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**MEMORANDUM OF UNDERSTANDING  
PROPOSED 2020-2021 PILOT PROGRAM  
FROM THE  
THE YUBA COMMUNITY COLLEGE DISTRICT  
TO THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION  
AND ITS CHAPTER 283  
MAY 22, 2019**

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The memorandum of understanding is entered into between by the Yuba Community College District and the California School Employees Association and its Chapter 283 pursuant to the Education Employment Relations Act and the Collective Bargaining Contract between the parties.

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The following agreement is intended to be implemented as a pilot project for the 2019-2020 academic year, with the intent of the parties to revisit, update, and refine the terms, timelines, and requirements this article and meet at end of the Spring 2020 semester to determine whether any changes need to be made, as appropriate. Because of the experimental nature of this pilot program, while the parties will make every effort to comply with the timelines contained in this MOU and the failure to do so shall not be subject to a grievance during the 2019-2020 academic year.

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This MOU shall be held in abeyance until the conclusion of the 2019-2020 Reclassification process, at which time the parties shall meet within 30 days to determine whether further revisions are required.

**ARTICLE 17.0  
RECLASSIFICATION AND CHANGE OF JOB RESPONSIBILITIES**

**17.1 Definitions**

**17.1.1 Reclassification - In accordance with California Education Code Section 88001(f), reclassification means the upgrading of a position to a higher classification as a result of the gradual increase of the duties being performed.**

**17.1.2 Day - A "day" (for purposes of this article) is any day on which the Office of Human Resources is regularly open for business.**

**17.2 Guidelines For Reclassification**

**17.2.1 Reclassification is a method for systematically assessing the content and function of a job in relation to other jobs within the organization. This process looks at jobs, not people.**

**17.2.2 A reclassification is warranted by a permanent change in the position that significantly impacts or increases any of the following:**

- **level of responsibility;**
- **scope of duties;**
- **creativity, innovation or problem solving required;**
- **supervision exercised;**
- **knowledge, skills and abilities required;**
- **accountability;**
- **amount and level of independent work required; or**
- **technical expertise and complexity required**

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5:20

- required experience and education

**17.2.3. The following without permanent changes in Article 17.2.2 above do not warrant reclassification:**

- an increase in the amount of workload (volume of work) for a position.
- an increase in the level of performance of the employee.
- the employee's completion of a degree or training.
- a change in the software or manner of performing the existing duties of a position.
- the addition of assigned or restructured duties that are at a comparable level.

**A reclassification request may only be submitted for duties performed as a result of a written "working out of classification" authorization if the authorization exceeds 960 hours.**

**17.2.4 Requests for classification review should be treated in a consistent and fair manner, based on the merit of the request, as supported by data provided and collected during the process.**

**17.2.5 New positions must be established for a period of at least one year before reclassification can be considered.**

**17.3 Reclassification Requests: Permanent classified employees or District managers may request a review of a job classification when there has been a significant change in job duties and/or significant changes in the required knowledges, skills and/or abilities, as set forth in 17.2.2.**

**17.3.1 By the last day of January, the District and the Association shall each appoint three (3) members to serve on a Reclassification Committee (hereafter referred to as the Committee) for purposes of employee and District-initiated reclassifications. The Committee shall hold its first meeting in February for the purposes of orientation to the process.**

**17.3.1.1 Any member of the Committee determined to have a "direct conflict" shall be excused from serving on the Committee.**

**17.3.1.2 A "direct conflict" is defined as:**

- 1) Any Committee member who occupies the same classification of the employee(s) being reviewed.**
- 2) Any Committee member who has the responsibility of immediate supervision of the employee(s) scheduled for review.**
- 3) Any Committee member whose request is being reviewed by the Committee.**
- 4) Any immediate family member of the employee being considered for reclassification.**

