016,{ }^{4}$ disparities exists between the annual base salaries for executive officers at state agencies with some of the largest FTEs and budgets and the salaries for other executive officer and management positions within the State. Specifically:

- The Department of Public Safety's director—who administers an agency that provides services for public safety -earned an annual base salary that was lower than the annual base salaries of 31 management positions at state agencies. The Department of Public Safety had 10,504.6

[^3]authorized FTE employees and a budget for fiscal year 2018 of approximately $\$ 1.3$ billion.

- The Texas Education Agency's commissioner-who administers an agency that is responsible for providing guidance and resources to help Texas public schools meet the educational needs of all students-earned an annual base salary that was lower than the annual base salaries of 42 management positions at state agencies. The Texas Education Agency had 884.8 authorized FTE employees and a budget for fiscal year 2018 of approximately $\$ 28.2$ billion.
- The Department of Family and Protective Services' commissioner-who administers an agency that is responsible for protecting children and the elderly living in homes, state facilities, or attending day care facilities earned an annual base salary that was lower than 43 management positions at state agencies. The Department of Family and Protective Services, which became an independent agency effective September 2017, ${ }^{5}$ had 12,768.9 authorized FTE employees and a budget of approximately $\$ 2.0$ billion for fiscal year 2018.

Table 1 on the next page lists the 125 highest annual base salaries for management among state agencies as of June 30, 2018. Of the 21 executive officers listed among the top 125 annual base salaries at state agencies, 3 executive officers received additional compensation through the state payroll system between September 1, 2017, and June 30, 2018. Those executive officers are at the Teacher Retirement System, the Employees Retirement System, and the Treasury Safekeeping Trust Company.

[^4]Table 1

| 125 Highest Annual Base Salaries for Management at State Agencies As of June 30, $2018{ }^{\text {a }}$ |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary ${ }^{\text {b }}$ | Additional Pay as of June 30, $2018{ }^{\text {c }}$ | Total Compensation | Employee Type ${ }^{\text {d }}$ | Salary Group | Executive Officer of Agency? |
| 1 | Cancer Prevention and Research Institute of Texas | Chief Scientific Officer | \$553,500 | \$0 | \$553,500 | Exempt | No Salary Group | No |
| 2 | Treasury Safekeeping Trust Company | Chief Executive Officer | \$352,948 | \$183,222 | \$536,171 ${ }^{\text {e }}$ | Unclassified | No <br> Salary <br> Group | Yes |
| 3 | Teacher Retirement System | Executive Director | \$337,266 | \$12,961 | \$350, $228{ }^{\text {e }}$ | Exempt | No Salary Group | Yes |
| 4 | Department of Transportation | Executive Director | \$299,812 | \$0 | \$299,812 | Exempt | 8 | Yes |
| 5 | Employees Retirement System | Executive Director | \$296,615 | \$145,998 | \$442,613 | Exempt | No <br> Salary <br> Group | Yes |
| 6 | Office of the Comptroller of Public Accounts | Deputy Comptroller | \$276,817 | \$0 | \$276,817 | Classified | B35 | No |
| 6 (tie) | Teacher Retirement System | Deputy Director III | \$276,817 | \$61,026 | \$337,843 | Classified | B35 | No |
| 6 (tie) | Teacher Retirement System | Deputy Director III | \$276,817 | \$20,000 | \$296,817 | Classified | B35 | No |
| 6 (tie) | Department of Transportation | Deputy <br> Director III | \$276,817 | \$0 | \$276,817 | Classified | B35 | No |
| 10 | Treasury Safekeeping Trust Company | Deputy <br> Director I | \$273,192 | \$0 | \$273,192 | Unclassified | No Salary Group | No |
| 11 | Health and Human Services Commission | Executive Commissioner | \$266,500 ${ }^{\text {f }}$ | \$0 | \$266,500 | Exempt | 8 | Yes |
| $\begin{aligned} & 11 \\ & \text { (tie) } \end{aligned}$ | Department of Criminal Justice | Executive Director | \$266,500 | \$0 | \$266,500 | Exempt | 8 | Yes |
| 13 | Office of the Governor | Deputy Director III | \$265,000 | \$0 | \$265,000 | Classified | B35 | No |
| $\begin{aligned} & 13 \\ & \text { (tie) } \end{aligned}$ | Office of the Governor | Deputy <br> Director III | \$265,000 | \$0 | \$265,000 | Classified | B35 | No |
| $\begin{aligned} & 13 \\ & \text { (tie) } \end{aligned}$ | Office of the Governor | Deputy Director III | \$265,000 | \$0 | \$265,000 | Classified | B35 | No |
| $\begin{aligned} & 13 \\ & \text { (tie) } \end{aligned}$ | Office of the Governor | Deputy Director III | \$265,000 | \$0 | \$265,000 | Classified | B35 | No |
| $\begin{aligned} & 13 \\ & \text { (tie) } \end{aligned}$ | Office of the Governor | Deputy <br> Director III | \$265,000 | \$0 | \$265,000 | Classified | B35 | No |
| $\begin{aligned} & 13 \\ & \text { (tie) } \end{aligned}$ | Teacher Retirement System | Chief Compliance Officer | \$265,000 | \$0 | \$265,000 | Unclassified | No Salary Group | No |
| 19 | Department of Transportation | Deputy <br> Director III | \$264,000 | \$0 | \$264,000 | Classified | B35 | No |


| 125 Highest Annual Base Salaries for Management at State Agencies As of June 30, 2018 a |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary ${ }^{\text {b }}$ | Additional Pay as of June 30, $2018{ }^{\text {c }}$ | Total Compensation | Employee Type ${ }^{\text {d }}$ | Salary <br> Group | Executive Officer of Agency? |
| 20 | Department of Transportation | Deputy <br> Director III | \$261,000 | \$0 | \$261,000 | Classified | B35 | No |
| 21 | Cancer Prevention and Research Institute of Texas | Executive Director | \$256,250 | \$0 | \$256,250 | Exempt | 7 | Yes |
| 22 | Teacher Retirement System | Lead Investment Attorney | \$250,000 | \$0 | \$250,000 | Unclassified | No <br> Salary <br> Group | No |
| 23 | Department of Transportation | Deputy Director III | \$246,000 | \$0 | \$246,000 | Classified | B35 | No |
| $\begin{aligned} & 23 \\ & \text { (tie) } \end{aligned}$ | Department of Transportation | Deputy Director III | \$246,000 | \$0 | \$246,000 | Classified | B35 | No |
| 25 | Department of Transportation | Deputy <br> Director III | \$245,692 | \$0 | \$245,692 | Classified | B35 | No |
| 26 | Texas Department of Banking ${ }^{\mathrm{g}} \mathrm{h}$ | Commissioner | \$242,925 | \$0 | \$242,925 | Exempt | No <br> Salary Group | Yes |
| 27 | Department of State Health Services | Commissioner | \$242,353 | \$0 | \$242,353 | Exempt | 7 | Yes |
| 28 | Treasury Safekeeping Trust Company | Chief <br> Financial Officer II | \$240,408 | \$0 | \$240,408 | Unclassified | No <br> Salary Group | No |
| 29 | Employees Retirement System | Deputy Director II | \$240,000 | \$117,702 | \$357,702 | Classified | B34 | No |
| 30 | Department of Transportation | Deputy Director II | \$236,724 | \$0 | \$236,724 | Classified | B34 | No |
| 31 | Health and Human Services Commission | Deputy Director III | \$235,000 | \$0 | \$235,000 | Classified | B35 | No |
| 32 | Department of Public Safety | Director | \$232,969 | \$0 | \$232,969 | Exempt | 7 | Yes |
| 33 | Health and Human Services Commission | Deputy Director II | \$230,000 | \$10,000 | \$240,000 | Classified | B34 | No |
| $\begin{aligned} & 33 \\ & \text { (tie) } \end{aligned}$ | Department of Transportation | Deputy Director II | \$230,000 | \$0 | \$230,000 | Classified | B34 | No |
| 35 | Office of the Comptroller of Public Accounts | Deputy Director I | \$228,775 | \$0 | \$228,775 | Classified | B33 | No |
| 36 | Teacher Retirement System | Deputy Director I | \$228,772 | \$0 | \$228,772 | Classified | B33 | No |
| 37 | Treasury Safekeeping Trust Company | Director VI | \$227,712 | \$0 | \$227,712 | Unclassified | No <br> Salary Group | No |
| 38 | Health and Human Services Commission | Deputy Director I | \$225,500 | \$0 | \$225,500 | Classified | B33 | No |


| 125 Highest Annual Base Salaries for Management at State Agencies <br> As of June 30, $2018{ }^{\text {a }}$ |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary ${ }^{\text {b }}$ | Additional Pay as of June 30, $2018^{\mathrm{C}}$ | Total Compensation | Employee Type ${ }^{\text {d }}$ | Salary Group | Executive Officer of Agency? |
| 39 | Texas Lottery Commission | Deputy Director I | \$224,172 | \$0 | \$224,172 | Classified | B33 | No |
| 40 | Department of Transportation | Deputy Director II | \$223,000 | \$10,000 | \$233,000 | Classified | B34 | No |
| 41 | Department of Public Safety | Deputy Director I | \$222,294 | \$0 | \$222,294 | Classified | B33 | No |
| 42 | Teacher Retirement System | Senior Investment Attorney | \$222,000 | \$0 | \$222,000 | Unclassified | No Salary Group | No |
| 43 | Texas Education Agency | Commissioner | \$220,375 | \$0 | \$220,375 | Exempt | 8 | Yes |
| 44 | Department of Family and Protective Services | Commissioner | \$220,000 | \$0 | \$220,000 | Exempt | 7 | Yes |
| 45 | Department of Transportation | District Engineer | \$219,288 | \$0 | \$219,288 | Classified | B33 | No |
| 46 | Department of Transportation | Deputy Director II | \$219,000 | \$0 | \$219,000 | Classified | B34 | No |
| 47 | Texas Lottery Commission | Deputy Director I | \$218,705 | \$0 | \$218,705 | Classified | B33 | No |
| 48 | Teacher Retirement System | Senior Investment Attorney | \$218,000 | \$0 | \$218,000 | Unclassified | No Salary Group | No |
| 49 | Department of Transportation | Deputy Director II | \$215,100 | \$0 | \$215,100 | Classified | B34 | No |
| 50 | Cancer Prevention and Research Institute of Texas | Deputy Director II | \$214,540 | \$0 | \$214,540 | Classified | B34 | No |
| 51 | Office of the Comptroller of Public Accounts | Deputy Director I | \$213,431 | \$0 | \$213,431 | Classified | B33 | No |
| 52 | Employees Retirement System | Deputy Director III | \$212,760 | \$20,000 | \$232,760 | Classified | B35 | No |
| 53 | Department of Transportation | District Engineer | \$212,193 | \$0 | \$212,193 | Classified | B33 | No |
| 54 | Higher Education Coordinating Board ${ }^{i}$ | Commissioner | \$212,135 | \$0 | \$212,135 | Exempt | 8 | Yes |
| 55 | Department of Public Safety | Deputy Director I | \$211,620 | \$0 | \$211,620 | Classified | B33 | No |
| 56 | Texas Lottery Commission | Executive <br> Director | \$211,191 | \$0 | \$211,191 | Exempt | 6 | Yes |
| 57 | Commission on Environmental Quality | Executive <br> Director ${ }^{j}$ | \$210,695 ${ }^{\text {f }}$ | \$0 | \$210,695 | Exempt | 7 | Yes |
| 58 | Office of the Comptroller of Public Accounts | Deputy Director I | \$210,418 | \$0 | \$210,418 | Classified | B33 | No |


