

The State Contract Series

For use in understanding the state employees' contract



Article 36.05-Classification Reviews

The State of Ohio can make changes in classification specifications. These changes may be anything from changes in duties to changes in pay ranges. Each change in a classification specification is built upon employee input. This fact-sheet will familiarize employees with the process of classification changes pursuant to Article 36.05 of the contract.

State Generated Changes

The State of Ohio can create, change the pay range, authorize advanced step hiring if needed for recruitment purposes and issue/modify specifications. The agency head or designee will meet with DAS and OCB to review all proposed changes to the classification specifications. Once this meeting has taken place, then local discussions at the labor management committee may begin. More than one labor management committee or ad hoc committee meeting will probably be required to complete discussions.

Management may request the employees to complete a Position Description Questionnaire (PDQ) or use another method to obtain information regarding an employee's duties. Members of the labor management committee should request any supporting documentation that will be submitted to DAS for recommendations to change the classification specifications and/or the pay range. If everyone is in agreement with the proposed changes, the OCSEA Office of General Counsel (OGC) and DAS should be notified in writing. The Office of Collective Bargaining will send to the Union the final proposed changes to the classification specification for final approval. The Union has 45 days to respond back to the Office of Collective Bargaining whether

or not we are in agreement about the changes.

If the Agency's labor/management committee cannot reach a final agreement on the proposed changes, then the OGC should be informed of the areas of disagreement and possible resolutions. Once the final proposal is sent by OCB to the Union, an attempt will be made to resolve the dispute. If the dispute cannot be resolved and management implements the new changes, the OGC may make a demand for arbitration to protect our timelines under the contract to change the classification.

Joint Review

There shall be a joint committee of management and the union to review classification issues which may be a segment, a series, or portions of the class plan. The OCSEA Classification Review Committee, which is made up of five members, will make recommendations to the joint committee of what classification segment/series should be reviewed.

Once the joint committee has made the determination of a classification segment/series to be reviewed, the committee will appoint up to five members each to act as subject matter experts to determine changes to the classification. The purpose of such reviews is to determine the state's business needs, to have employees placed in the proper classification along with proper compensation and to maintain Bargaining Unit integrity.

The committee will develop a proposal that includes: a rationale for change, creation, modification, deletion and/or replacement of the existing classification, an allocation and transition plan.

Once the review is complete a recommendation will be made for the appropriate pay range to the classification, along with any necessary allocations for employees to another classification. If an employee is allocated in a classification with a higher pay range they will be placed in the higher pay range that will give them an approximate 4% pay increase. If an employee is placed in a pay range with a lower classification, the employee will be allocated to the appropriate classification and will be placed in the new pay range in the step that is equal to their current step or that provides the least amount of increase. The employee has 60 days from the date of the notification to appeal the decision by using the Working out of Classification (WOC) process. If the joint committee cannot agree to a pay range for the new classification, the Union may appeal the determination directly to Step 5 of the grievance procedure within 30 days of such notification. All pay adjustments will be implemented the fiscal year following the review.

Discontinuation of the Joint Committee:

If the Union and the Employer cannot mutually agree to the classifications to be reviewed, the Union will select the classifications to be reviewed using the traditional language that allows the Union to select up to eight classifications per year. This review will require that Position Description Questionnaires (PDQ) be completed by employees.

The State must complete the review within 180 days of the initial request for classifications with less than 200 incumbents. If a classification holds more than 200 incumbents, a separate timeline will be set. DAS will send out PDQs to all incumbents that hold the classification being reviewed. Each employee must complete his/her own PDQ. If a PDQ is not completed, the individual will be assigned to the appropriate classification and pay range

based on the supervisor's review. Prior to the distribution of PDQs, the union and state will conduct a joint training on how to complete a PDQ. The union has the right to request an appeal of the pay range determination directly to Step 5 of the grievance procedure within 30 days of receipt of written notice of DAS's determination. Also, the Classification Review Committee will review all unresolved classification changes to determine if classification grievances will be arbitrated.

If the PDQ indicates an employee is performing the duties of a lower classification, the employee will be allocated to the appropriate classification and will be placed in the new pay range in the step that is equal to their current step or that provides the least amount of increase. The employee has 60 days from the date of DAS's findings to appeal the decision to OCSEA's Office of General Counsel (OGC). You can only appeal this decision if you complete your own PDQ. The appeal must be filed in accordance with Article 19 (WOC).

If a classification receives a pay increase, the employees will be placed in the higher range and the step that allows for an approximate 4% increase. Pay adjustments will be made effective at the beginning of the fiscal year (July) after the DAS's findings are due.

PDQ: Position Description Questionnaire

The PDQ is designed to obtain information from employees and their supervisor about the job performed and the environment in which it is performed. The PDQ asks questions about an employee's job and influences on their job duties. If an employee is selected to complete a PDQ, it is important that he/she provide a complete and accurate description of his/her job. The information from the PDQ will be used to **ensure that the proposed changes of a classification are proper.**

(For more information regarding PDQ's see the Factsheet # 290 A (Helpful PDQ tips.)

Reference Article 36.05

OCSEA

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