

ARTICLE 20 – CLASSIFICATION

5/2/23

County to SEIU e 9:41a

Section 20.1 – Classification Study

~~With the exception of calendar year 2020, w~~Workers may request a classification study during the month of March, or such time as designated by the Director of Personnel, but in any event no less than one (1) month per calendar year. Requests shall be submitted to ESA-Human Resources (ESA-HR) on the authorized online request form.

A Committee, made up of representatives from ESA-HR and the Union, will meet annually one (1) month after the close of the window, to determine which submitted requests will be accepted for study, which requests will be placed in a deferred status, and which requests will be denied. The Committee will base their consideration on a number of factors, which may include classification levels, recruitment or retention difficulties, fiscal impact, and new responsibilities assigned but not covered on existing job specifications. The Committee will finalize the list and the scope of each study (i.e. full classification study, job specification revision, salary review, etc.) within three (3) months after the first meeting. The maximum number of requests accepted by the committee for study shall be capped at twelve (12) per year, but upon completion of the accepted studies, ESA-HR may continue to work studies in the deferred status. Requests in the deferred status not initiated for study by ESA-HR before the next window may be considered by the committee without requiring a new request, however, an updated PCQ and job application may be requested.

If the request is incomplete, ESA-HR will notify the worker to complete the request, along with a due date for completing the request.

ESA-HR will notify workers of the status of their request (i.e. accepted, deferred, or denied) and the scope where appropriate.

Workers who are under study shall not be permitted to submit a request. Workers whose classification study was denied shall not be permitted to request another classification study until one additional window has passed.

If the study is denied, the worker may appeal to the Director of Personnel. The appeal shall be submitted in writing within ten (10) working days of the receipt of the denial. The Director of Personnel shall determine the procedure of the appeal. The Director shall provide the Union with the list of the appeal decisions.

The Director will provide a list of accepted studies, including those accepted on appeal, and the expected completion date.

If ESA-HR determines some assigned duties fall outside of the worker's classification, ESA-HR will notify the appointing authority to remove such duties within ten (10) working days of that determination.

Any duties performed at a higher-level while receiving work-out-of-class pay will not be considered.

If a study is accepted or approved on appeal, the completed study shall be posted to the Union no later than 12 months after the date of acceptance or favorable appeal determination, unless otherwise agreed to by both parties.

If it is recommended that the worker be reclassified, all Merit System Rules that apply to regular classification studies, such as test requirements, meeting the employment standards, serving a new probation period, etc. shall apply.

Section 20.2 – Lead Worker

Lead duties whether included in the job description or paid for through a differential shall include but not be limited to the following:

- a) Assigns, distributes and adjusts short-term workloads;
- b) Resolves work-related problems within guidelines set by the supervisors, including written counseling. Leads shall not issue verbal or written counselings without supervisory approval for each occurrence. Supervisor approval shall be reflected on the documented counseling;
- c) Keeps apprised of the progress of the work;
- d) Answers procedural and work-related questions;
- e) Assists the supervisor in reviewing the work;
- f) May train new workers by providing general orientation to office, instruction on specific tasks, and review of task performance;
- g) May assist the supervisor in the interview process for new workers--such input shall be advisory;
- h) Peer to peer leads within the same classification shall not issue verbal or written counselings to each other;
- i) All leads shall be trained on the principles of counseling;
- j) The Lead will not issue personnel actions as outlined in Section 6.1, 6.4b, 6.5, 6.6 or 6.7;
- k) Leads will not conduct investigations that may lead to disciplinary action.

Section 20.3 – Reallocations

a) Allocation to a Supervisory Position

When the Department of Human Resources reclassifies or reallocates a position that is represented by SEIU Local 521 to a supervisory unit, such action may be appealed. The County will notify the Union in writing of its intent to take the action and the reasons. The Union will have five (5) working days following receipt of the notice to file an appeal in writing and the reasons to the Deputy County Executive. Prior to conducting a hearing, the County shall arrange a meeting within five (5) working days to include the worker whose job is in question, a Union representative(s) and a County representative to review the contents of the worker's job and the relevant organization structure. The Deputy County Executive will conduct a hearing on the appeal within ten (10) working days after the meeting. A decision will be rendered by the Deputy County Executive within five (5) working days following the hearing.

b) **Vacant Positions**

At least ten (10) working days prior to the Board of Supervisors hearing a request to change a vacant Local 521 position to a position outside a Local 521 unit, the County will notify the Union. The notification will include positions/codes to be supervised and an updated proposed organizational chart.

Section 20.4 – County Initiated Job Specification Revision

In response to County proposed job specification revisions that make changes to the duties and employment standards the Union shall have the right to meet and confer, upon request, including making proposals on additional compensation related to significant new duties and employment standards.

