

**Human Resources
DRAFT as of 5/29/15**

AP 7232 CLASSIFICATION AND RECLASSIFICATION REVIEW

References:

Education Code Sections 88001 and 88009

NOTE: This procedure is legally advised. The following reflects the minimum requirements:

Every position in the classified service in the District shall be assigned a classification.

These classifications will determine the salary levels that shall be applied to these positions.

Review of class specifications shall be undertaken regularly to revise and update the duties and/or responsibilities of positions in the classified service.

Further information regarding classification and reclassification review of represented employees can be found in the respective collective bargaining agreement.

NOTE: The following language is from current CLPCCD Policy 4429 titled Classification Plan:

Classification Plan

The duties and responsibilities of the members of the classified service shall be fixed and prescribed in the District Classification Plan. This plan is the official classification document which shall be adopted by the Board and made a part of these rules and regulations. Each position shall be allocated to a class, following the principle that positions shall be in the same class when their duties and responsibilities are enough alike to justify the same or similar employment standards, skills, ability requirements and compensation.

1. Class Specification

A written class specification shall exist for each class approved by the Board and shall contain (1) the official class title and definition, (2) representative duties, (3) distinguishing characteristics of positions where appropriate, and (4) minimum qualifications of applicants such as knowledge, skills, education and experience. Class specifications should not be construed as declaring the specific duties and

responsibilities of any one position. Copies shall be made available upon request to the Human Resources Office.

2. Assignment of Classes to Job Families

Classes of positions for non-management employees shall be assigned to one of eight service categories which are known as the job families of (1) bookstore, (2) clerical-secretarial-fiscal, (3) learning resources, (4) information technology services (ITS), (5) maintenance and operations, (6) supervisory, (7) technical-paraprofessional and (8) confidential.

3. Allocation of Position Classes to Salary Ranges

Upon the recommendation of the Chancellor, classes of positions shall be assigned by the Board to designated salary ranges.

4. Duties of Classified Employees

Duties may include, but are not limited to, those given as examples in the class specifications for the position to which the employee is assigned. An employee is required to do related duties as assigned by the assigned supervisor or manager.

5. Revision of the District Classification Plan

Substantive revisions of the Plan shall be approved by the Board, including the establishment or abolishment of a class or classes.

a. New Classes

Upon the recommendation of the Chancellor, the Board may create new classes as required and may abolish or combine existing classes to meet the needs of the District.

b. New Positions

Upon the recommendation of the Chancellor, the Board may authorize a new position within any existing class.

c. Reclassification of Positions

Upon the recommendation of the Chancellor, the Board may approve a classification change in any or all of the positions or classes of positions which are a part of the classified service.

No employee shall be demoted or dismissed as a result of reclassification of a position or class of positions except as may otherwise be permitted by law.

- ❖ **From the current CLPCCD Administrative Rules and Procedures 4213 titled Reclassification and Wage and Salary**

Reclassification and Wage and Salary for Confidential & Supervisory

Reclassification is the process of determining through job analysis whether the current classification, as evidenced in the job description, matches the duties and responsibilities of the position.

Decisions regarding reclassifications shall be based on substantial and permanent changes in the level of duties and responsibilities of the position assigned by the District.

Restrictions for Confidential & Supervisory

- An increase in the volume of work shall not be the basis for a reclassification.
- Positions which have been in existence for less than one year are not eligible for reclassification.
- An employee whose position has been reclassified may not apply for another reclassification for at least two years from the date of the last reclassification request.
- An employee who has applied for and been denied a reclassification may not reapply unless the employee's work duties are changed and are inconsistent with the job description for the employee's classification subsequent to the denial.

Request for Reclassification by Confidential & Supervisory

Initiation

A request for reclassification of a position or group of positions may be initiated by management or by the employee.

Management-Initiated Review

When the District initiates a reclassification, it will notify the employee and/or employees with that same position as a group prior to the reclassification being sent to the Board of Trustees, with ample opportunity for the employee and/or employees with that same position as a group to review the proposal and provide feedback ~~meet and confer, if the Union chooses.~~

Employee-Initiated Review

- An employee may submit a request for reclassification to the Chief Human Resources Officer and the employee's supervisor and/or manager by July 1.
- The employee must be serving in a confidential or supervisory position and must have been performing the work, which is the basis for the reclassification request, for at least six (6) months before the reclassification request.
- The employee(s) shall retain a copy of the request packet.

