

ARTICLE 32

POSITION CLASSIFICATION

SECTION 1

- A. Each employee in the unit normally will be provided with a description of his/her duties and responsibilities in the form of a current official position description (or comparable description of responsibilities) within thirty (30) days of entrance on duty. Position descriptions normally will contain only a listing of duties necessary to determine proper classification of work. The position description may also be used to identify training, qualifications, and performance requirements of the position. Employees are encouraged to discuss the contents of the official position description with their supervisors. When significant changes in the duties and responsibilities warrant, the position description may be amended or rewritten to provide a current description of the work performed.
- B. Supervisors may revise position descriptions to ensure that they accurately reflect current duties of the position. Determination of the content of position descriptions remains in the discretion of the employer.
- C. The employer retains the right to determine technology, including the use of automated classification systems. If a change in automated classification systems, however, affects working conditions, the Employer will notify NTEU prior to effecting the change and bargain, as requested, in accordance with this Agreement, law, rule and regulation.

SECTION 2

An employee who believes that his or her position description is inaccurate or incomplete or that the official title, series, or grade of the position is incorrect should discuss this concern with the immediate supervisor. If, after the discussion, the employee desires that his or her title, series, or grade be reconsidered, he or she may take the following action:

- A. Request reconsideration of the title, series, or grade, by submitting a written reconsideration request to the appropriate operating personnel office, with a copy to his or her supervisor. If the employee is not satisfied with this reconsideration, he or she may appeal according to Paragraph B or C below;
- B. Formally appeal the title, series or grade to the Office of Human Resources and Management Services, Classification Services Staff (CSS). The appeal should discuss the specific aspects of the position that the employee thinks were either misunderstood or not considered adequately. It should also include copies of the current classified Position Description, the Evaluation Report, and a current staffing chart. The Position Description submitted should be the one on which the evaluation is based. A classification decision from the Classification Services Staff will constitute the final classification decision within the Department of Health and Human Services. If the employee does not agree with this decision, he or she may appeal directly to the Office of Personnel Management (OPM) as

described in Paragraph C below;

- C. Appeal the title, series, or grade directly to OPM following the procedures in 5 CFR 511. If the employee is not satisfied with OPM's decision, he or she has no subsequent appeal rights within the Federal Government. The OPM classification decision constitutes the final decision within the Federal Government and is binding on the Agency regardless of the favorableness of the determination.

SECTION 3

When the Department or OPM affords the Employer the opportunity to review and comment on proposed position classification standards, the Union will be provided a copy and given the opportunity to comment. The Union's comments will be identified separately and forwarded with those of the Employer. If the Union's comments are not received in the time frames identified by the Employer, its comments will be forwarded separately.

SECTION 4

The Employer agrees to provide to NTEU National copies of newly created position descriptions and position descriptions where changes are effected that significantly alter employee's current duties. The Employer agrees to provide these copies within thirty (30) days of the final classification of the position description(s). The Union may submit comments and make recommendations on the position description(s). The Employer will consider the Union's comments and/or recommendations, and, upon request, provide the results of the review. Nothing in this Article shall affect the Employer's right to assign work and set deadlines for the accomplishment of work.

SECTION 5

The phrase "duties as assigned" in position descriptions is meant to include tasks of an incidental or infrequent nature that are impractical to include in the narrative portion of the position description.

SECTION 6

Upon request for an internal HHS position review (desk audit) the servicing human resources center will commence the process within fifteen (15) work days of receiving the employee's request and complete the process (including the issuance of a written evaluation statement) within ninety (90) days from the date of the employees request. During any desk audit the employee shall have the right to be accompanied by a Union representative as a silent observer. Any written evaluation statement prepared by the Employer as a result of a desk audit shall be furnished to the employee prior to the adjudication of the classification appeal. The employee shall have the right to make written comments within five (5) workdays after receipt of the

evaluation statement, which shall be attached and forwarded with the written evaluation statement. The employer's determination may, depending upon the issue, be subject to an optional appeal process provided by OPM and outlined in Section 2 above.

SECTION 7

The Employer, upon request, agrees to provide the Union access to and copies of written classification standards and qualification standards that the Employer maintains, if they are not otherwise available on the OPM website or other publicly accessible web sites that display Federal personnel material.

SECTION 8

The Employer agrees to inform the Union as soon as possible when significant changes will be made in the duties and responsibilities of positions held by employees due to reorganization or when changes in position classification standards result in changes in title, series or grade.