106 17.3.1.3 If any Committee member is excused as provided herein, the  
107 District and/or CSEA will provide a substitute as appropriate.  
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109 17.3.2 Employee Initiated Requests.  
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111 17.3.2.1 Employee initiated requests for reclassification shall be  
112 submitted to the Office of Human Resources in writing on forms  
113 approved by the District and the Association (Refer to Attachment  
114 5).  
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116 The request shall be submitted to the employee's immediate  
117 supervisor for review and assessment by March 15. The  
118 immediate supervisor shall indicate by signature on the form  
119 whether he or she agrees or disagrees with the request. If the  
120 supervisor fails to indicate approval or disapproval by April 15,  
121 the application shall be deemed to have been approved by the  
122 immediate supervisor.  
123

124 17.3.2.2 Only those requests received in the Office of Human Resources  
125 before the close of business on April 15 (5:00 p.m.) or the closest  
126 business day following will be considered.  
127

128 17.3.2.3 Within fifteen (15) days after the application deadline, the  
129 Committee shall meet individually with the applicant and the  
130 immediate supervisor to complete the interviews and technical  
131 review of those employees requesting a review.  
132

133 A "technical review" shall consist of a meeting between the  
134 Committee, the immediate supervisor, and the applicant(s) to  
135 review and verify the actual duties and responsibilities of the  
136 position in conformance with the requirements of Article 17.2.  
137

138 17.3.2.4 Within ten (10) days of the conclusion of interviews, the  
139 Committee shall meet to finalize recommendations for each  
140 request. The Committee shall, by majority vote, do one of the  
141 following:  
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143 17.3.2.4.1 Forward the request to the appropriate College  
144 President, Vice Chancellor or designee with a  
145 recommendation for reclassification into an  
146 appropriate existing job classification.  
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148 17.3.2.4.2 Recommend to the appropriate College President,  
149 Vice Chancellor or designee that the job description  
150 for an existing classification be revised.  
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152 17.3.2.4.3 Recommend to the appropriate College President,  
153 Vice Chancellor or designee that a new  
154 classification and job description be developed.  
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156 17.3.2.4.4 Deny the request and return it to the employee(s). A  
157 tie vote or the failure of a majority to take any action  
158 on a request shall also be deemed a denial of the  
159 request. [See 17.3.2.5.]

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161 The Committee shall supply a copy of the recommendation or  
162 denial to the employee(s) and immediate supervisor(s).  
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164 17.3.2.5 Employees whose request for reclassification is denied by the  
165 Committee may, within ten(10) days of receipt of the denial,  
166 submit an appeal in writing to the appropriate College  
167 President, Vice Chancellor or designee.  
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169 17.3.2.6 Within ten (10) days, the appropriate College President, Vice  
170 Chancellor or designee shall review and evaluate each  
171 recommendation from the Committee or appeal from the  
172 employee and notify the Committee, the employee, and the  
173 appropriate manager/immediate supervisor of his or her  
174 decision to do one of the following:  
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176 17.3.2.6.1 Approve the appeal or the Committee's  
177 recommendation for reclassification into an  
178 appropriate existing job classification.  
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180 17.3.2.6.2 Approve the appeal or the Committee's  
181 recommendation for reclassification into an existing  
182 job classification with a revised job description.  
183

184 17.3.2.6.3 Approve the appeal or the Committee's  
185 recommendation to develop a new classification  
186 and job description.  
187

188 17.3.2.6.4 Deny the appeal or the Committee's  
189 recommendation.  
190

191 17.3.2.6.4.1 Employees whose appeal or request for  
192 reclassification is denied by the College  
193 President, Vice Chancellor or designee  
194 may, within ten (10) days of receipt of the  
195 denial, submit an appeal in writing to the  
196 Chancellor. The Chancellor shall issue a  
197 written decision on the appeal within  
198 fifteen (15) days.  
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200 17.3.2.6.4.2 Employees whose appeal or request for  
201 reclassification is denied by the  
202 Chancellor may, within ten (10) days of  
203 receipt of the denial, submit an appeal in  
204 writing to the Board of Trustees. The  
205 Board of Trustees decision shall be final.  
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207 17.3.2.6.5 Upon final denial, the College President, Vice  
208 Chancellor or designee shall direct the supervisor  
209 to adjust the employee's duties to align with the  
210 existing job description.  
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212 17.3.2.7 If a recommendation for a new classification is made,  
213 recommendations to develop new job description(s) shall be

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processed by the Office of Human Resources in conjunction with the immediate supervisor within 20 days.