Contents

A reclassification request shall include:

- A completed reclassification request form (employee portion)
- A copy of the employee's current job description (available from the Office of Human Resource Services)
- A copy of the job description for the proposed classification; and
- Any additional supporting documentation.
- In the case of a management-initiated review, the reclassification request shall also include current and proposed organizational charts showing all positions with current employees and vacancies listed.

Multiple Requests

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

Reclassification Consultant

Duties

The reclassification consultant will prepare an analysis and report on the request for reclassification. The analysis will include whether there is currently an appropriate classification within the District, whether duties should be deleted or added and whether the proposed new job description should be revised.

Selection

The reclassification consultant shall be chosen jointly by the District. The cost of the reclassification consultant fee shall be borne equally by the District.

Review

The reclassification consultant will receive the reclassification packets and will review based upon the following:

- The completed reclassification request form
- Desk audit, if deemed necessary
- Internal or external audits of other similar or related positions as necessary, e.g., comparable positions existing elsewhere within the District
- Interviews with the employee and employee's supervisor and/or manager
- Any other relevant information requested by the Consultant

Report

The Consultant will issue a report to the Chief Human Resources Officer within ninety (90) working days of the receipt of the completed reclassification packets.

Decision

The Chief Human Resources Officer will consult with appropriate college administrator and/or President or Chancellor and issue a reclassification decision

to the employee within forty-five (45) days of the receipt of the Consultant's report.

Upon notification of the reclassification decision, the employee may request a joint meeting with the Chief Human Resources Officer and the Consultant to discuss the decision.

Appeal Process for Confidential & Supervisory

Time

An employee may appeal in writing the reclassification decision to the Chief Human Resources Officer within ten (10) working days of receipt of the decision.

Panel

The appeal will be heard by a panel, which is composed of College/District Manager(s) appointed by the Chancellor and the Chief Human Resources Officer. The Consultant may attend and serve as resource to the panel but does not have a vote.

Meeting

The Chief Human Resources Officer will establish a meeting date between the employee and the panel for the appeal meeting. The panel will meet with the employee to receive and review additional information that the employee may wish to provide. The supervisor and/or manager may be asked to attend and address the panel.

Recommendation

The panel will render a recommendation and communicate that recommendation in writing to the Chancellor.

Final Decision

The Chancellor will render the final decision within thirty (30) working days of receipt of the recommendation. The Chief Human Resources Officer will then send notification to the employee and supervisor. If the appeal is denied, reasons will be given. There will be no further appeals.

Implementation of Approved Reclassification for Confidential & Supervisory

Board of Trustees

The Board of Trustees shall consider an approved reclassification at the Board meeting subsequent to the final decision, or if necessary at the following Board meeting. The Board shall establish the salary for the reclassified position. An employee-initiated reclassification shall be effective on the date specified above. A management-initiated reclassification shall be effective on the first of the month following Board action.

Automatic Movement

Where a position is reclassified to a higher class, the employee(s) in the position shall automatically move upward with the position being reclassified, if the employee(s) meets the qualifications.

Salary and Anniversary Date

Any employee(s) who is/are reclassified will be placed at the lowest classification step which provides an increase of at least five (5) percent. The employee's evaluation and anniversary date, for purposes of step increases and longevity, shall not change. When the employee's anniversary date and the effective date of the reclassification coincide, the anniversary increment shall be applied before the reclassification computation is made.

1. ~~Reclassification Procedure~~

~~A request for reclassification may be initiated by management or by the employee. The employee must be a permanent employee and must have been performing the work, which is the basis for the reclassification request for at least six (6) months before the reclassification request. To make a request for reclassification, management or employee shall submit a request for reclassification to the Director of Human Resources and the employee's supervisor and/or manager by July 15/January 15. The request shall include:~~

- ~~a. A completed reclassification request form (employee portion)~~
- ~~b. A copy of the employee's current class specification (available from Human Resources Department)~~
- ~~c. Any additional supporting documentation~~

The employee shall retain a copy of the request packet.

