

RULE XII

POSITION CLASSIFICATION

SECTION 12.1 PURPOSE

It is the purpose of this rule to assure that all positions authorized by the Board of Supervisors are classified in accordance with the duties and responsibilities assigned by appointing authorities. It is also the purpose of this rule to assure that the classes which make up the Classified Service are arranged in relation to other classes so as to achieve and maintain a classification plan which will promote the efficient and orderly administration of work and develop a County career service.

SECTION 12.2 RESPONSIBILITY FOR CLASSIFICATION OF POSITIONS

The Director shall administer the classification plan for all positions in the Classified Service. It is the duty of the Director to:

- A. Make recommendations to the Board of Supervisors as to the establishment and deletion of classes;
- B. Develop procedures for the administration of the classification plan for the Classified Service;
- C. Conduct studies of positions in the County Service to determine the proper classification of all positions in the Classified Service;
- D. Recommend the assignment of positions to appropriate classes to the Board of Supervisors;
- E. Approve and maintain all official class specifications, modifications or deletions to class specifications according to the following guidelines:
 - (1) New classes shall include:
 - (a) proposed class specification;
 - (b) reason that no existing class is appropriate;
 - (c) factors which distinguish the new class from related classes;
 - (d) rationale for the proposed compensation and salary allocation;
 - (e) representation status of the class, including bargaining unit, if appropriate, to which the class is proposed to be assigned;
 - (f) rationale for the minimum qualifications.

(Amended 9-27-05)

- (2) Class deletions shall include the class specification to be deleted and the rationale for the deletion.
- (3) A copy of official classification changes shall be filed with the Civil Service Commission at the time of docketing with the Board of Supervisors, so that the Civil Service Commission may advise, if it desires, under the provisions of Charter Section 904.5.

SECTION 12.3 CONDUCT OF CLASSIFICATION REVIEWS

The Director shall establish procedures for the conduct of classification studies and for the review of proposed duties and responsibilities to determine the proper class allocation in accordance with the guidelines as set forth in Section 12.2 of this rule.

SECTION 12.4 RESPONSIBILITY FOR ASSIGNMENT OF WORK

- A. The appointing authority shall be solely responsible for the assignment of work. Assignment of duties and responsibilities to a position by the appointing authority shall be consistent with those described for the class.
- B. Should reorganization or business necessity result in potential changes to the assigned duties or responsibilities on other than a volunteer basis, the appointing authority shall promptly notify the Director. The notification shall include the reason for the change in duties that may necessitate review by the Director of the appropriateness of the class to which such positions are assigned.

SECTION 12.5 EMPLOYEE REQUEST FOR CLASSIFICATION REVIEW

- Step 1: The Employee. If a permanent employee can demonstrate that he/she has been assigned and is regularly performing duties and responsibilities on other than a voluntary basis as authorized by Section 12.4 of this rule, which appear to be outside those of his/her class specification for at least fifty percent (50%) of a continuous six (6) month period preceding the request, the employee may, within 60 days of such six-month period, submit a written request to his/her appointing authority to conduct a classification review.
- Step 2: The Appointing Authority. The appointing authority shall be responsible for conducting the requested review. This review shall be in writing to the employee, shall respond to the classification issue(s) contained in the employee's request, and shall be prepared within thirty (30) days of receipt of the request.
- Step 3: Department of Human Resources. If the appointing authority's response does not resolve the classification issue, the employee may, submit the appointing authority's response in writing to the Department of Human Resources. The submission to the Department of Human Resources must be within ten (10) work days of receipt of the appointing authority's response, and must include the reasons the appointing authority's response does not resolve the classification issue. (Amended 8-20-96)

The Director shall cause a work assignment study, to be conducted by the Department of Human Resources' staff within thirty (30) days of receipt of the employee's submission. A written report and findings of the study shall be issued to the employee and the appointing authority within thirty (30) days of the initiation of the study. (Amended 8-20-96)

Step 4: The Director. If the Department of Human Resources' staff report does not resolve the classification issue, the employee may submit the Department of Human Resources' staff report and findings to the Director for review within fifteen (15) work days of receipt by the employee of the Department of Human Resources' report. The Director or designee shall meet with the employee at a mutually agreeable time, but no later than fifteen (15) work days from receipt of the submission by the Director. (Amended 8-20-96)

The Director shall render a written decision in the matter submitted within ten (10) work days of the meeting. The decision of the Director shall be final.

Step 5: Civil Service Commission Appeal. The employee may appeal the Director's decision to the Commission. Such appeal must be filed within ten (10) days from the date of personal service or date of certified mail of the Director's decision.

The Commission shall, consistent with established filing deadlines and at its next regular meeting notice the date for the hearing thereof, and shall without delay, fully hear and determine the matter; provided, however, the Commission in its discretion may appoint one of its members or a hearing board or officer to hear the appeal and submit the findings and proposed decision to the Commission.

The Commission shall review the findings and the proposed decision before taking final action in the matter. The hearing shall be conducted in the same manner as one conducted pursuant to Rule X of these rules.

If the Commission finds that the employee (a) involuntarily worked out of class in excess of fifty percent (50%) of the continuous six (6) months referenced in the appeal, and (b) the employee has requested appointing authority classification review of the involuntary assignment of duties, all as is set forth in Step 1 hereof, then the Commission may either:

- (a) Order the appointing authority to stop assigning to the employee duties and responsibilities outside those of his/her classification; or
- (b) Order the Director to reclassify the position in question, leaving the incumbent to qualify for the position under applicable Civil Service Rules.

- (c) Additionally, if the involuntary working out of class continues beyond six (6) months, the Commission may in its discretion order the appointing authority to pay the employee not to exceed the premium pay or salary differential between his/her class and that of the higher class for that period in excess of six (6) months until the date of the Commission decision.

The findings and decision of the Commission shall be the final appeal step and shall be certified to the parties and shall be forthwith enforced and followed.

Waiver of Time Limits. Except for those set for in Step 1, the time requirements for the above review process may be waived or modified by mutual agreement of the parties at any step of the process.

SECTION 12.6

When a classification action, not covered under Sections 12.1 through 12.5 above, results in an alleged violation of the merit basis of the personnel system, employees may request Commission review as provided for in Rules IV, V, VI, X and XI. Such request must be in writing and must specify the nature of the rule provision subject to the alleged violations.

RULE XIII

RULES AND REGULATIONS

(REPEALED AND INCORPORATED INTO RULE I)

(Repealed)