17.3.2.7.1 Within twenty (20) days of development of initial draft job description, the Office of Human Resources will meet with leadership from both Colleges or the appropriate Vice Chancellors to review job description.

17.3.2.7.2 Within ten (10) days of leadership review deadline in 17.3.1.7.1, the Office of Human Resources will provide job description to the Association.

17.3.2.7.3 Within ten (10) days of deadline in 17.3.1.7.2, the Association shall review with employee(s) and provide feedback to the Office of Human Resources.

17.3.2.7.4 Within ten (10) days, the Chief Human Resources Officer will review the draft of the job description with the Chancellor and Chancellor's Cabinet and draft the final job description.

17.3.2.7.5 Within ten (10) days of deadline in 17.3.1.7.4, the Office of Human Resources shall provide the final job description to the Association.

17.3.2.7.6 Within ten (10) days of providing the final job description, the District and the Association shall begin to meet and negotiate any impacts and effects resulting from the job description and determine appropriate pay range adjustment, if any.

17.3.2.8 If a recommendation for reclassification into an existing classification with a revised job description is made, the District and the Association shall meet within ten (10) days to negotiate revisions to the job description and an appropriate pay range adjustment, if any.

17.3.2.9 Within fifteen (15) days of the approval of the final job description and pay range, the Office of Human Resources will confirm with Fiscal Services that there are adequate resources in identified account(s).

17.3.2.10 In order for a reclassification to occur, the District and the Association must reach an agreement in writing. The District will place the reclassification packet on next available agenda of the Board of Trustees after receiving written notification that the CSEA unit has approved the agreement.

17.3.2.11 Approved reclassifications shall have an effective date of July 1<sup>st</sup> of the fiscal year following the initiation of the reclassification request.

267 **17.3.3. District Initiated Reclassification Request: In addition to the reasons set**  
268 **forth in Article 17.3, a District-initiated reclassification may also be**  
269 **necessitated by a reorganization. A reorganization is a reordering or**  
270 **reassignment of functions, tasks, and responsibilities within an**  
271 **organizational unit to provide an improved, new, or different service that**  
272 **has been approved by administration prior to the institution of**  
273 **reclassification procedures. To be upgraded to a higher classification**  
274 **due to a reorganization, there must be the addition of assigned or**  
275 **restructured duties that create a significant change in the factors listed**  
276 **in 17.2.2 above. A reclassification through reorganization resulting in**  
277 **lower classification will be treated the same as a lay-off.**

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279 **Requests for District initiated reclassification shall be submitted by**  
280 **District managers to the Office of Human Resources in writing on forms**  
281 **approved by the District and the Association (Refer to Attachment 6).**

282  
283 **17.3.3.1 District Initiated Reclassification Requests shall be accepted by the**  
284 **Office of Human Resources at any time during the fiscal year.**

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286 **17.3.3.2 The Office of Human Resources shall provide the reclassification**  
287 **request to the alternate campuses via the President's Cabinet**  
288 **meeting for review and feedback.**

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290 **a. The reclassification packet and draft job description shall**  
291 **also be provided to the Association by the Office of Human**  
292 **Resources within ten (10) days of receipt.**

293  
294 **b. Within fifteen (15) days, the Office of Human Resources shall**  
295 **request the immediate supervisor, Association**  
296 **representatives and employee(s) to attend the meeting for**  
297 **interviews and clarification.**

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299 **17.3.3.3 Within fifteen (15) days, the Office of Human Resources shall**  
300 **revise the job description with the immediate supervisor.**

301  
302 **17.3.3.4 Within fifteen (15) days the Office of Human Resources shall**  
303 **provide the revised job description to the Association and**  
304 **employee(s) for review and feedback.**

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306 **Within ten (10) days, the Association and Office of Human**  
307 **Resources shall discuss the job description feedback and revises**  
308 **the job description.**

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310 **17.3.3.5 Within ten (10) days, the Office of Human Resources shall work**  
311 **with the immediate supervisor and administrators to draft the**  
312 **final job description.**

313  
314 **17.3.3.6 Within ten (10) days, the Office of Human Resources shall provide**  
315 **a draft of the final job description to the Association and**  
316 **employee(s) for review and feedback.**

317  
318 **Within ten (10) days, the Association and Office of Human**  
319 **Resources shall finalize the job description and negotiate any**  
320 **range adjustment.**

321  
322 17.3.3.7 Within fifteen (15) days, the Office of Human Resources will  
323 confirm with Fiscal Services that there are adequate resources in  
324 identified account(s).