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| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary ${ }^{\text {b }}$ | Additional Pay as of June 30, $2018{ }^{\text {c }}$ | Total Compensation | Employee Type ${ }^{\text {d }}$ | Salary <br> Group | Executive Officer of Agency? |
| 59 | Department of Transportation | Deputy Director I | \$210,125 | \$0 | \$210,125 | Classified | B33 | No |
| 60 | Department of Information Resources | Deputy Director II | \$210,000 | \$0 | \$210,000 | Classified | B34 | No |
| 60 (tie) | Health and Human Services Commission | Deputy Director II | \$210,000 | \$0 | \$210,000 | Classified | B34 | No |
| 62 | Department of Transportation | Deputy Director I | \$209,100 | \$0 | \$209,100 | Classified | B33 | No |
| 63 | Teacher Retirement System | Director VII | \$207,977 | \$10,000 | \$217,977 | Classified | B32 | No |
| 64 | Texas Lottery Commission | General Counsel VI | \$207,960 | \$0 | \$207,960 | Classified | B32 | No |
| 65 | Department of Transportation | Deputy Director II | \$207,500 | \$0 | \$207,500 | Classified | B34 | No |
| 66 | General Land Office | Deputy Director II | \$207,288 | \$0 | \$207,288 | Classified | B34 | No |
| 67 | Teacher Retirement System | Director VII | \$207,000 | \$0 | \$207,000 | Classified | B32 | No |
| $\begin{aligned} & 67 \\ & \text { (tie) } \end{aligned}$ | Health and Human Services Commission | Deputy Director II | \$207,000 | \$0 | \$207,000 | Classified | B34 | No |
| 69 | Health and Human Services Commission | Deputy Director I | \$206,486 | \$0 | \$206,486 | Classified | B33 | No |
| 70 | Office of the Attorney General | First <br> Assistant Attorney General | \$206,483 | \$0 | \$206,483 | Classified | B33 | No |
| 71 | Department of Public Safety | Deputy Director I | \$206,458 | \$0 | \$206,458 | Classified | B33 | No |
| 72 | Juvenile Justice Department | Executive Director | \$205,879 | \$0 | \$205,879 | Exempt | 6 | Yes |
| 73 | Health and Human Services Commission | Deputy Director I | \$205,399 | \$0 | \$205,399 | Classified | B33 | No |
| 74 | Cancer Prevention and Research Institute of Texas | Director VII | \$205,141 | \$0 | \$205,141 | Classified | B32 | No |
| 75 | Teacher Retirement System | Investment Attorney | \$205,000 | \$0 | \$205,000 | Unclassified | No <br> Salary <br> Group | No |
| $75$ <br> (tie) | Employees Retirement System | Deputy Director I | \$205,000 | \$0 | \$205,000 | Classified | B33 | No |
| 75 (tie) | Health and Human Services Commission | Deputy Director II | \$205,000 | \$0 | \$205,000 | Classified | B34 | No |
| 75 <br> (tie) | Health and Human Services Commission | Deputy Director I | \$205,000 | \$0 | \$205,000 | Classified | B33 | No |


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| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary ${ }^{\text {b }}$ | Additional Pay as of June 30, $2018^{\mathrm{C}}$ | Total Compensation | Employee Type ${ }^{\text {d }}$ | Salary Group | Executive Officer of Agency? |
| $\begin{aligned} & 75 \\ & \text { (tie) } \end{aligned}$ | Department of Agriculture | Deputy Director II | \$205,000 | \$0 | \$205,000 | Classified | B34 | No |
| 80 | Teacher Retirement System | Investment Attorney | \$203,000 | \$0 | \$203,000 | Unclassified | No Salary Group | No |
| 81 | Office of the Comptroller of Public Accounts | Deputy Director I | \$202,511 | \$0 | \$202,511 | Classified | B33 | No |
| 82 | Department of Insurance | Commissioner of Insurance | \$202,383 | \$0 | \$202,383 | Exempt | 6 | Yes |
| 83 | Texas Department of Banking ${ }^{\text {h }}$ | Deputy Director II | \$201,458 | \$3,950 | \$205,408 | Classified | B34 | No |
| $\begin{aligned} & 83 \\ & \text { (tie) } \end{aligned}$ | Texas Department of Banking ${ }^{\text {h }}$ | Deputy <br> Director II | \$201,458 | \$6,950 | \$208,408 | Classified | B34 | No |
| 85 | Teacher Retirement System | Investment Attorney | \$201,000 | \$0 | \$201,000 | Unclassified | No Salary Group | No |
| 86 | Parks and Wildlife Department | Executive Director | \$200,643 | \$0 | \$200,643 | Exempt | 6 | Yes |
| 87 | Teacher Retirement System | Investment Attorney | \$200,000 | \$0 | \$200,000 | Unclassified | No Salary Group | No |
| $\begin{aligned} & 87 \\ & \text { (tie) } \end{aligned}$ | Teacher Retirement System | Investment Attorney | \$200,000 | \$0 | \$200,000 | Unclassified | No Salary Group | No |
| $\begin{aligned} & 87 \\ & \text { (tie) } \end{aligned}$ | Health and Human Services Commission | Deputy Director I | \$200,000 | \$0 | \$200,000 | Classified | B33 | No |
| $\begin{aligned} & 87 \\ & \text { (tie) } \end{aligned}$ | Health and Human Services Commission | Deputy Director I | \$200,000 | \$0 | \$200,000 | Classified | B33 | No |
| 91 | Teacher Retirement System | Director VII | \$199,997 | \$0 | \$199,997 | Classified | B32 | No |
| 92 | Teacher Retirement System | Investment Attorney | \$199,160 | \$0 | \$199,160 | Unclassified | No <br> Salary <br> Group | No |
| 93 | General Land Office | Director VII | \$198,645 | \$1,986 | \$200,631 | Classified | B32 | No |
| 94 | Department of Public Safety | General Counsel VI | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| $\begin{aligned} & 94 \\ & \text { (tie) } \end{aligned}$ | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |


| 125 Highest Annual Base Salaries for Management at State Agencies As of June 30, 2018 a |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary ${ }^{\text {b }}$ | Additional Pay as of June 30, $2018{ }^{\text {c }}$ | Total Compensation | Employee Type ${ }^{\text {d }}$ | Salary <br> Group | Executive Officer of Agency? |
| 94 (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 94 <br> (tie) | Department of Public Safety | Director VII | \$198,164 | \$0 | \$198,164 | Classified | B32 | No |
| 109 | Treasury Safekeeping Trust Company | Deputy Director I | \$196,284 | \$0 | \$196,284 | Unclassified | No <br> Salary Group | No |
| 110 | Office of Consumer Credit Commission ${ }^{\mathrm{h}}$ | Commissioner | \$196,000 | \$0 | \$196,000 | Exempt | No Salary Group | Yes |
| 111 | Teacher Retirement System | Director VII | \$195,004 | \$0 | \$195,004 | Classified | B32 | No |
| 112 | Office of the Governor | Deputy Director II | \$195,000 | \$0 | \$195,000 | Classified | B34 | No |
| $\begin{aligned} & 112 \\ & \text { (tie) } \end{aligned}$ | Department of Information Resources | Deputy Director I | \$195,000 | \$0 | \$195,000 | Classified | B33 | No |
| $\begin{aligned} & 112 \\ & \text { (tie) } \end{aligned}$ | Health and Human Services Commission | Deputy Director I | \$195,000 | \$0 | \$195,000 | Classified | B33 | No |
| $\begin{aligned} & 112 \\ & \text { (tie) } \end{aligned}$ | Health and Human Services Commission | Deputy Director I | \$195,000 | \$0 | \$195,000 | Classified | B33 | No |
| $\begin{aligned} & 112 \\ & \text { (tie) } \end{aligned}$ | Health and Human Services Commission | Deputy Director I | \$195,000 | \$0 | \$195,000 | Classified | B33 | No |
| $\begin{aligned} & 112 \\ & \text { (tie) } \end{aligned}$ | Department of Transportation | District Engineer | \$195,000 | \$0 | \$195,000 | Classified | B33 | No |
| $\begin{aligned} & 112 \\ & \text { (tie) } \end{aligned}$ | Texas Education Agency | Deputy Director I | \$195,000 | \$0 | \$195,000 | Classified | B33 | No |


| 125 Highest Annual Base Salaries for Management at State Agencies As of June 30, 2018 a |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base <br> Salary ${ }^{\text {b }}$ | Additional Pay as of June 30, $2018{ }^{\text {c }}$ | Total Compensation | Employee Type ${ }^{\text {d }}$ | Salary Group | Executive Officer of Agency? |
| 119 | Department of Savings and Mortgage Lending | Commissioner | \$194,750 | \$0 | \$194,750 | Exempt | No Salary Group | Yes |
| 120 | Employees Retirement System | General Counsel VI | \$193,650 | \$96,013 | \$289,663 | Classified | B32 | No |
| 121 | Department of Public Safety | Director VII | \$193,331 | \$0 | \$193,331 | Classified | B32 | No |
| 122 | Office of the Governor | Deputy Director I | \$192,151 | \$0 | \$192,151 | Classified | B33 | No |
| 123 | Department of Motor Vehicles | Executive Director | \$192,126 | \$0 | \$192,126 | Exempt | 5 | Yes |
| 124 | Office of the Attorney General | Director VII | \$191,475 | \$0 | \$191,475 | Classified | B32 | No |
| $\begin{aligned} & 124 \\ & \text { (tie) } \end{aligned}$ | Office of the Attorney General | Director VII | \$191,475 | \$0 | \$191,475 | Classified | B32 | No |
| ${ }^{\text {a }}$ This analysis was based on the annual base salary for the listed job titles and excluded legislative agencies, higher education institutions, temporary positions, and medical and investment positions. See Tables 7 and 8 in Chapter 2-C for the highest salaried medical and investment positions at state agencies. <br> b This is based on the annualized monthly salary as of June 30, 2018. <br> ${ }^{\text {C }}$ Includes one-time merit awards and bonuses. <br> ${ }^{d}$ A classified position is included in the State's Position Classification Plan in Article IX of the General Appropriations Act (85th Legislature). An exempt position is listed either in the General Appropriations Act under a state agency's schedule of exempt positions or exempt by the Governor from the State's Position Classification Plan. An unclassified position is neither classified nor exempt. <br> ${ }^{\mathrm{e}}$ Total compensation does not sum exactly due to rounding. <br> ${ }^{\mathrm{f}}$ The current salary listed is that of the interim executive officer. <br> I The Texas Department of Banking commissioner's salary includes an additional $\$ 1,000$ per month for the appointment as executive director of the Finance Commission of Texas effective May 1, 2014. <br> ${ }^{\mathrm{h}}$ This is a self-directed, semi-independent agency. The agency's board of trustees or commission sets the executive officer's salary for the agency. |  |  |  |  |  |  |  |  |

## Chapter 1-B

## Executive Officer Recommended Salary Ranges and Salary Groups

The State Auditor's Office conducted a market comparison using public and private sector data appropriate to the nature and complexity of 71 executive officer positions that were exempt from the State's Position Classification Plan during the 2018-2019 biennium ${ }^{6}$ (see Appendix 3 on page 34 for more information about the market analysis).

To determine the recommended salary ranges for each executive officer position and salary groups for each position listed in Tables 2, 3, and 4 on the following pages, the State Auditor's Office analyzed:

- The executive officer annual base salaries and the midpoints of the assigned salary ranges.
- The size of the agency's annual appropriations.
- The number of authorized FTE employees of the agency, including the number of federally funded FTE employees, FTE employees paid from non-appropriated funds, and contract workers.
- Market average compensation for similar executive positions.
- The agency's mission.
- Salaries of classified employees.
- Specialized experience, education, or skills required for the position.

