

PROMOTION/DEMOTION/RECLASSIFICATION

Creation of a New Position

Definition of new position: a position that cannot be allocated to an existing classification.

When a request for the creation of a new position is made by the administration, the Assistant Superintendent of Human Resources shall be notified in writing, giving a statement of the duties to be performed. Within ten working days, the Assistant Superintendent of Human Resources will forward a copy of the request to the president of the classified union.

The Assistant Superintendent of Human Resources shall order any such investigation as may be necessary to determine whether the position should be allocated to an existing class or whether a new class should be created.

If a new class is required, the class specifications and salary range appropriate for the class shall be negotiated.

Reclassification of Incumbents

Reclassification is the placement of a position in a classification which has a higher salary and which is brought about by a change in work assignments that substantially change the kind or level of duties and responsibilities of a position.

Request for Position Analysis

1. A written request to the Assistant Superintendent of Human Resources for study may be initiated by the administration, an employee organization or an individual employee.
2. All requests to have a position analyzed shall be made on a Position Analysis Request form.
3. A position analysis request made by a unit member shall be given to the immediate supervisor for his/her comments. Said supervisor shall forward the completed request within ten working days to the appropriate administrator who shall complete the proper "Comments" section within ten working days. The completed request form shall be forwarded to the Assistant Superintendent of Human Resources with a copy to the Chairperson of the CSEA negotiating team.

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4. Any properly completed position analysis request received by the Human Resources Office shall be presented to the Assistant Superintendent of Human Resources for review and determination as to whether or not there is sufficient justification for conducting a position analysis.
5. Unit members shall be notified of the status of their request for position analysis by the Assistant Superintendent of Human Resources after he/she has made a determination as to whether or not a position analysis shall be conducted.
6. After the Assistant Superintendent of Human Resources reviews the request for position analysis, the unit member shall have the right to present his/her request for reclassification through the collective bargaining process for negotiations.

Position Analysis

1. If the Assistant Superintendent of Human Resources determines that there is sufficient justification for conducting a position analysis, the Personnel Office shall analyze or cause to have analyzed all positions approved for analysis by the Assistant Superintendent of Human Resources.
2. Upon completion of position analysis, the request for reclassification shall be presented to the district and classified bargaining teams for negotiation.
3. If the agreement for reclassification is reached by the bargaining teams, the reclassification will be recommended to the Board for approval.
4. Reclassification of a position shall become effective on the date prescribed by the Board and shall not have retroactive effect.

Effects on Incumbents

1. If a position is reclassified to a higher classification, the incumbent shall be entitled to serve in the higher level position.
2. A bargaining unit member who is reclassified with his/her position shall receive the step on the new range, which provides an increase.

Special Conditions

1. New positions will not be considered for reclassification until at least one year has elapsed since the creation of the position.

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2. Positions which have been considered for reclassification by the negotiating teams will not be again considered for reclassification until at least three years have elapsed.
3. The phrase "to do related work as required" or similar such phrases in class descriptions shall be construed to mean that unit members may be assigned work similar to and at the same relative level of responsibility as defined in the typical tasks section of the class description.
4. It is intended that unit members shall not be assigned work that is of a higher responsibility level than described for the class to which they are assigned, except when there is a gradual increase in the level of assigned duties or a sudden change resulting from bona fide reorganization which will subsequently be given appropriate consideration for reclassification.

Legal Reference:

EDUCATION CODE

200-261 Prohibition of discrimination on the basis of sex

44066 Limitations on certification requirements

45103-45138 Employment (classified employees)

49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

30-31 Affirmative Action Employment Programs

TITLE VII, Civil Rights Act as amended by Title IX, Equal Employment Opportunity Act

IMMIGRATION REFORM AND CONTROL ACT OF 1986