

Job Audit Manual

Fourth Edition, February 2011



ACKNOWLEDGEMENTS

The Fourth Edition of the Job Audit Manual (formerly known as the Job Audits, An Agency Accountability Guide), was revised and updated with the help of the Classification Advisory Team led by, Darlene Hueser, Minnesota Management & Budget -Human Resource Management (MMB-HRM).

The Classification Advisory Team was established in December of 2006 with the following objective and goals.

Team Objective: to provide training on basic job audit/classification process with an introduction into the "art of classification".

Team Goals:

- update current classification materials and publish these resources on the web;
- develop more resource materials; and
- provide annual classification training.

Team Accomplishments:

- Second, Third and now Fourth editions of this Job Audit Manual;
- Updated edition of "Writing Class Specifications" and an updated Class Specification format;
- Classification Basics Training provided to 245 HR professions in 2008 and 2009;
- Advanced Classification Training in 2009; and
- the joint CAT and HAY training provided to 154 HR professionals and 12 supervisors/managers in 2010.

Current Classification Advisory Team Members:

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Special thanks to the Personnel Representatives from MMB-HRM who reviewed the manual for accuracy and completeness.

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Introduction

The purpose of this guide...

is to assist agency human resources staff who conduct job audits to understand and perform their audit responsibilities. It may also be useful for instructing supervisors, managers and employees about the job audit process.

The guide was designed...

to be used by anyone who conducts job audits, regardless of prior experience or training. Those with little experience may use it as a step-by-step guide when first conducting audits; those with more experience may use it as a handy reference or training guide.

The guide was written...

in two parts. Section 1 provides general information about the job audit process, including the responsibilities of the job auditor and a discussion of each of the steps that are followed when performing an audit. Terms which are listed in bold print the first time they are used in Section 1, are defined in Appendix A.1.

Section 2 is a step-by-step guide to conducting a job audit. To use it effectively, you will need an understanding of the information contained in Section 1.

Although this guide may be a useful tool...

job auditors should be aware that it is not the only assistance available to them. Classification analysts in Human Resource Management (HRM) unit of the Department of Minnesota Management & Budget (MMB) are always available to provide training, advice and assistance. Agency staff should contact their MMB –HRM Representative whenever necessary.

When conducting job audits, auditors should keep in mind...

how important sound classification decisions are to both management and employees. Because job classification is the foundation of the human resource management system, it is essential that positions with similar duties be assigned to the same job classification. Accurate position classification promotes equitable salary treatment and effective HR practices in a variety of other areas, including recruitment, selection and training. Sound classification decisions pave the way for effective HR management. Good audits result in sound classification decisions.

Section 1 - Understanding Job Audits

This section describes general principles guiding job audits. If you feel you already have a basic understanding of job audits, turn to Section 2, which is a step-by-step guide to conducting an audit.

Every auditor should know that...

a job audit is conducted to determine the proper classification of a position. The responsibility of the person requesting an audit is to describe the position. The auditor's responsibility is to make a sound classification decision by determining where the position best fits within the classification structure. The quality of information, analysis and decision making used when conducting an audit is important. When it's good, it provides a sound basis for decision making in other areas of human resource management. When it's not, it can result in extra hours spent re-auditing positions, revising class specifications and exams, and dealing with morale problems, labor relations issues and complaints.

1.1 CLASSIFICATION OVERVIEW

What is job classification?

Job classification is a system of identifying and describing the different kinds of work in an organization and of grouping similar positions under common classification titles. It identifies differences and similarities in kinds of work, degrees of difficulty, and responsibility of duties among positions.

Classification systems are based on **evaluation of job content**, rather than on individual qualifications or how well an incumbent employee can perform the duties of a job. **Job content** means the **kind and level** of work assigned to a position. Evaluation of job content includes:

- position purpose (why does the job exist?)
- types of duties performed
- knowledge, skills and abilities required to perform the duties
- consequence of error
- degree of autonomy or authority
- complexity of decision-making
- dimensions – staff and budget
- scope of the job – broad or narrow

Why have a job classification system?

A job classification system is a key factor in many employment procedures. A job classification system is a foundation of the personnel system, organizational structure, and overall management. It is an essential element in all of the following:

- recruitment, selection and placement
- advancement, mobility and layoff
- employee development
- performance standards and appraisal
- compensation
- budget
- planning and organization
- affirmative action goal and structure
- bargaining unit determinations

How is job classification accomplished?