Based on that analysis, 54 executive officer positions may have a recommended salary group that is higher than their currently assigned salary group. While reassigning 51 of those executive officer positions to a higher salary group would incur no cost, the annual cost to bring the 3 remaining executive officers who hold those positions to the minimum of the new salary group is $\$ 10,637$ for each year of the 2020-2021 biennium. (See Appendix 3 on page 34 for more information about the market analysis.)

This report does not recommend specific salaries for individuals. The Legislature sets salaries during the budget process or an agency's governing board sets salaries as authorized by statute or the General Appropriations Act. When setting salaries, the Legislature and each agency's governing board should consider an individual executive officer's past and current

[^5]performance, experience, education, licenses, and certifications, as well as the agency's ability to pay. For example, not all executive officers should be paid at the market average, which is usually an amount that is at or near the midpoint of an assigned salary range. It may be appropriate for employees with limited experience or who are not meeting performance targets to be paid closer to the minimum of the salary range. Similarly, it may be appropriate for an employee to be paid a salary at the midpoint or higher in the salary range if the employee (1) has qualifications that bring strong experience to the job, (2) exceeds the qualifications required for the job, (3) exceeds performance targets, and/or (4) is an outstanding performer. Other factors that should be considered when placing an employee within a salary range include the difference between the pay of an executive officer and the pay of other staff and budgetary factors.

For this analysis, the State Auditor's Office placed agencies in one of three executive officer compensation tiers, which are agencies grouped according to recommended salary groups. The tiers excluded higher education institutions; legislative agencies; elected officials; the Secretary of State; self-directed, semi-independent agencies; and unclassified positions (for example, the Treasury Safekeeping Trust Company's executive director position). The tiers also excluded the courts, whose salaries are recommended by the Judicial Compensation Commission (see text box for more information about the Judicial Compensation Commission.)

## Judicial Compensation

 CommissionThe 80th Legislature created the Judicial Compensation Commission effective September 1, 2007, to recommend the proper salaries to be paid to all justices and judges of the Supreme Court of Texas, the Court of Criminal Appeals, the courts of appeals, and the district courts. The Judicial Compensation Commission is responsible for making a report on judicial compensation to the Legislature no later than December 1 of each even-numbered year.
Source: The Office of Court Administration's Report of the Judicial Compensation Commission, November 2016.

## New Salary Group Recommended

Based on the market analysis, the State Auditor's Office recommends for the 2020-2021 biennium (from September 1, 2019, through August 31, 2021):

- Adding a salary group 9 to the existing exempt salary group schedule to provide a more competitive structure for executive officer positions.
- Moving three executive officer positions in Tier 1 to that new salary group (see below for further discussion).

See Appendix 2 on page 32 for the full range of each recommended salary group within the Schedule of Exempt Positions and Appendix 3 on page 34 for more information about the market analysis and the recommended salary group assignments for individual executive officer positions.

## Tier I Positions

Tier I includes 18 executive officer positions at state agencies, most of which have the largest number of authorized FTE employees and/or budget amounts within Texas government, including:

- Health and Human Services Agencies - Agencies include the Health and Human Services Commission, the Department of State Health Services, and the Department of Family and Protective Services. Those agencies are responsible for services such as protecting the health of citizens; protecting and assisting children, the elderly, and the disabled; and administering Supplemental Nutrition Assistance Program and Medicaid benefits.
- Public Safety and Criminal Justice Agencies - Agencies include the Department of Criminal Justice, the Juvenile Justice Department, and the Department of Public Safety. Those agencies are responsible for ensuring public safety and homeland security.
- Education Agencies - Agencies include the Higher Education Coordinating Board and the Texas Education Agency. Those agencies are responsible for helping to ensure that Texas meets the educational needs of students.

Table 2 lists the recommended salary ranges and salary groups for Tier I positions for the 2020-2021 biennium. Except for the executive officer positions at the Teacher Retirement System and the Employees Retirement System, the executive officer positions for Tier I agencies have a recommended exempt salary group of 7 ( $\$ 162,000$ to $\$ 261,068$ ); $8(\$ 186,300$ to $\$ 299,813)$; or $9(\$ 214,200$ to $\$ 345,250)$.

Table 2

| Tier I Executive Officer Compensation |  |  |  |
| :---: | :---: | :---: | :---: |
| Agency | Executive Officer Salary as of June 30, 2018 | Recommended Salary Range | Recommended Salary Group |
| Teacher Retirement System ${ }^{\text {a }}$ | \$337,266 | Not Applicable | Not Applicable |
| Department of Transportation | \$299,812 | \$214,200 to \$345,250 | 9 |
| Employees Retirement System ${ }^{\text {a }}$ | \$296,615 | Not Applicable | Not Applicable |
| Health and Human Services Commission ${ }^{\text {b }}$ | \$266,500 ${ }^{\text {C }}$ | \$214,200 to \$345,250 | 9 |
| Department of Criminal Justice | \$266,500 | \$214,200 to \$345,250 | 9 |
| Cancer Prevention and Research Institute of Texas | \$256,250 | \$186,300 to \$299,813 | 8 |
| Department of State Health Services ${ }^{\text {b }}$ | \$242,353 | \$186,300 to \$299,813 | 8 |
| Department of Public Safety | \$232,969 | \$186,300 to \$299,813 | 8 |
| Texas Education Agency | \$220,375 | \$186,300 to \$299,813 | 8 |


| Tier I Executive Officer Compensation |  |  |  |
| :--- | :---: | :---: | :---: |
| $\begin{array}{l}\text { Agency }\end{array}$ | $\begin{array}{c}\text { Executive Officer Salary as } \\ \text { of June } \\ \hline\end{array}$ | $\begin{array}{c}\text { Recommended Salary } \\ \text { Range }\end{array}$ | $\begin{array}{c}\text { Recommended } \\ \text { Salary }\end{array}$ |
| Group |  |  |  |$]$

## Tier II Positions

Tier II includes 35 executive officer positions. The majority of those positions are at state agencies that are mid-sized with 100 to 800 authorized FTE employees. The executive officer positions in Tier II have a recommended exempt salary group of 4 ( $\$ 106,500$ to $\$ 171,688$ ); 5 ( $\$ 122,500$ to $\$ 197,415$ ); or $6(\$ 140,900$ to $\$ 227,038)$.

Table 3 lists the recommended salary ranges and salary groups for Tier II positions.

Table 3

| Tier II Executive Officer Compensation |  |  |  |
| :---: | :---: | :---: | :---: |
| Agency | Executive Officer Salary as of June 30, 2018 | Recommended Salary Range | Recommended Salary Group |
| Department of Information Resources | \$184,792 | \$140,900 to \$227,038 | 6 |
| Department of Housing and Community Affairs | \$180,084 | \$140,900 to \$227,038 | 6 |
| State Office of Administrative Hearings | \$180,000 | \$122,500 to \$197,415 | 5 |
| Department of Licensing and Regulation | \$179,375 | \$140,900 to \$227,038 | 6 |
| Texas Military Department | \$178,196 | \$140,900 to \$227,038 | 6 |
| Facilities Commission | \$177,982 ${ }^{\text {a }}$ | \$140,900 to \$227,038 | 6 |
| Water Development Board | \$173,241 | \$140,900 to \$227,038 | 6 |


| Tier II Executive Officer Compensation |  |  |  |
| :---: | :---: | :---: | :---: |
| Agency | Executive Officer Salary as of June 30, 2018 | Recommended Salary Range | Recommended Salary Group |
| Office of Court Administration, Texas Judicial Council | \$171,216 | \$122,500 to \$197,415 | 5 |
| Department of Insurance, Workers' Compensation | \$164,000 | \$140,900 to \$227,038 | 6 |
| Public Utility Commission of Texas | \$159,782 | \$122,500 to \$197,415 | 5 |
| Alcoholic Beverage Commission | \$153,503 | \$122,500 to \$197,415 | 5 |
| Historical Commission | \$150,652 | \$122,500 to \$197,415 | 5 |
| Preservation Board | \$150,000 | \$140,900 to \$227,038 | 6 |
| Office of Governor - Trusteed Programs, Office of State-Federal Relations ${ }^{\text {b }}$ | \$149,240 | \$106,500 to \$171,688 | 4 |
| School for the Deaf | \$148,908 | \$122,500 to \$197,415 | 5 |
| Securities Board | \$147,704 | \$122,500 to \$197,415 | 5 |
| Animal Health Commission | \$146,742 | \$122,500 to \$197,415 | 5 |
| Texas Medical Board ${ }^{\text {c }}$ | \$145,930 | \$122,500 to \$197,415 | 5 |
| Board of Nursing | \$145,864 | \$122,500 to \$197,415 | 5 |
| Veterans Commission | \$145,580 | \$122,500 to \$197,415 | 5 |
| Office of the State Prosecuting Attorney ${ }^{\text {d }}$ | \$143,500 | \$122,500 to \$197,415 | 5 |
| Library and Archives Commission | \$143,500 | \$106,500 to \$171,688 | 4 |
| Office of Injured Employee Counsel | \$143,220 | \$106,500 to \$171,688 | 4 |
| Soil and Water Conservation Board | \$142,303 | \$106,500 to \$171,688 | 4 |
| School for the Blind and Visually Impaired | \$142,159 | \$122,500 to \$197,415 | 5 |
| Public Finance Authority | \$140,980 | \$122,500 to \$197,415 | 5 |
| State Office of Risk Management | \$139,582 | \$106,500 to \$171,688 | 4 |
| Office of Public Insurance Counsel | \$137,734 | \$106,500 to \$171,688 | 4 |
| Office of Capital and Forensic Writs | \$137,274 | \$106,500 to \$171,688 | 4 |
| Office of Public Utility Counsel | \$133,940 | \$106,500 to \$171,688 | 4 |
| Texas Ethics Commission | \$133,463 | \$106,500 to \$171,688 | 4 |
| Board of Pharmacy | \$132,490 | \$106,500 to \$171,688 | 4 |
| Commission on Law Enforcement | \$127,833 | \$106,500 to \$171,688 | 4 |
| State Commission on Judicial Conduct | \$123,380 | \$106,500 to \$171,688 | 4 |
| Bond Review Board | \$117,500 | \$106,500 to \$171,688 | 4 |
| a The current salary listed is that of the interim executive officer. <br> b The Trusteed Programs within the Office of the Governor is authorized by Rider 13, page I-57, the General Appropriations Act (85th Legislature) to pay a cost of living salary supplement not to exceed $\$ 1,200$ per month for employees whose duty station is located in Washington, D.C. <br> ${ }^{\text {C }}$ The Texas Medical Board may authorize an additional salary supplement not to exceed $\$ 12,300$ annually if the executive officer is a medical doctor and an attorney, as authorized by Rider 3, page VIII-36, the General Appropriations Act (85th Legislature). <br> ${ }^{d}$ The salary for the state prosecuting attorney position is set in Texas Government Code, Section 46.003 . The state prosecuting attorney and each state prosecutor are entitled to receive state compensation equal to the compensation that is provided for a district judge position in the General Appropriations Act. |  |  |  |

## Tier III Positions

Tier III includes 18 executive officer positions at small agencies that have fewer than 100 authorized FTE employees. The executive officer positions in Tier III have a recommended exempt salary group of 1 ( $\$ 70,000$ to $\$ 112,750$ ); $2(\$ 80,500$ to $\$ 129,765)$; or $3(\$ 92,600$ to $\$ 149,240)$.

Table 4 lists the recommended salary ranges and salary groups for Tier III positions.

