

ARTICLE 15
CLASSIFICATION AND RECLASSIFICATION

15.1 Purpose and Principles

The District and the Union believe it is important to maintain a fair and equitable classification system. Decisions about classification shall be made based on the level of duties and responsibilities assigned to the position by the District. Classification decisions shall not be based on funding source unless required by said funding source or mandated by law or regulation.

Because duties and responsibilities change over time, the parties have agreed to a system to update and recognize changes which take place. Decisions regarding reclassification shall be based on substantial and permanent changes in the level of duties and responsibilities of the position assigned by the District. The following general guidelines shall apply:

- 15.1.1 An increase in the volume of work shall not be the basis for a reclassification.
- 15.1.2 Temporary project assignment upgrades are compensated by working out of class pay in accordance with Article 8, Section 8.8 and have an agreed-upon beginning and ending date. Such temporary assignments are not subject to this Article.
- 15.1.3 Supervising managers shall not change duties arbitrarily or capriciously while a reclassification request is pending.
- 15.1.4 When a classification is re-titled, a decision on the equivalent classification for the purposes of determining seniority rights in the classification shall be made at the time of the change and recorded.

15.2 Requests for Classification or Reclassification

Requests for classification may be initiated by the appropriate administrator or Associate Vice Chancellor, Human Resources when a new position is created or a vacancy is to be filled at a different classification. The request for a new classification or change to a vacant classification shall be reviewed by the Classification Specialist.

A request for reclassification may be initiated by either the worker or the appropriate administrator. The duties upon which the reclassification is based must have been assigned by the administrator on a permanent basis, or performed by the worker with the supervisor's knowledge, explicit or implicit. To request reclassification, a completed application shall be submitted to the Classification Specialist. The application shall include:

- 15.2.1 A copy of the present job description;

- 15.2.2 A copy of the job description for the proposed classification;
- 15.2.3 A completed copy of the Classification Questionnaire with all appropriate signatures;
- 15.2.4 Current and proposed organizational charts showing all positions with current employees and vacancies listed; and
- 15.2.5 Additional supporting documentation.

Requests for reclassification from more than one worker in the same classification at the same time may be consolidated.

A worker who has applied for reclassification may not apply for another reclassification for at least two years from the date of the last reclassification request, including a reclassification request under a prior agreement, except in extraordinary circumstances or reorganization.

All requests for classification or reclassification shall be submitted on the agreed upon application form (located in Appendix A) and the reason for the request shall be specifically stated. All requests shall be signed by the worker, the worker's supervising manager and the worker's appropriate vice president, who will not be allowed to change any of the worker's comments. Applications may be obtained from the Classification Specialist or downloaded from the Human Resources website. The completed and signed application shall be submitted to the Classification Specialist with a copy to the supervising manager and the Union.

15.3 **Classification Specialist**

The Classification Specialist shall prepare a report and impartial analysis on each request for classification or reclassification. It is also the Classification Specialist's responsibility to determine whether there is currently an appropriate classification within the District, recommend addition or deletion of duties and prepare new or amended job descriptions. The report will be completed within 30 working days and sent to all interested parties prior to the meeting provided for in Section 15.4 below.

The Classification Specialist's review will be based upon the following:

- 15.3.1 The completed application and all appended material;
- 15.3.2 An interview with the appropriate supervising manager;
- 15.3.3 A desk audit, if necessary;
- 15.3.4 Internal or external audits of other similar or related positions as necessary;

15.3.5 Any other relevant information; and

15.3.6 If requested by the applicant, an interview with up to two additional staff who have reason to know about the duties being performed.

15.4 **Classification Specialist Determination Report and Meeting**

The Classification Specialist shall prepare and send out a preliminary determination report and a meeting to discuss the findings, which shall be scheduled within ten (10) workdays after sending out the report.

The Associate Vice Chancellor, Human Resources, the Classification Specialist, the appropriate administrator(s) and supervisor(s) and the worker(s) and their ACE representative(s) shall attend. The meeting shall be informal and shall not be conducted like an evidentiary or trial-type hearing, although there may be written statements and documents presented. There shall be a full discussion of the report and of any suggested alternatives. There shall be no other witness testimony at the meeting.

If more information is necessary the meeting shall be adjourned and reconvened but in no case shall this step take more than 20 workdays.

15.4.1 If requested by any party, the Associate Vice Chancellor, Human Resources shall meet with the Union to discuss any issues/concerns regarding the reclassification. Any findings shall be submitted to the Classification Specialist for inclusion (if necessary) in a final determination report. This process shall take no longer than ten (10) workdays.

15.4.2 The Classification Specialist shall issue a final determination report within ten (10) workdays after the meeting. Copies of the determination report shall be distributed to all meeting participants. The determination report shall also include instructions regarding the process for appealing the decision.

The timelines in 15.3 and 15.4 may be extended at the request of either party (the Union and the District). The party requesting the extension must provide a rationale for the request.

15.5 **Appeal**

The decision may be appealed to the Vice Chancellor of Human Resources and Equal Opportunity. The appeal form must be filed with the Classification Specialist within ten (10) working days of receipt of the final determination report by the worker. The Vice Chancellor shall review the decision and all written documentation previously submitted. Within thirty (30) working days of receiving an appeal the Vice Chancellor will render a written decision. Copies of the written decision shall be distributed to the Union, the worker, the administrator and the Classification Specialist.

15.6 **Final Appeal**

The decision of the Vice Chancellor of Human Resources may be appealed to a neutral party, jointly selected by the Union and the District. The appeal packet shall go to the neutral party immediately upon the mutual agreement of the appointment. The cost of the neutral party shall be shared on a 50/50 basis. The appeal form must be filed with the Classification Specialist within ten (10) working days of receipt of the decision of the Vice Chancellor of Human Resources. The neutral party shall review the decision and all written documentation previously submitted. Within thirty (30) working days of receiving an appeal, the neutral party will render a final written decision. Copies of the final written decision shall be distributed to the Union, the worker, the administrator and the Classification Specialist.

15.7 **Retroactivity of Reclassification Decisions**

A decision to reclassify a worker to a higher position shall be retroactive to the date of the application. If higher level duties previously assigned to the worker are removed from the position as a result of a reclassification decision, the worker shall receive pay in accordance with Article 8.8 for performing the higher-level duties for the period of time beginning with the date of the reclassification application to the date the duties are removed.