Job classification is accomplished through review of individual position descriptions, classification studies, and the Hay method of job evaluations.

What are the MMB-HRM and Agency roles in job classification?

- **MMB-HRM:** To maintain a statewide job classification plan and system in order to insure that positions are properly classified according to their type and level of responsibility. To audit and conduct studies of position (s) or delegate job classification authority to agencies.
- **Agencies without Delegated Classification Authority:** To monitor and maintain the classification system in the agency by recommending to MMB-HRM appropriate classifications for positions
- **Agencies with Delegated Classification Authority:** To maintain an agency job classification system within the provisions of delegated authority so that positions are properly classified.

Why we classify jobs.

Job classification is a system of comparing jobs for the purpose of identifying positions and grouping them into classes. We use a classification system for 3 main reasons:

- *It gives us a consistent method for comparing similar and different jobs in order to compensate employees fairly.*
- *It gives us useful information for the selection process.*
- *It serves as a framework for bargaining units. Similar job classes form occupational groupings for negotiating with management on the terms and conditions of employment.*

Smart Staffing, January 1990

1.2 THE INFORMATION EXCHANGE

To make sound classification determinations, you need the right information.

To get it, you have to communicate specifically what information you need. Sounds easy enough, but...

Just when you think everyone understands the process completely, new people enter the scene, or people who haven't been involved for a while don't remember what's needed or changes occur in the audit process, or... well, you get the point.

"Communicating information about the job audit process is an ongoing responsibility of the job auditor."

This can be a frustrating part of the auditor's job, but finding new and better ways of communicating information about the audit process can also be challenging. In any case, the more job audit requesters know and understand about the process, the better information they will provide in their requests.

Before communicating anything, you need to know with whom to communicate. Who requests job audits in your agency? Supervisors are probably the most frequent requesters, but they may assign a **lead worker** or someone else to prepare requests for them. Employees may also request audits of the positions they occupy and may be asked to write position descriptions. Therefore, they should be provided information and training as well.

It is best to use both oral and written methods of communication, since people learn in different ways. Maintaining a library of handouts on audit topics can be a busy auditor's best ally to quickly provide accurate and consistent information to all those who need it.

Materials included with this guide include examples of information you may want to have in your job audit library. Feel free to use them as they are, or to revise them to better meet the needs of your agency. Although you may want to create some of your own handouts, before doing so, it is always advisable to check with other agencies to determine what may already be available.

Whatever you do, keep in mind that to receive the information you need, you must effectively communicate what you need.

What information?

If you've never conducted a job audit or you know little about how it's done, you may be asking what information needs to be included with a job audit request. You'll want to distinguish between what paper work you need and what information you need. All job audit requests require the following paper work:

- a **Job Audit Request memo** explaining the request;
- a **position description**; and
- an **organization chart**.

If the classification requested is in the supervisory bargaining unit, a "[Supervisory Questionnaire](#)" should also be provided. [See Section 2.6: Supervisory Questionnaire]

Job Audit Request memo [See also Appendix B.1: Job Audit Request Memos/Forms]

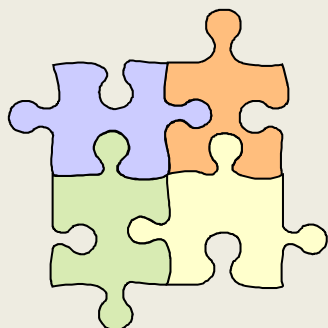
At a minimum, the cover memo should tell what is being requested, why it is being requested and who to contact for more information. Other information to include depends on a number of factors, such as whether the position to be reviewed is **filled** or **vacant**, **classified** or **unclassified**, **limited** or **unlimited**.

Position description

The back of the position description form [See also Appendix B.2 Instructions for Completing Position Description] gives a brief explanation of the information that should be included on it. If your agency is not using the printed form, but is using a computer generated version instead, you will need to provide information about how the form should be completed.

Organization chart

An organization chart should include how the work unit where the position is located is organized. That is, it should show who reports to whom. It should include the correct classification title, not working title, of each position in the work unit and the name of the incumbent, if the position is filled, or the position number, if it is vacant. If the position you are reviewing heads the work unit, the organization chart should include the above information for the position it reports to and any other positions which report to that position.



So, if the audit requester submits all of the required documents and information, do you have all of the information you need to proceed to the next step of the audit process? Not if you don't understand the position you're reviewing well enough to compare it to **class clarification materials** and make a sound classification decision.