Table 4

| Tier III Executive Officer Compensation |  |  |  |
| :---: | :---: | :---: | :---: |
| Agency | Executive Officer Salary as of June 30, 2018 | Recommended Salary Range | Recommended Salary Group |
| Commission on State Emergency Communication | \$123,562 | \$92,600 to \$149,240 | 3 |
| Commission on the Arts | \$121,041 | \$92,600 to \$149,240 | 3 |
| Board of Plumbing Examiners | \$114,239 | \$92,600 to \$149,240 | 3 |
| Pension Review Board | \$112,750 | \$92,600 to \$149,240 | 3 |
| Commission on Jail Standards | \$108,469 | \$92,600 to \$149,240 | 3 |
| Commission on Fire Protection | \$107,634 | \$92,600 to \$149,240 | 3 |
| Texas State Board of Dental Examiners | \$105,000 | \$92,600 to \$149,240 | 3 |
| Executive Council of Physical and Occupational Therapy Examiners | \$104,990 | \$80,500 to \$129,765 | 2 |
| Board of Veterinary Medical Examiners | \$101,787 | \$80,500 to \$129,765 | 2 |
| Board of Examiners of Psychologists | \$96,678 | \$80,500 to \$129,765 | 2 |
| Board of Professional Geoscientists | \$96,386 | \$80,500 to \$129,765 | 2 |
| Funeral Commission | \$95,318 | \$80,500 to \$129,765 | 2 |
| State Law Library | \$93,534 | \$80,500 to \$129,765 | 2 |
| Racing Commission | \$90,200 | \$92,600 to \$149,240 | 3 |
| Texas Emergency Services Retirement System | \$90,000 | \$92,600 to \$149,240 | 3 |
| Board of Chiropractic Examiners | \$84,000 | \$80,500 to \$129,765 | 2 |
| Optometry Board | \$83,204 | \$80,500 to \$129,765 | 2 |
| Board of Professional Land Surveying | \$74,863 | \$80,500 to \$129,765 | 2 |

Pay compression occurs when the pay of a subordinate employee comes close to, matches, or exceeds the pay of a direct supervisor, including an agency's executive officer. When that occurs, the difference in pay may be disproportionate to the difference in the responsibilities, which could create internal inequity.

Although there may be circumstances in which an employee could justifiably be paid more than his or her direct supervisor, standard compensation practices recommend an average difference of at least 15 percent between an executive officer's salary and the salaries of the staff the executive officer oversees. That differential can help to maintain internal equity by recognizing executives for their skills, experience, and scope of responsibilities for managing an agency. However, as discussed below, pay compression exists among executive officers and their staffs at several state agencies.

Chapter 2-A

## Pay Compression Exists Among Some Executive Officers and Their Staff

To determine whether pay compression exists, the State Auditor's Office reviewed the annual base salaries as of June 30,2018 , of executive officers and full-time classified, unclassified, and other exempt employees at state agencies (excluding higher education institutions; legislative agencies; elected officials; the Secretary of State; the courts; and self-directed, semiindependent agencies) and determined that:

- A total of 30 employees at 14 state agencies had annual base salaries that exceeded the annual base salary of their executive officer (see Table 5 on the next page). Those employees' salaries exceeded their executive officers' salaries by $\$ 738$ (or 0.5 percent) to $\$ 297,250$ (or 116.0 percent) annually. That was a slight increase since fiscal year 2016, when 28 employees at 13 state agencies had annual base salaries that exceeded those of their executive officers. ${ }^{7}$
- A total of 43 employees at 20 state agencies had annual base salaries that were the same as or within 10.0 percent less than their executive officer's annual base salary (see Table 6 on page 19). That has improved significantly from fiscal year 2016 when 138 employees at 21 agencies had annual base salaries that were within 10.0 percent less than their executive officer's annual base salaries. Specifically:

[^6]- Twelve employees at 10 agencies had annual base salaries that were the same or within 5.0 percent less than their executive officers' annual base salaries. Of those 12 employees, 1 ( 8.3 percent) was in an actuary position, 2 ( 16.7 percent) were in investment positions, 2 (16.7 percent) were in general counsel positions, 3 ( 25.0 percent) were in medical positions, and 4 ( 33.3 percent) were in director positions.
- Thirty-one employees at 13 agencies had annual base salaries that were 5.1 percent to 10.0 percent less than their executive officers' annual base salaries. Of those 31 employees, 3 ( 9.7 percent) were in investment positions, 3 ( 9.7 percent) were in general counsel positions, 11 ( 35.5 percent) were in director positions, and 14 (45.2 percent) were in medical positions.

Table 5 shows the total number of employees who had higher annual base salaries than the executive officers at their respective agencies as of June 30, 2018.

Table 5

| Total Number of Employees with Salaries Higher Than the Executive Officers at Their Respective Agencies As of June 30, 2018 |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Types of Positions |  |  |  |  |  |
| Agency | Chief Scientific Officer | Director | General Counsel | Investment ${ }^{\text {a }}$ | Medical ${ }^{\text {b }}$ | Systems Analyst |
| Cancer Prevention and Research Institute of Texas | 1 |  |  |  |  |  |
| Department of Information Resources | 2 |  |  |  |  |  |
| Employees Retirement System | 1 |  |  |  |  |  |
| State Board of Dental Examiners | 1 |  |  |  |  |  |
| State Office of Risk Management | 4 |  |  |  |  |  |
| State Securities Board | 1 |  |  |  |  |  |
| Teacher Retirement System | 3 |  |  |  |  |  |
| Texas Alcoholic Beverage Commission | $3 \quad 1$ |  |  |  |  |  |
| Texas Board of Nursing | 1 |  |  |  |  |  |
| Texas Education Agency | 5 |  |  |  |  |  |
| Texas Juvenile Justice Department | 1 |  |  |  |  |  |
| Texas Lottery Commission | 2 |  |  |  |  |  |
| Texas Medical Board | 1 |  |  |  |  |  |
| Texas Racing Commission | $1 \quad 1$ |  |  |  |  | 1 |
| Totals | 1 | 13 | 4 | 9 | 2 | 1 |

Total Number of Employees with Salaries Higher Than the Executive Officers at Their Respective Agencies

## As of June 30, 2018

| Types of Positions |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Chief Scientific <br> Officer | Director | General <br> Counsel | Investment $^{\text {a }}$ | Medical $^{\mathrm{b}}$ | Systems Analyst |  |  |

[^7]Table 6 shows the number of employees whose annual base salary was within 10.0 percent less than their executive officers' annual base salaries at their respective agencies as of June 30, 2018.

Table 6

| Total Number of Employees with a Salary Within 10 Percent of the Executive Officer's Salary As of June 30, 2018 |  |  |
| :---: | :---: | :---: |
| Agency | Number of Employees with a Salary That Was the Same or Within 5.0 Percent Less than the Executive Officer's Annual Base Salary | Number of Employees with a Salary That Was 5.1 Percent to 10.0 Percent Less Than the Executive Officer's Annual Base Salary |
| Alcoholic Beverage Commission | 0 | 1 |
| Animal Health Commission | 0 | 1 |
| Board of Nursing | 0 | 1 |
| Department of Information Resources | 0 | 3 |
| Department of Licensing and Regulation | 0 | 2 |
| Department of Public Safety | 1 | 1 |
| Department of Transportation | 0 | 1 |
| Employees Retirement System | 0 | 2 |
| Health and Human Services Commission | 3 | 14 |
| Public Utility Commission of Texas | 0 | 2 |
| State Board of Pharmacy | 1 | 0 |
| State Pension Review Board | 1 | 0 |
| State Preservation Board | 0 | 1 |
| State Securities Board | 1 | 0 |
| Teacher Retirement System | 1 | 1 |
| Texas Education Agency | 1 | 0 |
| Texas Lottery Commission | 1 | 0 |
| Texas Medical Board | 1 | 0 |
| Water Development Board | 1 | 0 |
| Workforce Commission | 0 | 1 |
| Totals | 12 | 31 |

## Possible Causes of Pay Compression

Pay compression can occur at state agencies for a variety of reasons. Possible causes include:

- Salaries for some executive officers may be set too low. Most executive officers have annual base salaries that are authorized in the General Appropriations Act. Those are often referred to as "not-to-exceed" rates (see text box for more information). If the not-to-exceed rates are set too low, they can set an unintentional salary cap for the entire agency if the agency's executive officer or the agency's


## Not-to-exceed Rates

The General Appropriations Act authorizes the salaries of most agency executive officers. Those are "not-to-exceed" rates. In the General Appropriations Act (85th Legislature), 68 executive officer positions that had an assigned salary group in the Schedule of Exempt Positions also had not-to-exceed rates. governing board chooses to not pay employees in professional-level positions at or more than the executive officer's annual base salary. For example, many agencies have a need for specialized employees in legal, finance, medical, and other professional career fields. Twenty-four (35.3 percent) of the 68 executive officers' salaries are below the not-toexceed rate. ${ }^{8}$ If the executive officer's salary is too low, agencies may struggle to recruit and retain staff for professional positions because of market competition unless the agencies are willing to set the salaries for employees in those positions close to or higher than the executive officer's salary.

- Executive officers classified as "exempt" are not eligible for the same types of salary increases as the employees they manage. Employees classified within the State's Position Classification Plan are eligible for salary increases, such as merit increases, that do not exist for most exempt employees, such as executive officers.

[^8]
## Chapter 2-B

## Executive Officers Expressed Concerns About Executive Officer Pay at Some State Agencies

In a survey that the State Auditor's Office conducted in March 2018, of the 68 executive officers that completed the survey, some executive officers expressed concerns about their annual base salary, assigned not-to-exceed rate, and salary group assignments. Specific reported concerns within each category included:

## Reported Concerns with Current Salaries

- Pay inequities exist among executive officer employees at the state agencies.
- Some subordinate employees are paid more than the executive director position. While those subordinate positions are eligible for salary increases, legislative action is required for exempt position salary increases.
- Salary has remained stagnant for several years and has not kept pace with the cost of living.
- Pay for the executive officer position is not commensurate with the level of job responsibilities and is below market.
- Salary remains lower than that of counties, the private sector, and other comparable entities including those that are similar in size and scope.
- Salary hinders the ability to attract qualified applicants, including private sector talent.


## Reported Concerns with the Not-to-exceed Rate

- The not-to-exceed rate has caused salary compression between the executive officer and subordinate staff.
- There has been no available money to raise the salary to the not-toexceed rate.
- The not-to-exceed rate has remained the same, although the responsibilities of the executive officer position have increased.
- The not-to-exceed rate should be closer to the market average.
- The not-to-exceed rate caps the salary below the market average. This discourages qualified applicants.
- The lengthy timespans between increases in the not-to-exceed rate leaves few options but to seek employment elsewhere if an increase in pay is desired.


## Reported Concerns with Salary Group Assignments

- Salary group recommendations published in previous Office reports have not been approved.
- The assigned salary group is lower than that of peer agencies.
- An additional salary group is needed.


## Chapter 2-C

## Medical and Investment Positions Are Among the Highest Paid in State Government

Table 7 lists the job titles and salaries of the 30 highest paid medical positions. All but one of these positions are at the Health and Human Services Commission.