~~An employee who has applied for reclassification may not apply for another reclassification for at least two years from the date of the last reclassification request. An employee who has applied for and been denied a reclassification may not reapply unless the employee's work duties are changed and are inconsistent with the job description for the employee's classification subsequent to the denial.~~

~~Reclassification Consultant~~

~~The reclassification consultant will receive the reclassification packet and will review based upon the following:~~

- ~~a. The completed reclassification request form~~
- ~~b. Desk audit, if deemed necessary~~
- ~~c. Internal or external audits of other similar or related positions as necessary~~
- ~~d. Interviews with the employee and employee's supervisor and/or manager~~
- ~~e. Any other relevant information requested by the Consultant~~

~~Consultant to render a recommendation to the Director of Human Resources by October 1 for reclassification requests made on or before July 15 and April 1 for reclassification requests made on or before January 15 of any school year.~~

Decision

~~The Director of Human Resources will consult with appropriate College President or Chancellor and issue a reclassification decision to the employee by October 15/April 15.~~

~~Upon notification of the reclassification decision, the employee may request through the Director of Human Resources a meeting in person with the consultant to discuss the decision.~~

Appeal

~~An employee may appeal in writing the reclassification decision to the Director of Human Resources by November 1 and May 1 respectively. The Appeal will be heard by a Panel, which is composed of two College/District Managers appointed by the Chancellor and the Director of Human Resources. The consultant may attend and serve as resource to the Panel but does not have a vote.~~

~~Director of Human Resources will establish a meeting date between the employee and the Panel for the Appeal meeting.~~

~~The Panel will meet with the employee to receive and review additional information that the employee may wish to provide. The supervisor and/or manager may be asked to attend and address the panel.~~

~~The Panel will render a recommendation and communicate that recommendation in writing to the Chancellor. The Chancellor will render the final decision. The Director of Human Resources will then send notification to the employee and supervisor and/or manager. If the appeal is denied, reasons will be given.~~

~~There will be no further appeals.~~

Implementation of Approved Reclassification

~~The reclassification application submitted July 15 and approved at the subsequent January Board of Trustees board meeting, shall be effective January 1. The reclassification application submitted January 15 and approved at the subsequent July Board of Trustees board meeting, shall be effective July 1.~~

~~Where a position is reclassified to a higher class, the employee in the position shall automatically move upward with the position being reclassified, if the employee meets the qualifications.~~

Reclassification Process Time Line

~~June/December Classified Reclassification Request forms available July 15/January 15
Reclassification applications due to Director of Human Resources and supervisor (or
manager if no supervisor).~~

~~July 20/January 20 Supervisor and/or manager to complete reclassification on
application form and return to Director of Human Resources.~~

~~August 1/February 1 Director of Human Resources will provide reclassification
applications form to managers for review and comments.~~

~~August 15/February 15 Managers return comments regarding the application to Director
of Human Resources~~

~~August 20/February 20 Reclassification applications forwarded to Consultant August
25/February 25 Consultant receives materials and begins job audits~~

~~September/March Audits continue October 1/April 1 Director of Human Resources
receives Consultant's results~~

~~October 15/April 15 Director of Human Resources issues reclassification decisions~~

~~November 1/May 1 Appeals due to Director of Human Resources~~

~~November 1/May 1 Appeal process begins~~

~~December 1/June 1 Reclassification results sent to Chancellor for final decision~~

~~January/July Board of Trustees approval of reclassification~~

~~2. Wage and Salary Procedure~~

~~A salary range review for Confidential/Supervisory Personnel shall be initiated by
the District under the following conditions:~~

~~Reclassification of a Bargaining Unit job classification, per Article 14 of the
Agreement between the Chabot Las Positas Community College District
and the Union, results in a salary range for the re-classed Bargaining Unit
position being higher than or equal to that of the responsible
confidential/supervisor.~~

~~Reclassification Consultant~~

~~The reclassification consultant will receive for review positions that are affected by the
issuing of reclassification decisions concerning Bargaining Unit reclassifications on
October 15/April 15 of each year.~~