IT'S SOMETHING LIKE PUTTING A PUZZLE TOGETHER.

YOU NEED ALL OF THE PIECES BEFORE YOU CAN COMPLETE IT.

Even then, how well and how quickly you can complete it will depend in part on your skill, and in part on the accuracy of the puzzle-maker's picture of what the completed puzzle should look like.

1.3 JOB AUDIT OVERVIEW

What is a job audit?

A job audit is a review of a position to determine its appropriate classification. It begins at the agency, and includes the following five steps:

1. **Clarification** - gathering and clarifying information regarding the position and the changes which have occurred;
2. **Analysis** - evaluating and analyzing the written information prepared by the incumbent employee, his/her supervisor, personnel office, and appointing authority and making comparisons with class specifications and similar positions within the agency and throughout state service;
3. **Determination** - making a decision regarding 1) the kind and level of work (the appropriate classification), and 2) how and why any changes in the position occurred (change in allocation or reallocation);
4. **Notification** - communicating the audit results to any affected supervisor and incumbent;
5. **Documentation** - documenting and filing the audit.

The job audit process is not necessarily a linear one. While you always start at step 1, you don't necessarily proceed directly through each successive number until you reach step 5. Often, it's like playing Monopoly. Just when you think you're getting somewhere, you're told to go back to somewhere else or to someplace you haven't been before. You may begin step 2 and find that you need more information, which brings you back to step 1. Or you may be able to breeze through step 2, because you reviewed an identical request two months ago.

Step one: Clarification

Getting complete and accurate information, and thoroughly understanding it, cannot be stressed enough. It is key to what you must do as an auditor.

Much has already been said about the information you need from the job audit requester. It doesn't matter how well you perform the last four steps of the process if the information you used was incomplete, erroneous, or misunderstood.

To this point, we've talked about the information you need from the person submitting the request. Before beginning your analysis, however, you'll also need to know to what classes you're going to begin comparing the position to and what the **allocation factors** are for each. Usually, you'll begin by comparing the position to the current class and to the class proposed by the requester.

You can expect that most of what you need from the requester will be submitted with the audit request. No matter how well the request is written, though, you may need to get more information or clarify the information provided.

For the most part, there are three methods for requesting more information: by phone, in writing or in person, which may include a complete **field audit** or just a meeting with the **supervisor**. Each information collection method has its advantages and disadvantages. Phone requests may be faster, but they're not always effective when you have a lot of questions. If you put your questions in writing, you will have a written record of the information you requested and of the responses, but doing so can take more of everyone's time, and you still might not understand what you receive. You may get better information with an in-person approach, but that can be time-consuming and costly, particularly, if travel is involved.

Once you understand the position you're reviewing, you can turn your attention to the classes to which you will compare it. Your office should maintain **class clarification files** for all classes for which your agency has received delegated classification authority. Files should also be kept for other classes for which you may review positions and recommend classifications. These files should include the following information for each class, or as much of it as is available: a **class specification**, **benchmark positions**, **appeal letters** and responses, **Pay information**, copies of previous audits and any other relevant information about the class.

When you do not have enough information in your office about a class you're reviewing, you may need to request it from MMB-HRM or other agencies, or you may want to review the MMB-HRM class clarification files or discuss the class with someone who is familiar with it.

No matter how you get the information, before you begin your analysis, you need to know how to distinguish among the classes you're reviewing. That is, you need to identify what factors or elements need to be present in the position you're reviewing for it to compare more closely to one class than to another.



MMB Class Clarification Files are available to agencies – contact MMB HRM to obtain a password and for instructions.

Step two: Analysis

Employees and supervisors sometimes look at one or two responsibilities or tasks of a position and conclude that it should be classified at a higher level because the duties are also performed by employees who occupy positions at a higher level. Or they may think that because the volume of work has changed, the position should be at a higher level.

As a job auditor, you must look at the total position, break it down into its various parts, and determine which are most important to the overall purpose of the position.

You not only need to consider what is done, but other factors, such as how often it's done, how much authority or discretion the incumbent has to do it and who else does it. You may also need to make appropriate comparisons of various parts of the position to the allocation factors for other classes to make an appropriate classification decision.

