

CPPW makes the following proposal on Reclassification on May 21, 2024 CPPW reserves the right to modify or adjust as negotiations continue so long as no TA has been reached.

Article 29 Reclassification

Section 1 Initiating a Reclassification; Criteria for Reclassification.

- A. **Reclassification Review by the City.** The Bureau of Human Resources shall give the Union and any incumbent employees thirty (30) days' notice of any request by the bureau for reclassification of a bargaining unit position. An incumbent employee or the Union may request consultation with the bureau regarding the potential impact of the reclassification. The consultation request must be made within fourteen (14) days of receiving notice. A consultation period of thirty (30) days shall be provided if requested prior to implementing the reclassification.

- B. **Reclassification Review by the Employee or Union.** The City shall maintain a procedure for employees to initiate reclassification reviews for themselves which currently is outlined in HRAR 8.05. The incumbent employee may request consultation with the Union regarding the potential impact of the reclassification.

- C. **Criteria to be Considered for Reclassification.**
 - 1. **Substantial Change in Duties.** Reclassification shall be considered when there is a substantial change in the duties and responsibilities of an employee's position, beyond what is customary or expected for their current job classification, or position expectations.
 - 2. **Job Evaluation.** The employer shall conduct a comprehensive job evaluation to determine if the increased duties warrant a change in job classification.
 - 3. **Top of Wage Scale.** When an employee reaches top of wage scale, the employee may submit a reclassification review for entry into the next level of the classification series.
 - 4. **Working out of Class.** When an employee has been in paid working out of class status for 6 months or more, with a need to continue, the bureau, union, or employee may request a reclassification review.
 - 5. **Any other criteria delineated by the HRARs.**

Section 2 Reclassification Justifications.

- A. **City Initiated Requests.** When the City initiates a request for reclassification that may result in a downward reclassification, the City shall demonstrate at least one of the following:
 - 1. Reclassification is needed due to material change(s) to the working conditions of employees directly affected by or indirectly affected by the request; or

2. Reclassification is needed because of undue financial burdens on the City or an individual bureau(s) (i.e. layoffs or a reduction in programs or services); or
3. Reclassification is needed because of the emergence of an unforeseen business need that has an effect on the City's ability to manage its workforce.

B. Union or Employee Initiated Requests. When the Union or Employee initiates a request for reclassification of a position(s), the Bureau of Human Resources will proceed to review the classification and, if merited, will reclassify the position.

Section 3 Procedures for Reclassification.

- A. Notification: The employer shall notify the affected employee and the union in writing of any proposed reclassification.
- B. Consultation: The employer shall engage in good faith consultation with the union regarding the proposed reclassification, including providing relevant information and documentation.
- C. Review Process: The union and the affected employee shall review and provide feedback on the proposed reclassification before any final decisions are made.
- D. The effective date of the reclassification action regarding the employee's tenure, rate of pay, seniority, and status shall be the date the written request for reclassification was initiated.
- E. When an employee is reclassified, their anniversary date for wage increase will not be changed.

Section 3 Resolution of Reclassification Disputes.

- A. The outcome of a reclassification request may be appealed under **Article ___** at Step 3 of the grievance procedure within thirty (30) days of the date on which notice of the decision from Bureau of Human Resources is received.
- B. (b) If the grievance is advanced to Step 5, the arbitrator will fashion their award within the following parameters:
 1. The arbitrator shall be limited to deciding if the employee's principal duties fall within the position description to which their position is allocated by the City;
 2. If the arbitrator determines that the position is improperly allocated, the arbitrator shall direct the City to allocate the position to another existing position description. If no appropriate position description exists, the arbitrator shall direct the City to establish such a job profile;
 3. The arbitrator shall have no authority to modify a position description or establish a new position description.

Section 6 Compensation and Benefits.

- A. Salary Adjustment: When reclassified, the affected employee shall receive a salary adjustment commensurate with the new classification and completion of pay equity

analysis.

1. Employees whose positions are reclassified to a higher or different pay grade shall be placed at a step that includes a minimum of 5% increase in salary.
 2. Employees whose positions are reclassified to a lower pay grade will not receive a reduction in pay for the affected employee.
- B. **Benefits:** The affected employee shall retain all benefits accrued prior to the reclassification and shall be eligible for any additional benefits associated with the new job classification.

Section 7 Implementation.

- A. **Timeline.** The employer shall implement any approved reclassifications in a timely manner, with due consideration for the effective date of the change. Any back wages owed shall be paid from the date of the reclassification request.
- B. **Communication.** The employer shall communicate any changes resulting from reclassification to the affected employee, relevant departments, and the Union as necessary.