Table 7

| Thirty Highest Salaried Medical Positions at State Agencies a As of June 30, 2018 |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Salary | Employee Type | Salary Group |
| 1 | Juvenile Justice Department | Psychiatrist IV | \$276,817 | Classified | B35 |
| 2 | Health and Human Services Commission | Psychiatrist IV | \$265,000 | Classified | B35 |
| 3 | Health and Human Services Commission | Psychiatrist IV | \$260,000 | Classified | B35 |
| 3 (tie) | Health and Human Services Commission | Psychiatrist IV | \$260,000 | Classified | B35 |
| 5 | Health and Human Services Commission | Psychiatrist IV | \$251,652 | Classified | B35 |
| 5 (tie) | Health and Human Services Commission | Physician III | \$251,652 | Classified | B34 |
| 7 | Health and Human Services Commission | Psychiatrist III | \$250,000 | Classified | B34 |
| 7 (tie) | Health and Human Services Commission | Psychiatrist III | \$250,000 | Classified | B34 |
| 9 | Health and Human Services Commission | Psychiatrist IV | \$249,770 | Classified | B35 |
| 9 (tie) | Health and Human Services Commission | Psychiatrist IV | \$249,770 | Classified | B35 |
| 11 | Health and Human Services Commission | Psychiatrist IV | \$249,363 | Classified | B35 |
| 12 | Health and Human Services Commission | Psychiatrist IV | \$249,142 | Classified | B35 |
| 13 | Health and Human Services Commission | Psychiatrist III | \$246,717 | Classified | B34 |
| 13 (tie) | Health and Human Services Commission | Psychiatrist III | \$246,717 | Classified | B34 |
| 15 | Health and Human Services Commission | Psychiatrist IV | \$246,709 | Classified | B35 |
| 16 | Health and Human Services Commission | Psychiatrist IV | \$243,000 | Classified | B35 |
| 17 | Health and Human Services Commission | Psychiatrist III | \$241,092 | Classified | B34 |


| Thirty Highest Salaried Medical Positions at State Agencies ${ }^{\text {a }}$ <br> As of June 30, 2018 |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Salary | Employee Type | Salary Group |
| 18 | Health and Human Services Commission | Psychiatrist IV | \$240,564 | Classified | B35 |
| 19 | Health and Human Services Commission | Psychiatrist III | \$239,467 | Classified | B34 |
| 19 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,467 | Classified | B34 |
| 19 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,467 | Classified | B34 |
| 19 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,467 | Classified | B34 |
| 23 | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| 23 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| 23 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| 23 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| 23 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| 23 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| 23 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| 23 (tie) | Health and Human Services Commission | Psychiatrist III | \$239,210 | Classified | B34 |
| ${ }^{\text {a }}$ This table excludes higher education institutions. |  |  |  |  |  |

Sources: Uniform Statewide Payroll/Personnel System, Human Resource Information System, and Standardized Payroll/Personnel Reporting System.

Table 8 on the next page shows the 30 highest paid investment positions. The majority of those positions are at the Teacher Retirement System and the Employees Retirement System. The executive director of the Teacher Retirement System earns an annual base salary of $\$ 337,266$, and the executive director at the Employees Retirement System earns an annual base salary of $\$ 296,615$; both are eligible for additional compensation.

Table 8

| Thirty Highest Salaried Investment Positions at State Agencies ${ }^{\text {a }}$ <br> As of June 30, 2018 |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary | Additional Compensation | Total Compensation | Employee Type | Salary Group |
| 1 | Teacher Retirement System | Chief Investment Officer | \$450,000 | \$214,456 | \$664,456 | Exempt | Not <br> Applicable |
| 2 | Employees Retirement System | Director of Investments | \$416,400 | \$259,979 | \$676,379 | Unclassified | Not <br> Applicable |
| 3 | Teacher Retirement System | Deputy Director Investment Officer | \$357,000 | \$157,488 | \$514,488 | Exempt | Not <br> Applicable |
| 4 | Teacher Retirement System | Investment Fund Director | \$354,900 | \$221,496 | \$576,396 | Exempt | Not <br> Applicable |
| 5 | Teacher Retirement System | Investment Director, London | \$328,438 | \$88,106 | \$416,544 | Unclassified | Not Applicable |
| 6 | Texas Education Agency | Permanent School <br> Fund Chief Investment Officer | \$325,475 | \$0 | \$325,475 | Exempt | Not Applicable |
| 7 | Teacher Retirement System | Investment Fund Director | \$305,000 | \$134,596 | \$439,596 | Exempt | Not <br> Applicable |
| 8 | Teacher Retirement System | Investment Fund Director | \$300,000 | \$145,088 | \$445,088 | Exempt | Not Applicable |
| 9 | Teacher Retirement System | Investment Fund Director | \$290,000 | \$0 | \$290,000 | Exempt | Not <br> Applicable |
| 10 | Texas Education Agency | Portfolio Manager V | \$276,817 | \$0 | \$276,817 | Classified | B35 |
| 11 | General Land Office | Portfolio Manager V | \$276,816 | \$218,752 | \$495,568 | Classified | B35 |
| 12 | Teacher Retirement System | Portfolio Manager V | \$276,798 | \$104,113 | \$380,911 | Classified | B35 |
| 13 | Treasury Safekeeping Trust Company ${ }^{\text {b }}$ | Chief Investment Officer | \$273,192 | \$131,940 | \$405,132 | Unclassified | Not Applicable |
| 14 | Teacher Retirement System | Portfolio Manager V | \$272,000 | \$135,410 | \$407,410 | Classified | B35 |
| $\begin{aligned} & 14 \\ & \text { (tie) } \end{aligned}$ | Teacher Retirement System | Portfolio Manager V | \$272,000 | \$151,862 | \$423,862 | Classified | B35 |
| 16 | Teacher Retirement System | Portfolio Manager V | \$270,000 | \$137,567 | \$407,567 | Classified | B35 |
| $\begin{aligned} & 16 \\ & \text { (tie) } \end{aligned}$ | Teacher Retirement System | Portfolio Manager V | \$270,000 | \$129,235 | \$399,235 | Classified | B35 |
| $\begin{aligned} & 16 \\ & \text { (tie) } \end{aligned}$ | Teacher Retirement System | Investment Fund Director | \$270,000 | \$137,222 | \$407,222 | Exempt | Not <br> Applicable |
| 16 (tie) | Teacher Retirement System | Portfolio Manager V | \$270,000 | \$106,083 | \$376,083 | Classified | B35 |
| 20 | Employees Retirement System | Portfolio Manager V | \$269,273 | \$191,902 | \$461,175 | Classified | B35 |
| 21 | Employees Retirement System | Portfolio Manager V | \$267,211 | \$186,273 | \$453,484 | Classified | B35 |
| 22 | Teacher Retirement System | Portfolio Manager V | \$264,855 | \$88,785 | \$353,640 | Classified | B35 |
| 23 | Employees Retirement System | Portfolio Manager V | \$259,914 | \$168,521 | \$428,435 | Classified | B35 |
| 24 | Teacher Retirement System | Portfolio Manager V | \$255,000 | \$109,285 | \$364,285 | Classified | B35 |


| Thirty Highest Salaried Investment Positions at State Agencies ${ }^{\text {a }}$ As of June 30, 2018 |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Rank | Agency | Job Title | Annual Base Salary | Additional Compensation | Total Compensation | Employee Type | Salary Group |
| 25 | Employees Retirement System | Portfolio Manager V | \$246,966 | \$122,497 | \$369,463 | Classified | B35 |
| 26 | Teacher Retirement System | Portfolio Manager V | \$245,000 | \$130,727 | \$375,727 | Classified | B35 |
| 27 | Teacher Retirement System | Portfolio Manager V | \$240,000 | \$92,461 | \$332,461 | Classified | B35 |
| $\begin{aligned} & 27 \\ & \text { (tie) } \end{aligned}$ | Teacher Retirement System | Portfolio Manager V | \$240,000 | \$78,986 | \$318,986 | Classified | B35 |
| 29 | Teacher Retirement System | Portfolio Manager V | \$238,306 | \$117,287 | \$355,593 | Classified | B35 |
| 30 | Employees Retirement System | Portfolio Manager V | \$233,431 | \$140,511 | \$373,942 | Classified | B35 |

${ }^{\text {a }}$ This table excludes higher education institutions. In addition, most positions in this table are eligible for additional compensation. See An Audit Report on Incentive Compensation at the Permanent School Fund, General Land Office, Employees Retirement System, and Teacher Retirement System (State Auditor's Office Report No. 18-001, September 2017) for additional information.
${ }^{\mathrm{b}}$ The State Auditor's Office relied on job titles to identify investment positions. Some agencies, such as the Treasury Safekeeping Trust Company, may have additional high-paying positions for employees whose primary function is investments but whose job titles do not reflect that.

Sources: Uniform Statewide Payroll/Personnel System, Human Resource Information System, and Standardized Payroll/Personnel Reporting System.

## Chapter 2-D

## Changes in Salaries for the Highest Paid Executive Officer Positions at State Agencies

Table 9 on the next page shows the difference in salaries over a 5-year time period for the top 30 highest paid executive officer positions. Salary adjustments for executive officer positions have varied among state agencies, with changes ranging from a decrease of 11.5 percent to an increase of 32.8 percent over the 5 -year period.

Article IX, Section 3.04, the General Appropriations Act (85th Legislature), provides mechanisms for increasing an executive officer's pay above the assigned not-to-exceed rates; however, those mechanisms are available only to select agencies. Those two mechanisms are:

- The Governor can set the rate of pay within the range for the respective exempt salary groups in which the positions are assigned.
- The agency's governing board, if applicable, can submit a request to the Governor, the Legislative Budget Board, and the Comptroller of Public Accounts to increase an executive officer's pay within the position's assigned salary group.

Table 9

| Five-year Percent Change in Base Pay by Position ${ }^{\text {a }}$ |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  | 5-year Comparison <br> (Change from Fiscal Year 2014 to Fiscal Year 2018) |  |  |  |
| Rank | Agency | Job Title | 2018 Base Salary as of June 30, 2018 | 2014 Base Salary as of June 30, 2014 | $\begin{aligned} & \text { Percent Change } \\ & \text { from June 30, } \\ & 2014 \text { to June 30, } \\ & 2018 \end{aligned}$ | Eligible to Receive Additional Compensation? |
| 1 | Teacher Retirement System ${ }^{\text {b }}$ | Executive Director | \$337,266 | \$297,000 | 13.6\% | Yes |
| 2 | Department of Transportation | Executive Director | \$299,812 | \$273,000 | 9.8\% | No |
| 3 | Employees Retirement System ${ }^{\text {C }}$ | Executive Director | \$296,615 | \$335,011 | -11.5\% | Yes |
| 4 | Health and Human Services Commission | Executive Commissioner | \$266,500 ${ }^{\text {d }}$ | \$260,000 | 2.5\% | No |
| 4 (tie) | Department of Criminal Justice | Executive Director | \$266,500 | \$260,000 | 2.5\% | No |
| 6 | Cancer Prevention and Research Institute of Texas | Executive Director | \$256,250 | \$250,000 | 2.5\% | No |
| 7 | Texas Department of Banking ${ }^{\text {ef }}$ | Commissioner | \$242,925 | \$237,000 | 2.5\% | Yes |
| 8 | Department of State Health Services | Commissioner | \$242,353 | \$210,000 | 15.4\% | No |
| 9 | Department of Public Safety | Director | \$232,969 | \$183,498 | 27.0\% | No |
| 10 | Texas Education Agency | Commissioner | \$220,375 | \$215,000 | 2.5\% | No |
| 11 | Department of Family and Protective Services | Commissioner | \$220,000 | \$210,000 | 4.8\% | No |
| 12 | Higher Education <br> Coordinating Board ${ }^{\text {g }}$ | Commissioner | \$212,135 | \$188,163 | 12.7\% | Yes |
| 13 | Texas Lottery Commission | Executive Director | \$211,191 | \$200,000 | 5.6\% | No |
| 14 | Commission on <br> Environmental Quality ${ }^{h}$ | Executive Director | \$210,695 d | \$175,944 | 19.8\% | No |
| 15 | Texas Juvenile Justice Department ${ }^{i}$ | Executive Director | \$205,879 | \$172,000 | 19.7\% | No |
| 16 | Department of Insurance | Commissioner of Insurance | \$202,383 | \$175,000 | 15.6\% | No |
| 17 | Parks and Wildlife Department | Executive Director | \$200,643 | \$180,000 | 11.5\% | No |
| 18 | Office of Consumer Credit Commissioner ${ }^{\text {e }}$ | Commissioner | \$196,000 | \$190,000 | 3.2\% | Yes |
| 19 | Department of Savings and Mortgage Lending ${ }^{\text {e }}$ | Commissioner | \$194,750 | \$190,000 | 2.5\% | Yes |


