

**The University Staff Association/Massachusetts
Teachers Association/NEA
and
The University of Massachusetts Board of Trustees**

University's Proposal #6 – Article 20 Classification and Reclassification

Current Language

SECTION 1. CLASS SPECIFICATIONS

A. ~~The Office of Human Resources Compensation Unit (OHRCU) appointing authority shall~~ **will** provide the Association with a copy of the class specification of each title covered by this contract for which such a specification exists.

B. ~~Upon request, each employee in the bargaining unit shall be permitted by~~ **Each Employee in the bargaining unit shall be permitted by the OHRCU appointing authority to have access to** examine their class specification.

SECTION 2. INDIVIDUAL APPEAL OF CLASSIFICATION

The parties agree that any appeal, pertaining to reclassification or reallocation, shall continue to be governed by the provisions of Section 49 of Chapter 30 of the Massachusetts General Laws and shall not be subject to the grievance and arbitration procedure herein. An employee, who seeks a reclassification may request an audit of their position ~~using the Request to Appeal Classification form on the form attached hereto (Appendix C).~~ **The appeal process will follow the procedures below, State or Trust-Funded, based upon the higher percentage of funding of the position at the time the appeal is filed. In the event of an equal split of funding the State-Funded procedure will apply.**

A. STATE-FUNDED POSITIONS

1. The employee will file a completed Request to Appeal Classification form with the OHRCU.
2. The OHRCU designee will provide the employee with a copy of the questions that will be asked during the job audit interview and will schedule a job audit interview within 45 days. The OHRCU reserves the right to close out appeals for lack of response.

3. The OHRCU designee will provide a preliminary decision in writing to the employee within ninety (90) calendar days.
4. The employee has (10) working calendar days to review the preliminary decision; and if contested, may submit a rebuttal letter to the OHRCU.
5. A final decision letter will be provided to the employee within ninety (90) calendar days. If the employee wishes to appeal the final decision of the OHRCU, they will be provided with instructions in accordance with Section 49 of Chapter 30 of the Massachusetts General Laws.

~~The employee shall file said form with the Manager of Total Compensation or designee and shall forward a copy of same to the Association. The Manager of Total Compensation or designee or designee shall conduct a job audit within ninety (90) calendar days of receipt of the request. The Manager of Total Compensation or designee shall make a final determination within thirty (30) calendar days of the hearing whenever possible.~~

~~The decision of the Manager of Total Compensation or designee may be appealed within ten (10) calendar days to the Director of Human Resources or designee, who shall issue a decision within thirty (30) calendar days of receipt of the appeal but not more than sixty (60) days.~~

SECTION 3. B. TRUST-FUNDED POSITIONS

The parties agree that the procedure herein provided shall be the sole procedure for reclassification of “trust funded” positions and the grievance and arbitration procedures of Article 27 shall not apply. ~~Within ten (10) working days of completion of the job audit, the Manager of Total Compensation or designee or designee shall hold a hearing. In the case of a request for an individual reclassification, the hearing officer shall not be in the supervisory chain of the employee seeking the reclassification. The Association may participate in the hearing.~~

1. The employee will file a completed Request to Appeal Classification form with the OHRCU.
2. The OHRCU designee will provide the employee with a copy of the questions that will be asked during the job audit interview and will schedule a job audit interview within forty-five (45) days. The OHRCU reserves the right to close out appeals for lack of response.
3. The OHRCU designee will provide a preliminary decision in writing to the employee within ninety (90) calendar days.
4. The employee has ten (10) working calendar days to review the preliminary decision; and if contested, may submit a request for an appeal hearing to the OHRCU.
5. An appeal hearing will be conducted within ninety (90) calendar days. The employee may elect to have the Association participate in the appeal hearing.

6. A decision letter will be provided to the employee within ninety (90) calendar days. If the employee wishes to appeal this decision, they may submit a written request within ten (10) calendar days to the Compensation Director, who will issue the final and definitive decision within ninety (90) calendar days of receipt of this request.

SECTION 4-3. NOTICE TO THE ASSOCIATION

The ~~OHCRU University~~ shall provide notice to the Association of any and all reclassifications filed by or on behalf of **any unit member**. ~~bargaining unit members and the ultimate disposition of any and all reclassifications.~~

SECTION 5. ~~CAMPUS BARGAINING UNIT NEEDS AND ANOMALY CORRECTION POOL~~

~~Effective on the date on which this agreement is funded, there shall be a one-time salary and Campus Bargaining Unit Needs and Anomaly Correction Pool consisting of 3/10th of 1% of the total payroll as of July 8, 2007. As soon as possible after ratification of this contract the parties shall meet to bargain over guidelines for the expenditure of these funds.~~