

ARTICLE 20

ASSIGNMENT/REASSIGNMENT

- 20.1 An employee shall be assigned/reassigned to a position by the appropriate administrator. Such assignments shall be consistent with the employee's classification except as provided elsewhere in this Article. It is expressly agreed that the application or interpretation of this section shall not require any change of the classification of any unit member.
- 20.2 An employee may be temporarily assigned, on a de minimis basis, to perform other duties inconsistent with his/her classification or may be reassigned to a position in a higher classification for which he/she is qualified.
- 20.3 An employee who has received written notice from his/her appropriate administrator that he/she will be serving in such a full-time temporary assignment in a higher classification on an acting basis, pursuant to provision 20.2 above for longer than five (5) consecutive calendar days shall be entitled to receive extra pay commencing on the first day of the assignment. Days on which an employee is absent from work or on a paid leave shall not constitute a break in "consecutive workdays" as the term is used in this Article. The employee's rate of pay upon such temporary reassignment shall be no less than the minimum rate of the higher classification or the rate within the higher salary range which results in at least five (5) percent over the rate last received, whichever is greater.
- 20.4 If any such future reassignment for the same position within a twelve (12) month period occurs, the employee shall receive the appropriate compensation of the higher classification from the first day of such a reassignment.
- 20.5 Temporary reassignment in a higher classification shall not exceed one hundred and eighty (180) consecutive calendar days unless it is extended by mutual agreement.
- 20.6 An employee shall be returned to his/her previous assignment upon completion of a temporary assignment with the same status that the employee would have had if not temporarily assigned.
- 20.7 The Employer shall notify the Union thirty (30) days prior to the effective date of new or revised classifications relating to bargaining unit employees.

20.8 Prior to the implementation of a new or revised classification, a three (3) step procedure may be invoked as follows:

- a. The Union may request a meeting to discuss whether the new or revised classification and its salary are appropriate for the bargaining unit. Such a meeting shall be held. The parties may agree in writing to modify the unit to include the new classification.
- b. The Union may request to meet and confer over the new or revised classification and whether the wage rate is appropriate for the classification.
- c. If the parties are in disagreement, either may seek a unit modification pursuant to the procedures established by PERB.

Bargaining Unit Work

20.9 It is the intent of the University to have represented employees perform work which is within the scope of the Bargaining Unit. The parties recognize that MPP employees will occasionally perform Bargaining Unit work on a de minimis basis for reasons which include, but are not limited to: instructing employees, emergencies, developing new methods and procedures, and safety.

Classification Review

20.10 Employees who believe they are misclassified may initiate a classification review in accordance with campus procedure, which shall be established by the President and made available to employees upon request. Campus procedures shall be consistent with the provisions of this Article. A request for such a review shall be submitted to an employee's immediate non-bargaining unit supervisor, who shall forward the request to the campus Human Resources Office within fourteen (14) days. If the request has not been received by the Human Resources Office within that period, the employee may submit the request directly to the Human Resources Office.

20.11 An employee shall be notified in writing of a classification review decision within fourteen (14) days after the decision has been made and no more than one hundred eighty (180) days after the initial submission of the review request by the employee. An employee shall not submit another such request within twelve (12) months of the completion of the prior review.

- 20.12 An employee may appeal a classification review decision no later than thirty (30) days after receipt of the decision. Such appeals shall be filed with the appropriate administrator in the campus Human Resources Office and shall include a detailed statement by the employee indicating his/her reason(s) for disagreement with the decision. The employee shall provide a copy of the appeal to the appropriate administrator to whom he/she directly reports.
- 20.13 The Human Resources Office shall designate an individual to hold a meeting with the employee no more than thirty (30) days after the filing of the appeal. This designated individual shall not be the same individual who conducted the initial classification review. The designated individual shall respond in writing to the employee no more than thirty (30) days after the meeting. This response shall be final.
- 20.14 Upon request of an employee whose current classification is determined to be appropriate, the employee shall be provided a report stating the primary reason(s) for the classification decision, but shall not have access to the working notes of the individual(s) conducting the review and/or appeal.
- 20.15 If, as the result of the classification review process, a higher classification is granted, normally the employee shall receive the appropriate compensation of the higher classification retroactive to no later than the first day of the pay period following the date on which the initial classification review request was received in the campus Human Resources Office.
- If it is determined that the employee was performing duties of a higher classification and a permanent reclassification is not granted, if the employee has not been compensated for such work as provided in provision 20.3, the employee shall receive compensation for the higher-level work performed retroactive to the date on which the initial classification review request was received in the campus Human Resources Office.
- 20.16 A classification review decision shall not be subject to Article 9, Grievance Procedure. However, alleged violations of the procedure described in provisions 20.11-20.15, as well as the remaining provisions of Article 20, shall be subject to Article 9, Grievance Procedure.