| Five-year Percent Change in Base Pay by Position ${ }^{\text {a }}$ <br> Thirty Highest Paid Executive Officer Positions as of June 30, 2018 |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  | 5-year Comparison <br> (Change from Fiscal Year 2014 to Fiscal Year 2018) |  |  | Eligible to Receive Additional Compensation? |
| Rank | Agency | Job Title | 2018 Base Salary as of June 30, 2018 | 2014 Base Salary as of June 30, 2014 | Percent Change from June 30, 2014 to June 30, 2018 |  |
| 20 | Department of Motor Vehicles | Executive Director | \$192,126 | \$176,750 | 8.7\% | No |
| 21 | Credit Union Department | Commissioner | \$185,375 | \$165,000 | 12.3\% | No |
| 22 | Department of Information Resources | Executive Director | \$184,792 | \$175,000 | 5.6\% | No |
| 23 | Texas Workforce Commission | Executive Director | \$182,500 | \$157,410 | 15.9\% | No |
| 24 | Department of Housing and Community Affairs | Executive Director | \$180,084 | \$142,431 | 26.4\% | No |
| 25 | State Office of Administrative Hearings | Chief <br> Administrative Law Judge | \$180,000 | \$135,554 | 32.8\% | No |
| 26 | Department of Licensing and Regulation | Executive Director | \$179,375 | \$175,000 | 2.5\% | No |
| 27 | Texas Military Department | Adjutant General | \$178,196 | \$140,531 | 26.8\% | No |
| 28 | Water Development Board | Executive Administrator | \$173,241 | \$141,847 | 22.1\% | No |
| 29 | Office of Court Administration | Administrative Director | \$171,216 | \$157,920 | 8.4\% | No |
| 30 | Texas Facilities Commission | Executive Director | \$170,824 ${ }^{\text {d }}$ | \$142,569 | 19.8\% | No |
| ${ }^{\mathrm{a}}$ This analysis excluded legislative agencies, higher education institutions, elected officials, the Secretary of State, the Treasury Safekeeping Trust Company, and members of the courts. <br> b In November 2015, the Teacher Retirement System's Board of Trustees approved and adopted an executive performance incentive pay for the executive director's position. <br> C The executive director position is eligible for incentive compensation as determined by the Employee Retirement System's Board of Trustees. <br> ${ }^{d}$ The current salary listed is that of the interim executive officer. <br> ${ }^{\mathrm{e}}$ This is a self-directed, semi-independent agency. Each agency's board of trustees or commission sets the executive officer's salary for its agency. In addition to the base salary amount, an executive officer at an agency under the Finance Commission of Texas's oversight may receive a monthly stipend if that person is also performing the duties of the executive officer of the Finance Commission of Texas. <br> f In May 2014, the Department of Banking's commissioner was appointed as the executive director of the Finance Commission. While serving in that capacity, the commissioner receives a monthly salary supplement of $\$ 1,000$. <br> g The Texas Higher Education Foundation (formerly known as the College for All Texans Foundation), a 501(c)(3) supporting foundation for the Texas Higher Education coordinating Board, provides a $\$ 70,000$ annual salary supplement (paid on a monthly basis) directly to the Commissioner of Higher Education. <br> ${ }^{\mathrm{h}}$ The executive director retired effective April 2018; a new executive director was appointed effective August 2018. <br> ${ }^{\text {i }}$ The June 30, 2014, salary listed is for the previous executive director; as of June 2014, the agency's interim executive director was on loan. |  |  |  |  |  |  |

## Appendices

## Objective, Scope, and Methodology

## Objective

The objective of this report was to conduct a study reviewing compensation for positions that are exempt from the State's Position Classification Plan to:

- Compare exempt positions to market average compensation for similar executive positions.
- Compare exempt position salaries to classified position salaries.
- Prepare an analysis of exempt position compensation that considers agency size and complexity, agency appropriations, and full-time equivalent employee levels.


## Scope

The scope of this study included 71 executive officer positions that were exempt from the State's Position Classification Plan (Plan) during the 20182019 biennium.

The State Auditor's Office analyzed executive officer pay at state agencies and other public and private sector entities, taking into account factors such as:

- The size of the agency's annual appropriations.
- The agency's number of authorized full-time equivalent (FTE) employees using data as of February 28, 2018, including changes approved by the Governor and the Legislative Budget Board.
- The market average compensation for similar executive positions.
- The executive officer position's annual base salary compared to the annual base salaries of classified positions within the agency.
- Specialized education required for each position.

This study excluded positions at higher education institutions, legislative agencies, elected officials, the Secretary of State, and the courts. Selfdirected, semi-independent agencies were included only for determining the 125 highest annual base salaries for management at state agencies and the

5-year percent change in base pay by position; otherwise, they were excluded from this study. Salaries for elected officials are a public policy decision that is not tied directly to the market average for similar professional positions.

## Methodology

For this study, the State Auditor's Office considered the average market compensation for similar executive and professional positions; compensation for classified employees; the size and complexity of agencies; and specialized experience, education, or skills required for each position. The State Auditor's Office also compared executive officer positions from different agencies and took into account the size of an agency's annual appropriations and the number of an agency's authorized FTE employees. ${ }^{9}$

To determine the 125 highest annual base salaries for management at state agencies, the State Auditor's Office annualized the monthly base pay for each management position as of June 30, 2018. The annual base salaries did not include additional compensation, which consisted of bonuses and one-time merits given to the employees from September 1, 2017, through June 30, 2018.

In developing recommendations, the State Auditor's Office also reviewed compensation rates for similar work performed in the public and private sectors and compared those rates to the midpoint of existing salary ranges to determine the market competitiveness of the salary ranges for the positions reviewed. Market salary data for each survey was aged to January 1, 2019.

In addition to reviewing compensation data compiled by external parties, the State Auditor's Office conducted surveys of state agency executive officers and human resource directors and selected public sector entities in March 2018.

In developing the recommended salary groups and ranges, the State Auditor's Office reviewed:

- Book of the States, the Council of State Governments, January 2017.
- Executive Compensation Data 2017/2018—The National Executive \& Senior Management Compensation Survey, Dolan Technologies Corporation, January 2017.
- Health Care Clinical and Professional Compensation Survey Report, Willis Towers Watson Data Services, February 2017.

[^9]- Superintendent Salary Reports, Texas Education Agency, October 2017.
- WorldatWork 44th Annual Salary Budget Survey, 2017-2018, April 2017.
- 2017 Nonprofit Organizations Salary and Benefits Report, the NonProfit Times, Bluewater Nonprofit Solutions, January 2016.
- Top Management Compensation Survey, 2017 Willis Towers Watson, March 2017.
- 2017 Texas Society for Healthcare Human Resources Administration and Education Wage and Benefit Survey, Werling Associates, Inc., February 2017.
- 2017 Pay Structure and Practices Survey, National Compensation Association of State Governments, July 2017.
- Administrators in Higher Education Salary Survey for the 2016-17 Academic Year, College and University Professional Association for Human Resources, November 2016.
- Additional salary information provided by agencies.

Salaries for full-time, classified state employees and exempt executive officers as of June 30, 2014, and June 30, 2018, were gathered from:

- The Uniform Statewide Payroll/Personnel System.
- The Human Resource Information System.
- The Standardized Payroll/Personnel Reporting System.


## Project Information

Fieldwork was conducted from March 2018 through July 2018. This study was conducted in accordance with Section 3.08, pages IX-22-23, the General Appropriations Act (85th Legislature). This project was an analysis; therefore, the information in this report was not subjected to all the tests and confirmations that would be performed in an audit. However, the information in this report was subject to certain quality control procedures to ensure accuracy.

The following members of the State Auditor's staff performed the analysis:

- Judy Millar, CCP (Project Manager)
- Kathy-Ann Moe, MBA
- Sharon Schneider, CCP, PHR, SHRM-CP
- Mary Ann Wise, CPA, CFE (Quality Control Reviewer)
- John Young, MPAFF (Audit Manager)


## Recommended Salary Ranges for the Schedule of Exempt Positions and an Excerpt from Classified Salary Schedule B for the 2018-2019 Biennium

Adding a salary group to the exempt salary schedule will provide a more competitive structure for executive officer positions.

Based on a market analysis, the following changes are recommended to provide pay that is more competitive for executive officers who have a variety of responsibilities at agencies with diverse needs:

- Adding salary group 9 to the existing exempt salary group schedule.
- Moving three executive officer positions to the new salary group 9 based on the market analysis results for each position.

Table 10 lists the recommended salary ranges for salary groups within the Schedule of Exempt Positions, which includes executive officer positions that are exempt from the State's Position Classification Plan. The salary ranges presented are recommended for the 2020-2021 biennium (from September 1, 2019, through August 31, 2021).

Table 10

| Recommended Schedule of Exempt Positions' Salary Ranges for the 2020-2021 Biennium |  |  |
| :---: | :---: | :---: |
| Salary Group | Minimum Salary | Maximum Salary |
| 1 | $\$ 70,000$ | $\$ 112,750$ |
| 2 | $\$ 80,500$ | $\$ 129,765$ |
| 3 | $\$ 92,600$ | $\$ 149,240$ |
| 4 | $\$ 106,500$ | $\$ 171,688$ |
| 5 | $\$ 122,500$ | $\$ 197,415$ |
| 6 | $\$ 140,900$ | $\$ 227,038$ |
| 7 | $\$ 162,000$ | $\$ 261,068$ |
| 8 | $\$ 186,300$ | $\$ 299,813$ |
| 9 | $\$ 214,200$ | $\$ 345,250$ |

Table 11 lists the salary ranges for selected salary groups in the State's Position Classification Plan's Salary Schedule B. That schedule begins with salary group B10 and ends with salary group B35. However, Table 11 lists the salary groups B26 through B35, which are salary ranges for classified professional and managerial positions that overlap with the exempt salary ranges. The salary ranges presented are effective for the 2018-2019 biennium (from September 1, 2017, through August 31, 2019).

Table 11

| Selected Classified Salary Schedule B Annual Salary Ranges <br> For the 2018-2019 <br> Siennium |  |  |
| :---: | :---: | :---: |
| Salary Group ${ }^{\text {a }}$ | Minimum Salary | Maximum Salary |
| B26 | $\$ 69,415$ | $\$ 117,397$ |
| B27 | $\$ 76,356$ | $\$ 129,137$ |
| B28 | $\$ 83,991$ | $\$ 142,052$ |
| B29 | $\$ 92,390$ | $\$ 156,256$ |
| B30 | $\$ 101,630$ | $\$ 171,881$ |
| B31 | $\$ 111,793$ | $\$ 189,069$ |
| B32 | $\$ 122,972$ | $\$ 207,977$ |
| B33 | $\$ 135,269$ | $\$ 228,775$ |
| B34 | $\$ 148,796$ | $\$ 251,652$ |
| B35 | $\$ 163,676$ | $\$ 276,817$ |
| a Salary Schedule B begins with salary group B10 and ends with salary group B35. |  |  |

Source: Section 2.01, pages IX-1-19, the General Appropriations Act (85th Legislature).