~~The reclassification consultant review will be based upon the following:~~

- ~~a. Request from the Director of Human Resources~~
- ~~b. Desk audit, if deemed necessary~~

- c. ~~Internal review of reclassifications and impact upon relationship of employee salary to Bargaining Unit classifications reporting to the employee~~
- d. ~~Interviews with the employee and employee's supervisor and/or manager~~
- e. ~~Any other relevant information requested by the Consultant~~

~~The consultant will render a recommendation to the Director of Human Resources by November 15/May 15. The Director of Human Resources will render the recommendation in writing to the Chancellor. The Chancellor will render the final decision. The Director of Human Resources will then send notification to the employee and supervisor and/or manager.~~

Implementation of Approved Salary

~~The salary procedure of July 15 and approved at the subsequent January Board of Trustees board meeting, shall be effective January 1. The salary procedure of January 15 and approved at the subsequent July Board of Trustees board meeting, shall be effective July 1.~~

3. Reclassification and/or Salary Approval

~~In the event of a reclassification and/or salary approval, the employee will be placed at the first step of the higher applicable salary range provided a minimum five percent (5%) upward adjustment over the present rate of pay occurs. In the event this does not occur, the employee will be placed on such step in the applicable new range that provides a minimum five percent (5%) upward adjustment in salary where such is possible within the designated pay range.~~

~~In the case of a reclassification, the employee will be given a new anniversary date of the effective date of the new assignment. In the case of a salary change, the employee shall retain the same anniversary date.~~

NOTE: The **red ink** signifies language that is **legally advised** and recommended by the Policy and Procedure Service and its legal counsel. The language in **black ink** is current CLPCCD Administrative Rules and Procedures 4213 titled Reclassification and Wage and Salary issued on November 14, 2000. The language in **blue ink** is included for consideration. The language in **green ink** was added on July 31, 2013 during the review with David, Lydia, and Kit. The changes in **purple ink** were made by David on May 29, 2015.

Date Approved:

(Replaces current CLPCCD Administrative Rules and Procedures 4213)

Legal Citations for AP 7232

Education Code Sections 88001 and 88009

88001. As used in this chapter the following terms mean:

(a) "Classification" means that each position in the classified service shall have a designated title, a regular minimum number of assigned hours per day, days per week, and months per year, a specific statement of the duties required to be performed by the employees in each such position, and the regular monthly salary ranges for each such position.

(b) "Permanent," as used in the phrase "permanent employee," includes tenure in the classification in which the employee passed the required probationary period and includes all of the incidents of that classification.

(c) "Regular," as used in the phrase "regular classified employee," or any similar phrase, refers to a classified employee who has probationary or permanent status.

(d) "Demotion" means assignment to an inferior position or status without the employee's written voluntary consent.

(e) "Disciplinary action" includes any action whereby an employee is deprived of any classification or any incident of any classification in which he or she has permanence, including dismissal, suspension, demotion, or any reassignment, without his or her voluntary consent, except a layoff for lack of work or lack of funds.

(f) "Reclassification" means the upgrading of a position to a higher classification as a result of the gradual increase of the duties being performed by the incumbent in that position.

(g) "Layoff for lack of funds or layoff for lack of work" includes any reduction in hours of employment or assignment to a class or grade lower than that in which the employee has permanence, voluntarily consented to by the employee, in order to avoid interruption of employment by layoff.

(h) "Cause," relating to disciplinary actions against classified employees, means those grounds for discipline or offenses enumerated in the law or the written rules of a community college employer. No disciplinary action may be maintained for any "cause" other than as defined herein.

This section shall not apply to districts to which Article 3 (commencing with Section 88060) is applicable.

This section shall not apply to any district which, during the 1973-74 college year, had an average daily attendance of 100,000 or more.

88009. Governing boards shall fix and prescribe the duties to be performed by all persons in the classified service and other nonacademic positions of the community college district, except those persons employed as a part of a personnel commission staff as provided in Article 3 (commencing with Section 88060) of this chapter.

This section shall apply to districts that have adopted the merit system in the same manner and effect as if it were a part of Article 3 (commencing with Section 88060) of this chapter.