

The University Staff Association/Massachusetts

Teachers Association/NEA

and

The University of Massachusetts Board of Trustees

WITHDRAWN BY MGMT/BRIAN 10-23-2024

University's Proposal #5 Article 19 – Out of Title Work

SECTION 1. WORK IN THE SAME CLASSIFICATION OR A LOWER CLASSIFICATION

- A. When an employee is assigned by their supervisor to perform the duties of a position classified in **the same grade** or a grade lower than that in which the employee performs their duties, they will be compensated at their regular rate of pay as if performing their regular duties.
- B. An employee, who is assigned by their supervisor to perform overtime work in **the same grade or a lower grade classification**, shall have overtime compensation computed at the employee's regular rate of compensation.

SECTION 2. WORK IN A HIGHER CLASSIFICATION

~~A. An employee who is clearly directed by their supervisor to perform the duties of a position classified in a grade higher than that in which the employee performs their duties, work in a higher classification shall receive pay they will be compensated~~ **When an employee is assigned by their supervisor to perform the duties of a position classified in a grade higher than that in which the employee performs their duties, work in a higher classification shall receive pay they will be compensated** at the step as determined by Article 14 from the start of the period for which such work is assigned. Prior to receiving such pay, the out of title Temporary Work Assignment Form (**Appendix B**) signed by the direct supervisor and department head must be received in Human Resources. That form must contain a brief description of the work performed in a higher classification assigned to that employee. Only one employee shall receive such compensation for performing work in a higher classification formerly done by another bargaining unit employee. A job audit by the ~~Personnel Administrator~~ **Office of Human Resources Compensation Unit (OHRCU)** or designee shall be conducted only in cases where there is a dispute between the employee and supervisor and/or designee. Working out of title pay shall not be available for employees filling in for ~~employees on scheduled vacation leave of less than three (3) weeks.~~

B. An employee, who is assigned by their supervisor to perform overtime work in a higher classification grade, shall have overtime compensation computed at the same step rate of the higher classification grade, unless the employee's regular rate of compensation is higher, in which case the overtime compensation shall be computed at the employee's regular rate of compensation.

SECTION 3. WORK IN ANOTHER BARGAINING UNIT

A. ~~When an employee is assigned by their supervisor to perform~~ ~~An employee performing~~ work formerly done by an employee in another bargaining unit, ~~they~~ shall receive a stipend of ~~fifteen (\$15.00)~~ ~~two (\$2.00)~~ dollars per ~~day~~-hour from the start of the period for which such work is assigned. Prior to receiving such pay, the Temporary Work Assignment Form (Appendix B) signed by the direct supervisor and department head must be received in Human Resources. That form must contain a brief description of the work formerly done by an employee in another bargaining unit. Only one employee shall receive such compensation for performing work formerly done by an employee in another bargaining unit. A job audit by the OHRCU designee shall be conducted only in cases where there is a dispute between the employee and supervisor and/or designee. Working out of title pay shall not be available for employees filling in for less than three (3) weeks. ~~Within ninety (90) days after funding of this agreement a joint labor-management committee consisting of three members appointed by each party to this agreement shall meet to discuss the creation of and implementation of a system for compensating USA employees performing out of title work in positions in other bargaining units. The committee shall also have authority to revise the Temporary Work Assignment Form.~~

B. ~~An employee working out of grade shall not use that fact as a basis to pursue a reclassification appeal nor shall it serve as that employee's salary from which a promotion is determined under this agreement.~~ ~~An employee who is assigned by their supervisor to perform~~ overtime work formerly done by an employee in another bargaining unit, shall have overtime compensation computed in accordance with FLSA from their base hourly rate + stipend.

SECTION 4.

~~An employee working out of grade shall not use that fact as a basis to pursue a reclassification appeal not shall it serve as that employee's salary from which a promotion is determined under this agreement.~~