

INTERNATIONAL UNION OF OPERATING ENGINEERS

Craft-Maintenance Division State of California Unit 12
Locals 3, 39 & 501, AFL-CIO

Out of Class

There is a new process set forth in the Unit 12 Memorandum of Understanding for out-of-class grievances. An out-of-class grievance is filed when a member believes that he/she is working out-of-class in a higher level (higher pay) classification for more than 50% of the workday. The new process involves the addition of a Cal/HR 651 Form (Job Description Form) which the member completes and the representative attaches to the formal out-of-class grievance. This new process has streamlined the old out-of-class process and we are already seeing positive results. Recently, a Department of Parks and Recreation member contacted me regarding the tasks that she had been compelled to complete by her Supervisor. A cursory inspection of her documentation led me to believe that she indeed had been completing the tasks of a higher classification for more than 50% of her workday. Under previous Unit 12 contracts the cumbersome process of having a member finally compensated at the Out-of-Class rate typically took up to a year. However, with the new Cal/HR 651 Form (Job Description Form) attached to the grievance, the Department was able to evaluate the out-of-class grievance and determined that she indeed was working more than 50% of her workday in a higher classification. The entire process took a little more than a month, which is a big improvement over the old process when the Department evaluating the out-of-class grievance always needed additional information in order to make a proper determination. The addition of the Cal/HR 651 Form (Job Description Form) to out-of-class grievances is proving to be a winner for all involved.

Mike Hart, Local 39