

## RECLASSIFICATION INSTRUCTIONS AFT PROFESSIONAL STAFF

### Reclassification Protocol

Article XVI, Section G. of the State Agreement between the State of New Jersey and the Council of New Jersey State College Locals, AFT-CIO provides that:

1. *A substantial increase in job responsibilities in an existing position held by an employee may make the position eligible for a position reclassification review. Professional staff employees may apply to the first level non-unit supervisor for a position reclassification whenever there is a substantial increase in their assigned job responsibilities.*
2. *At each College/University, the procedures for position reclassification review shall provide for completion of the process and transmission of a final determination to the affected employee within (90) days from the date of submission of the employee's application. Waivers of the deadline, in particular cases may be agreed to by the College/University and the Local UNION. Reasonable requests for waivers will be granted.*

**(Note – All days are calculated as calendar days unless otherwise specified.)**

#### I. Application for Reclassification

- 1.1. An Application for Reclassification may be initiated by the employee or their immediate supervisor in writing using the appropriate Human Resources form, developed in consultation with Local 2275 and must include:
  - a. Copies of the current job description and the job description for the requested title. If the employee does not have the job descriptions, they may request copies from their supervisor or OHR.
  - b. A copy of the current departmental organizational chart. If the employee does not have the job descriptions, they may request copies from their supervisor or OHR.
  - c. A listing of any new and/or additional job duties not included in the current job description as well as identification of any of the duties from the current job description(s) no longer being performed.
- 1.2. Material/information which may be included by the employee beyond that which is set forth above is that which provides additional explanation as to how the scope of work, level of responsibility and/or authority has changed from the current State title; how the specific duties and responsibilities of the position do not conform to the job description for the title, and/or which otherwise supports the employee's request for a reclassification.
  - a. An application for reclassification may be submitted at any time that the employee believes their duties and responsibilities have changed to a sufficient extent as to warrant a reclassification.

#### II. Procedures for Review

- 2.1. Prior to submitting the application to their immediate supervisor, the employee should review the application form to ensure that the contents of the application conform to the list of required materials.

If after so doing, the applicant is still uncertain as to whether the application is complete, the applicant may review the checklist with Human Resources to ensure its completeness.

- 2.2. If the application is initiated by the employee, it must first be reviewed by their supervisor who will indicate by signature on the appropriate line whether the supervisor agrees with the description of the job duties. Disagreement by the supervisor will not preclude the request from further consideration, nor will approval necessarily guarantee reclassification.
- 2.3. If there is disagreement, at this or any other level of the process, concerning the duties being performed by the employee, at whichever level of review the disagreement first arises, the applicant may request that a desk audit be conducted by the Office of Human Resources to determine exactly what duties are being performed or the applicant may withdraw the application. The findings of the desk audit will be appended to the request for reclassification as it proceeds through the next levels of review.
- 2.4. If there are intermediary line supervisors between the immediate supervisor and the applicant's Divisional Executive, these supervisors will in turn also review the application with respect to whether the job duties and responsibilities are described correctly and so indicate on the appropriate line.
- 2.5. The application will then be reviewed by the applicant's Divisional Executive. The Divisional Executive will review the description of the duties as set forth in the application first to determine if they agree that these are the duties being performed and then to determine if they agree that this position should include these duties. The Divisional Executive will then indicate on the appropriate line their determination as to whether these are the duties that are being performed and which of these duties, if any, they have determined should no longer be performed by this position and forward the Reclassification Application to the next level of review.
- 2.6. A Human Resources Manager, who is not the individual who has performed the desk audit, will perform a technical review to determine whether or not a reclassification is warranted on the basis of continuing assigned job responsibilities which have been approved by the Divisional Executive, or, to determine if the duties which have been designated by the Divisional Executive for removal from this position constitute work which is beyond the scope of the original classification. A change in job duties will not necessarily warrant a reclassification nor constitute work which is beyond the scope of the original classification. The Human Resources Manager shall indicate their recommendation on the Reclassification Application and include a written rationale for their recommendation.
- 2.7. If it is the recommendation of the Human Resources Manager that the duties being performed are, in fact, beyond the scope of the assigned job responsibilities on which the original classification was based, the University will phase out those duties which are beyond the scope within 90 days from the date of Application for Reclassification, or, reclassify the position in accordance with the recommendation of the Human Resources Manager. If the decision is to reclassify the position, the employee and their supervisor shall be informed by the Divisional Executive of the new title, range and salary.
- 2.8. The reclassification process will be completed within 90 days from the date the Application for Reclassification was submitted.
- 2.9. The effective date of the reclassification, if approved, will be the date the application was filed.

### III. Steps Prior to Appeal

- 3.1. If the request for reclassification is denied based on the recommendation of the Human Resources Manager, and the employee or their supervisor disagrees with the reclassification decision, a request may be made for a copy of the Human Resources Manager's written rationale.
- 3.2. Should the employee or their supervisor have issues with the reclassification decision, the final level of institutional review shall be the Vice President for Personnel, Labor and Governmental Relations.
- 3.3. Should an employee or their supervisor wish to meet with the Vice President for Personnel, Labor and Governmental Relations prior to the Vice President reviewing the reclassification decision, they may request to schedule a mutually convenient date on which to meet that allows for the timely completion of the reclassification consideration within 90 days.

### IV. Appeal Process

- 4.1 Appeals of the Vice President's determination shall be subject to a final decision to the appropriate committee of the Board of Trustees of Stockton University as determined by the Executive Committee in accordance with Letter of Agreement V of the Statewide Agreement which states "All disputes concerning reclassification shall be resolved by appeal pursuant to N.J.S.A. 18A:3B-6(f) except that disputes concerning the application of the 90-day deadline set forth in Article XVI.F.2. shall be grievable pursuant to Article VII B.I. Article VII of the Agreement shall apply to reclassification under the same terms and limitations as such Article applies to faculty promotions."
- 4.2 An employee who disagrees with the determination of the Vice President may submit a written appeal, within twenty (20) days of receipt of the determination letter to the Chief of Staff, who will submit the appeal for review to the appropriate committee of the Board of Trustees.
- 4.3 The employee's written appeal shall include copies of all materials previously submitted, the Vice President's determination letter, the reason for the appeal, including statements regarding any portion of the determination that are in dispute. The appellant shall have the burden of proof.
- 4.4 Within thirty (30) days after the committee of the Board of Trustees meets to review the appeal materials, a final determination shall be issued to the employee.
- 4.5 If the appeal is granted, the reclassification will be effective as of the date the Reclassification Application was filed.
- 4.6 The denial of the appeal is deemed final.

*Title 18A:3B-6(f) specifies one of the powers and duties of the Governing Board of the University as "[Having] final authority to determine controversies and disputes concerning tenure, personnel matters of employees not classified under Title 11A of the New Jersey Statutes, and other issues arising under Title 18A of the New Jersey Statutes involving higher education except as otherwise provided herein. Any matter arising under this subsection may be assigned to an administrative law judge, an independent hearing officer or to a subcommittee of the governing board for hearing and initial decision by the board, except for tenure hearings under N.J.S. 18A:6-18. Any hearings conducted pursuant to this section shall conform to the requirements of the "Administrative Procedures Act" P.L.1968, c.410 (C.52:14B-1 et seq.). The final administrative decision of a governing board of a public institution of higher education is appealable to the Superior Court, Appellate Division."*