To determine the market average for executive officer positions at Texas state agencies, the State Auditor's Office blended market data from public, nonprofit, and private sector salary survey sources. To supplement that data, the State Auditor's Office sent surveys to agencies in the 10 most populous states outside of Texas, quasi-governmental agencies, and major Texas cities and counties.

This analysis considered the nature and complexity of each agency, such as the number of authorized full-time equivalent employees, budget size, and scope of responsibilities. The analysis also considered job requirements of the executive officer positions, such as a requirement for a specialized or advanced degree. The analysis did not consider the job performance or the experience level of the individuals currently performing the jobs.

As discussed in Chapter 1-B, 54 executive officer positions are currently assigned to a salary group with a pay range that may limit the ability to offer a market-competitive salary. While reassigning 51 of those executive officer positions to a higher salary group would incur no cost, the annual cost to bring the 3 remaining executive officers who hold those positions to the minimum of the new salary group is $\$ 10,637$ for each year of the 2020-2021 biennium.

Table 12 on the next page lists, by General Appropriations Act article, the executive officer positions reviewed, as well as the current salaries as of June 30, 2018; the not-to-exceed rate for the 2018-2019 biennium as set by the Legislature in the General Appropriations Act; the market average; current and recommended salary group placements; corresponding salary ranges; and the annual cost to move the executive officer to the minimum of the recommended salary range. Table 12 excludes higher education institutions; legislative agencies; elected officials; the Secretary of State; the courts; selfdirected, semi-independent agencies; and unclassified positions (for example, the Treasury Safekeeping Trust Company's executive director position).

Table 12

| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Article I |  |  |
| Bond Review Board (352) <br> Executive Director | Current Salary | \$117,500 |
|  | Not-to-exceed Rate | \$136,419 |
|  | Market Average | \$155,652 |
|  | Current Salary Group | 3 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$92,600-\$149,240 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |
| Cancer Prevention and Research Institute of Texas <br> (542) <br> Chief Executive Officer | Current Salary | \$256,250 |
|  | Not-to-Exceed Rate | \$256,250 |
|  | Market Average | \$247,818 |
|  | Current Salary Group | 7 |
|  | Recommended Salary Group | 8 |
|  | Current Salary Range | \$162,000-\$261,068 |
|  | Recommended Salary Range | \$186,300-\$299,813 |
|  | Annual Cost | Not Applicable |
| Commission on State Emergency Communications <br> (477) <br> Executive Director | Current Salary | \$123,562 |
|  | Not-to-exceed Rate | \$123,562 |
|  | Market Average | \$139,826 |
|  | Current Salary Group | 2 |
|  | Recommended Salary Group | 3 |
|  | Current Salary Range | \$80,500-\$129,765 |
|  | Recommended Salary Range | \$92,600-\$149,240 |
|  | Annual Cost | Not Applicable |
| Commission on the Arts (813) <br> Executive Director | Current Salary | \$121,041 |
|  | Not-to-exceed Rate | \$121,041 |
|  | Market Average | \$136,765 |
|  | Current Salary Group | 2 |
|  | Recommended Salary Group | 3 |
|  | Current Salary Range | \$80,500-\$129,765 |
|  | Recommended Salary Range | \$92,600-\$149,240 |
|  | Annual Cost | Not Applicable |

Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions

| Department of Information Resources (313) <br> Executive Director | Current Salary | \$184,792 |
| :---: | :---: | :---: |
|  | Not-to-exceed Rate | \$184,792 |
|  | Market Average | \$204,402 |
|  | Current Salary Group | 6 |
|  | Recommended Salary Group | 6 |
|  | Current Salary Range | \$140,900-\$227,038 |
|  | Recommended Salary Range | \$140,900-\$227,038 |
|  | Annual Cost | Not Applicable |
| Employees Retirement System (327) <br> Executive Director | Current Salary | \$296,615 |
|  | Not-to-exceed Rate | \$357,120 |
|  | Market Average | \$299,079 |
|  | Current Salary Group | None |
|  | Recommended Salary Group | None |
|  | Current Salary Range | None |
|  | Recommended Salary Range | None |
|  | Annual Cost | Not Applicable |
| Facilities Commission (303) <br> Interim Executive Director | Current Salary ${ }^{\text {a }}$ | \$170,824 |
|  | Not-to-exceed Rate | \$177,982 |
|  | Market Average | \$200,261 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 6 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$140,900-\$227,038 |
|  | Annual Cost | Not Applicable |
| Historical Commission (808) <br> Executive Director | Current Salary | \$150,652 |
|  | Not-to-exceed Rate | \$150,652 |
|  | Market Average | \$169,502 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |

Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions

|  | Current Salary |
| :---: | ---: |
|  | Not-to-exceed Rate |
| Library and Archives Commission |  |
| (306) |  |
| Director and Librarian | Market Average |
|  | Current Salary Group |
|  | Recommended Salary Group |
|  | Current Salary Range |
|  | Recommended Salary Range |
|  | Annual Cost |

Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions

|  | Current Salary |
| :--- | ---: |
|  | Not-to-exceed Rate |
| Public Finance Authority |  |
| (347) | Market Average |
| Executive Director | Current Salary Group |
|  | Recommended Salary Group |
|  | Current Salary Range |
|  | Recommended Salary Range |
|  | Annual Cost |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Veterans Commission (403) <br> Executive Director | Current Salary | \$145,580 |
|  | Not-to-exceed Rate | \$145,580 |
|  | Market Average | \$159,077 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Article II |  |  |
| Department of Family and Protective Services <br> (530) <br> Commissioner | Current Salary | \$220,000 |
|  | Not-to-exceed Rate | \$231,893 |
|  | Market Average | \$265,059 |
|  | Current Salary Group | 7 |
|  | Recommended Salary Group | 8 |
|  | Current Salary Range | \$162,000-\$261,068 |
|  | Recommended Salary Range | \$186,300-\$299,813 |
|  | Annual Cost | Not Applicable |
| Department of State Health Services ${ }^{\text {b }}$ (537) <br> Commissioner | Current Salary | \$242,353 |
|  | Not-to-exceed Rate | \$248,412 |
|  | Market Average | \$255,686 |
|  | Current Salary Group | 7 |
|  | Recommended Salary Group | 8 |
|  | Current Salary Range | \$162,000-\$261,068 |
|  | Recommended Salary Range | \$186,300-\$299,813 |
|  | Annual Cost | Not Applicable |
| Health and Human Services Commission (529) <br> Interim Executive Commissioner | Current Salary ${ }^{\text {a }}$ | \$266,500 |
|  | Not-to-exceed Rate | \$266,500 |
|  | Market Average | \$305,535 |
|  | Current Salary Group | 8 |
|  | Recommended Salary Group | 9 |
|  | Current Salary Range | \$186,300-\$299,813 |
|  | Recommended Salary Range | \$214,200-\$345,250 |
|  | Annual Cost | Not Applicable |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Article III |  |  |
| Higher Education Coordinating Board (781) <br> Commissioner of Higher Education | Current Salary | \$212,135 |
|  | Not-to-exceed Rate | \$212,135 |
|  | Market Average | \$242,119 |
|  | Current Salary Group | 8 |
|  | Recommended Salary Group | 8 |
|  | Current Salary Range | \$186,300-\$299,813 |
|  | Recommended Salary Range | \$186,300-\$299,813 |
|  | Annual Cost | Not Applicable |
| School for the Blind and Visually Impaired (771) <br> Superintendent | Current Salary | \$142,159 |
|  | Not-to-exceed Rate | \$142,159 |
|  | Market Average | \$162,543 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| School for the Deaf <br> (772) <br> Superintendent | Current Salary | \$148,908 |
|  | Not-to-exceed Rate | \$148,908 |
|  | Market Average | \$165,758 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Teacher Retirement System (323) <br> Executive Director | Current Salary | \$337,266 |
|  | Not-to-exceed Rate | \$327,443 |
|  | Market Average | \$308,196 |
|  | Current Salary Group | None |
|  | Recommended Salary Group | None |
|  | Current Salary Range | None |
|  | Recommended Salary Range | None |
|  | Annual Cost | Not Applicable |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Texas Education Agency <br> (701) <br> Commissioner of Education | Current Salary | \$220,375 |
|  | Not-to-exceed Rate | \$234,678 |
|  | Market Average | \$261,152 |
|  | Current Salary Group | 8 |
|  | Recommended Salary Group | 8 |
|  | Current Salary Range | \$186,300-\$299,813 |
|  | Recommended Salary Range | \$186,300-\$299,813 |
|  | Annual Cost | Not Applicable |
| Article IV |  |  |
| Office of Capital and Forensic Writs (215) <br> Executive Director | Current Salary | \$137,274 |
|  | Not-to-exceed Rate | \$137,274 |
|  | Market Average | \$156,326 |
|  | Current Salary Group | 3 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$92,600-\$149,240 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |
| Office of Court Administration, Texas Judicial Council <br> (212) <br> Administrative Director | Current Salary | \$171,216 |
|  | Not-to-exceed Rate | \$171,216 |
|  | Market Average | \$182,411 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Office of the State Prosecuting Attorney (213) <br> State Prosecuting Attorney | Current Salary ${ }^{\text {c }}$ | \$143,500 |
|  | Not-to-exceed Rate | \$152,843 |
|  | Market Average | \$170,273 |
|  | Current Salary Group | None |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | None |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| State Commission on Judicial Conduct (242) <br> Executive Director | Current Salary | \$123,380 |
|  | Not-to-exceed Rate | \$126,660 |
|  | Market Average | \$142,262 |
|  | Current Salary Group | 3 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$92,600-\$149,240 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |
| State Law Library (243) <br> Director | Current Salary | \$93,534 |
|  | Not-to-exceed Rate | \$106,720 |
|  | Market Average | \$119,261 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | Not Applicable |
| Article V |  |  |
| Alcoholic Beverage Commission (458) <br> Administrator | Current Salary | \$153,503 |
|  | Not-to-exceed Rate | \$153,503 |
|  | Market Average | \$178,103 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Commission on Fire Protection (411) <br> Executive Director | Current Salary | \$107,634 |
|  | Not-to-exceed Rate | \$117,103 |
|  | Market Average | \$130,403 |
|  | Current Salary Group | 3 |
|  | Recommended Salary Group | 3 |
|  | Current Salary Range | \$92,600-\$149,240 |
|  | Recommended Salary Range | \$92,600-\$149,240 |
|  | Annual Cost | Not Applicable |

Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions

| Commission on Jail Standards (409) <br> Executive Director | Current Salary | \$108,469 |
| :---: | :---: | :---: |
|  | Not-to-exceed Rate | \$108,469 |
|  | Market Average | \$127,394 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 3 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$92,600-\$149,240 |
|  | Annual Cost | Not Applicable |
| Commission on Law Enforcement (407) <br> Executive Director | Current Salary | \$127,833 |
|  | Not-to-exceed Rate | \$127,833 |
|  | Market Average | \$143,841 |
|  | Current Salary Group | 2 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$80,500-\$129,765 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |
| Department of Criminal Justice (696) <br> Executive Director | Current Salary | \$266,500 |
|  | Not-to-exceed Rate | \$266,500 |
|  | Market Average | \$275,501 |
|  | Current Salary Group | 8 |
|  | Recommended Salary Group | 9 |
|  | Current Salary Range | \$186,300-\$299,813 |
|  | Recommended Salary Range | \$214,200-\$345,250 |
|  | Annual Cost | Not Applicable |
| Department of Public Safety (405) <br> Director | Current Salary | \$232,969 |
|  | Not-to-exceed Rate | \$232,969 |
|  | Market Average | \$261,033 |
|  | Current Salary Group | 7 |
|  | Recommended Salary Group | 8 |
|  | Current Salary Range | \$162,000-\$261,068 |
|  | Recommended Salary Range | \$186,300-\$299,813 |
|  | Annual Cost | Not Applicable |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Juvenile Justice Department <br> (644) <br> Executive Director | Current Salary | \$205,879 |
|  | Not-to-exceed Rate | \$205,879 |
|  | Market Average | \$228,132 |
|  | Current Salary Group | 6 |
|  | Recommended Salary Group | 7 |
|  | Current Salary Range | \$140,900-\$227,038 |
|  | Recommended Salary Range | \$162,000-\$261,068 |
|  | Annual Cost | Not Applicable |
| Texas Military Department (401) <br> Adjunct General | Current Salary | \$178,196 |
|  | Not-to-exceed Rate | \$178,196 |
|  | Market Average | \$201,428 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 6 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$140,900-\$227,038 |
|  | Annual Cost | Not Applicable |
| Article VI |  |  |
| Animal Health Commission (554) <br> Executive Director | Current Salary | \$146,742 |
|  | Not-to-exceed Rate | \$146,742 |
|  | Market Average | \$164,015 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Commission on Environmental Quality (582) Interim Executive Director ${ }^{\text {d }}$ | Current Salary ${ }^{\text {a }}$ | \$210,695 |
|  | Not-to-exceed Rate | \$211,415 |
|  | Market Average | \$235,028 |
|  | Current Salary Group | 7 |
|  | Recommended Salary Group | 7 |
|  | Current Salary Range | \$162,000-\$261,068 |
|  | Recommended Salary Range | \$162,000-\$261,068 |
|  | Annual Cost | Not Applicable |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Parks and Wildlife Department (802) <br> Executive Director | Current Salary | \$200,643 |
|  | Not-to-exceed Rate | \$201,528 |
|  | Market Average | \$226,749 |
|  | Current Salary Group | 6 |
|  | Recommended Salary Group | 7 |
|  | Current Salary Range | \$140,900-\$227,038 |
|  | Recommended Salary Range | \$162,000-\$261,068 |
|  | Annual Cost | Not Applicable |
| Soil and Water Conservation Board (592) <br> Executive Director | Current Salary | \$142,303 |
|  | Not-to-exceed Rate | \$142,303 |
|  | Market Average | \$158,193 |
|  | Current Salary Group | 3 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$92,600-\$149,240 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |
| Water Development Board (580) <br> Executive Administrator | Current Salary | \$173,241 |
|  | Not-to-exceed Rate | \$188,285 |
|  | Market Average | \$210,563 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 6 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$140,900-\$227,038 |
|  | Annual Cost | Not Applicable |
|  | Article VII |  |
| Department of Housing and Community Affairs <br> (332) <br> Executive Director | Current Salary | \$180,084 |
|  | Not-to-exceed Rate | \$180,084 |
|  | Market Average | \$202,420 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 6 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$140,900-\$227,038 |
|  | Annual Cost | Not Applicable |

Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions

|  | Current Salary |
| :---: | ---: |
|  | Not-to-exceed Rate |
| Department of Motor Vehicles |  |
| (608) |  |
| Executive Director | Market Average |$\quad \$ 192,126$


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Article VIII |  |  |
| Board of Chiropractic Examiners (508) <br> Executive Director | Current Salary | \$84,000 |
|  | Not-to-exceed Rate | \$93,520 |
|  | Market Average | \$106,137 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | Not Applicable |
| Board of Examiners of Psychologists (520) <br> Executive Director | Current Salary | \$96,678 |
|  | Not-to-exceed Rate | \$96,678 |
|  | Market Average | \$108,176 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | Not Applicable |
| Board of Nursing (507) <br> Executive Director | Current Salary | \$145,864 |
|  | Not-to-exceed Rate | \$145,864 |
|  | Market Average | \$166,879 |
|  | Current Salary Group | 3 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$92,600-\$149,240 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Board of Pharmacy (515) <br> Executive Director | Current Salary | \$132,490 |
|  | Not-to-exceed Rate | \$132,490 |
|  | Market Average | \$148,958 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Board of Plumbing Examiners <br> (456) <br> Executive Director | Current Salary | \$114,239 |
|  | Not-to-exceed Rate | \$114,239 |
|  | Market Average | \$127,227 |
|  | Current Salary Group | 2 |
|  | Recommended Salary Group | 3 |
|  | Current Salary Range | \$80,500-\$129,765 |
|  | Recommended Salary Range | \$92,600-\$149,240 |
|  | Annual Cost | Not Applicable |
| Board of Professional Geoscientists <br> (481) <br> Executive Director | Current Salary | \$96,386 |
|  | Not-to-exceed Rate | \$96,386 |
|  | Market Average | \$114,902 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | Not Applicable |
| Board of Professional Land Surveying (464) <br> Executive Director | Current Salary | \$74,863 |
|  | Not-to-exceed Rate | \$91,994 |
|  | Market Average | \$105,191 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | \$5,637 |
| Board of Veterinary Medical Examiners (578) <br> Executive Director | Current Salary | \$101,787 |
|  | Not-to-exceed Rate | \$101,787 |
|  | Market Average | \$119,382 |
|  | Current Salary Group | 2 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$80,500-\$129,765 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | Not Applicable |


| Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions |  |  |
| :---: | :---: | :---: |
| Department of Insurance (454) <br> Commissioner of Insurance | Current Salary | \$202,383 |
|  | Not-to-exceed Rate | \$207,443 |
|  | Market Average | \$228,567 |
|  | Current Salary Group | 6 |
|  | Recommended Salary Group | 7 |
|  | Current Salary Range | \$140,900-\$227,038 |
|  | Recommended Salary Range | \$162,000-\$261,068 |
|  | Annual Cost | Not Applicable |
| Department of Insurance, Workers' Compensation <br> (454) <br> Commissioner of Workers' Compensation | Current Salary | \$164,000 |
|  | Not-to-exceed Rate | \$164,000 |
|  | Market Average | \$178,012 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 6 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$140,900-\$227,038 |
|  | Annual Cost | Not Applicable |
| Department of Licensing and Regulation (452) <br> Executive Director | Current Salary | \$179,375 |
|  | Not-to-exceed Rate | \$179,375 |
|  | Market Average | \$180,593 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 6 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$140,900-\$227,038 |
|  | Annual Cost | Not Applicable |
| Executive Council of Physical and Occupational Therapy Examiners (533) <br> Executive Director | Current Salary | \$104,990 |
|  | Not-to-exceed Rate | \$104,990 |
|  | Market Average | \$114,788 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | Not Applicable |

Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions

| Funeral Service Commission (513) <br> Executive Director | Current Salary | \$95,318 |
| :---: | :---: | :---: |
|  | Not-to-exceed Rate | \$95,318 |
|  | Market Average | \$104,969 |
|  | Current Salary Group | 1 |
|  | Recommended Salary Group | 2 |
|  | Current Salary Range | \$70,000-\$112,750 |
|  | Recommended Salary Range | \$80,500-\$129,765 |
|  | Annual Cost | Not Applicable |
| Office of Injured Employee Counsel <br> (448) <br> Public Counsel | Current Salary | \$143,220 |
|  | Not-to-exceed Rate | \$143,220 |
|  | Market Average | \$158,998 |
|  | Current Salary Group | 3 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$92,600-\$149,240 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |
| Office of Public Insurance Counsel (359) <br> Public Counsel | Current Salary | \$137,734 |
|  | Not-to-exceed Rate | \$138,062 |
|  | Market Average | \$157,869 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |
| Office of Public Utility Counsel (475) <br> Public Counsel | Current Salary | \$133,940 |
|  | Not-to-exceed Rate | \$133,940 |
|  | Market Average | \$151,189 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 4 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$106,500-\$171,688 |
|  | Annual Cost | Not Applicable |

Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions


Market Analysis and Recommended Salary Groups Assignments for Executive Officer Positions

| State Office of Administrative Hearings (360) <br> Chief Administrative Law Judge | Current Salary | \$180,000 |
| :---: | :---: | :---: |
|  | Not-to-exceed Rate | \$180,000 |
|  | Market Average | \$181,032 |
|  | Current Salary Group | 5 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$122,500-\$197,415 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Texas Medical Board (503) <br> Executive Director | Current Salary | \$145,930 |
|  | Not-to-exceed Rate | \$154,027 |
|  | Market Average | \$174,016 |
|  | Current Salary Group | 4 |
|  | Recommended Salary Group | 5 |
|  | Current Salary Range | \$106,500-\$171,688 |
|  | Recommended Salary Range | \$122,500-\$197,415 |
|  | Annual Cost | Not Applicable |
| Texas State Board of Dental Examiners (504) <br> Executive Director | Current Salary | \$105,000 |
|  | Not-to-exceed Rate | \$119,750 |
|  | Market Average | \$134,142 |
|  | Current Salary Group | 2 |
|  | Recommended Salary Group | 3 |
|  | Current Salary Range | \$80,500-\$129,765 |
|  | Recommended Salary Range | \$92,600-\$149,240 |
|  | Annual Cost | Not Applicable |
| ${ }^{\text {c }}$ The salary for the state prosecuting attorney position is set in Texas Government Code, Section 46.003. The state prosecuting attorney and each state prosecutor are entitled to receive state compensation equal to the compensation that is provided for a district judge position in the General Appropriations Act. <br> d The executive director retired effective April 2018; a new executive director was appointed effective August 2018. |  |  |

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[^0]:    ${ }^{1}$ The analysis of the 125 highest annual base salaries for management at state agencies, listed in Table 1, is based on the annual base salaries, as of June 30, 2018, for the job titles and excludes legislative agencies, higher education institutions, temporary positions, and medical and investment positions.

[^1]:    This project was conducted in accordance with Section 3.08, page IX-22, the General Appropriations Act (85th Legislature).
    For more information regarding this report, please contact John Young, Audit Manager, or Lisa Collier, First Assistant State Auditor, at (512) 936-9500.

[^2]:    ${ }^{2}$ As of September 1, 2016, vocational rehabilitation and other related programs transferred from the Department of Assistive and Rehabilitative Services to the Texas Workforce Commission.

[^3]:    ${ }^{3}$ Excludes legislative agencies, higher education institutions, temporary positions, and medical and investment positions. See Tables 7 and 8 in Chapter 2-C for the 30 highest salaried medical and investment positions at state agencies.
    ${ }^{4}$ For more information about executive officer salaries in fiscal year 2016, see A Report on Executive Compensation at State Agencies (State Auditor's Office Report No. 16-706, August 2016).

[^4]:    ${ }^{5}$ House Bill 5 (85th Legislature, Regular Session) established the Department of Family and Protective Services as an agency independent of the Health and Human Services Commission effective September 1, 2017.

[^5]:    6 The market comparison excluded legislative agencies; higher education institutions; elected officials; the Secretary of State; the courts; self-directed, semi-independent agencies; and the Treasury Safekeeping Trust Company.

[^6]:    ${ }^{7}$ For more information about 2016 salaries, see A Report on Executive Compensation at State Agencies (State Auditor's Office Report No. 16-706, August 2016).

[^7]:    a Job titles for investment positions include director of investments, deputy director investment officer, portfolio manager, investment fund director, Permanent School Fund chief investment officer, and chief investment officer.
    ${ }^{\mathrm{b}}$ Job titles for medical positions include dentist and psychiatrist.

[^8]:    8 While a total of 71 executive officers were included in this report, 3 were interim; therefore, their salaries were not considered in the comparison to the not-to-exceed rates.

[^9]:    ${ }^{9}$ This analysis also included non-appropriated, federally funded, and contract worker FTE totals that the agencies self-reported.