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326 17.3.3.8 In order for a reclassification to occur, the District and the  
327 Association must enter into a written agreement. The District will  
328 place reclassification packet on next available agenda of the  
329 Board of Trustees after receiving written notification that the  
330 CSEA unit has approved the agreement. The reclassification  
331 shall have an effective date of the first day of the month following  
332 approval by the Board.

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334 17.4 The Parties agree that the timelines, procedures, and guidelines in  
335 Article 17 Pilot Program shall be revisited for operational efficiency  
336 during 2020-2021 successor negotiations. During the duration of this  
337 pilot program the Reclassification Committee will also meet two times  
338 per primary term to discuss the drafted Article 17 process to assess for  
339 issues that may need to be resolved.

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341 17.5 A grievance regarding procedures (except timelines) may be filed in  
342 accordance with Article 10 starting at Level III (Office of Human  
343 Resources) of the grievance process.

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345 ~~17.1 Permanent classified employees or District managers may request a review of a job~~  
346 ~~classification when there has been a significant change in job duties. Requests for~~  
347 ~~reclassification shall be submitted to the Human Resources Development and Personnel~~  
348 ~~Services Office in writing on forms approved by the District and the Association Refer to~~  
349 ~~Exhibit 5. The request shall be reviewed and assessed by the employee's immediate~~  
350 ~~supervisor before submission to the Human Resources Development and Personnel~~  
351 ~~Services Office.~~

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353 ~~17.2 Only those requests received in the Human Resources Development and Personnel~~  
354 ~~Services Office before the close of the October 15 (5 p.m.) or the closest working day~~  
355 ~~following will be considered.~~

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357 ~~17.3 The District and the Association shall each appoint two (2) unit members to a~~  
358 ~~Change in Job Responsibilities Review Committee. Employees submitting requests for~~  
359 ~~review of job classification shall not be a unit member of this committee. The Change in~~  
360 ~~Job Responsibilities Review Committee shall review and evaluate each request that is~~  
361 ~~submitted, as well as the supervisor's review and assessment. The committee may~~  
362 ~~interview those employees requesting a review and the employee's supervisor. Within 27~~  
363 ~~twenty-five (25) working days of receiving the request for review, the Change in Job~~  
364 ~~Responsibilities Review Committee shall do one of the following:~~

365  
366 ~~17.3.1 Forward the request to the College President with a recommendation for~~  
367 ~~reclassification into an appropriate existing job classification.~~

368  
369 ~~17.3.2 Recommend that a new job description be developed and negotiated; or~~

370  
371 ~~17.3.3 Deny the request and return it to the employee(s) and may make~~  
372 ~~appropriate recommendations.~~

373

374 17.4 Employees whose request for reclassification is denied by the Change in Job  
375 Responsibilities Review Committee may, within twenty-five (25) working days of receipt  
376 of the denial, submit an appeal in writing to the College President.  
377

378 17.5 The College President shall review and evaluate each recommendation received  
379 from the Change in Job Responsibilities Committee as well as any appeal from the  
380 employee and do one of the following:  
381




382 17.5.1 Approve the appeal or the recommendation and forward it to the Board. The  
383 Boards' decision shall be final.  
384




385 17.5.2 Deny the appeal or the recommendation; and inform the employee and the  
386 appropriate manager of its decision. The College President may recommend the  
387 supervisor adjust the employee's duties to align with the job description.  
388

389 Signed and entered into this 22nd day of May, 2019.  
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391 FOR THE YUBA COMMUNITY  
392 COLLEGE DISTRICT

CALIFORNIA SCHOOL EMPLOYEES  
ASSOCIATION AND ITS CHAPTER 283

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