This all brings to mind the old story about several blind men who were asked to describe an elephant after touching one part of it. One man touched its tail and thought it was like a rope. Another touched its leg and said it was like a tree trunk. One thought it was like a leaf, because he felt the ear, and another a snake, because he stroked the trunk. In each case, they thought it was something different, because they touched only one part. Had they touched every part of it, of course, they would not only have come to a much different conclusion, they would probably have had a much more difficult time describing what it was like.

For a moment, think about the characteristics that make you recognize that an elephant is an elephant. Would you consider the tail one of the most important? Probably not. How about the eyes? Maybe, but lots of animals have similar eyes. The tusks? Other animals have those too, and some elephants don't have any. An elephant is large! Not always. There are little elephants, but they're still elephants. What about the ears? Now we could be on the right track. Can't think of any other animals with ears like that. And the trunk? Yes, that's certainly distinctive. If you're just going to look at the trunk, though, you'd better make certain it is a trunk. Otherwise you could be dealing with an anteater.

So, if an animal is large and has a trunk like an elephant, and has ears and feet like an elephant, even if it's smaller than most of them and is missing a tail, it's probably still an elephant.

And what if you have a little elephant that does more now than it used to? Should it be a big elephant? That depends on what it's doing. If it's just doing more of what little elephants do, then no. For example, if it used to walk around the block on all fours twice a day, but now it does it ten times a day, you're probably still looking at a little elephant that just gets more exercise.

To determine the classification of a position, you not only need to know what parts of the position are most important for comparison purposes, you also need to know what makes the comparison classifications what they are. For instance, what makes an Office & Administrative Specialist different from an Office & Administrative Specialist Intermediate? All classes in a **class series** have some of the same duties and require many of the same **knowledge, skills and abilities (KSAs)**, just as all elephants share many of the same characteristics. The more parts of a position that compare to the allocation factors of a particular class, the more certain you can be that the position should be assigned to that class. Most often, however, a position will not compare to all allocation factors for any single class, nor will it totally compare to another position. You will need to make a judgment about what it compares to most. When doing this, you will need to consider the kind of work done and the level at which it is done.

Kind of work

Begin the process by comparing the overall purpose of the position you're reviewing to the kind of work done by people assigned to the classification to which you're comparing it. Before you can do this, of course, you need to know what the position purpose is. This will not necessarily be included in the "position purpose" section of the position description. What is often included there is a recounting of what the position *does*. You want to know *why it exists*.

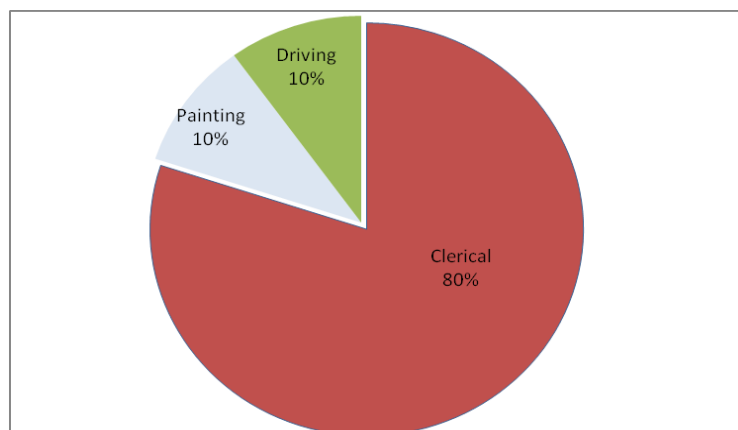
**Know the
Position purpose:
Why does this job
exist?**

Most positions have one primary reason for existing. Following are some examples of how a position purpose might read: This position exists to: perform clerical work; conduct investigations; manage a division; supervise a work unit; develop policies; coordinate nursing activities; cook meals; paint; deliver supplies....

Knowing the position purpose gives you a general idea of where the position fits within the classification structure. For example, if you know that the purpose of a position is to perform clerical work, you know it should fit into a clerical classification. This may immediately tell you that the position does not compare to the class the job requester has proposed. For example, if the purpose of the position is to provide clerical support to others, you know that the position does not compare to the proposed "painter" classification, even though the position might involve painting 10% of the time.

For example, if 80% of the time is spent providing clerical support, 10% painting and another 10% driving a van, the purpose of the position is likely to be to provide clerical support. You can support this conclusion by looking at other factors, such as priorities. If push comes to shove and the employee is very busy, what work has to be done first?

*To determine the purpose of a position,
first determine where most of the time is spent*

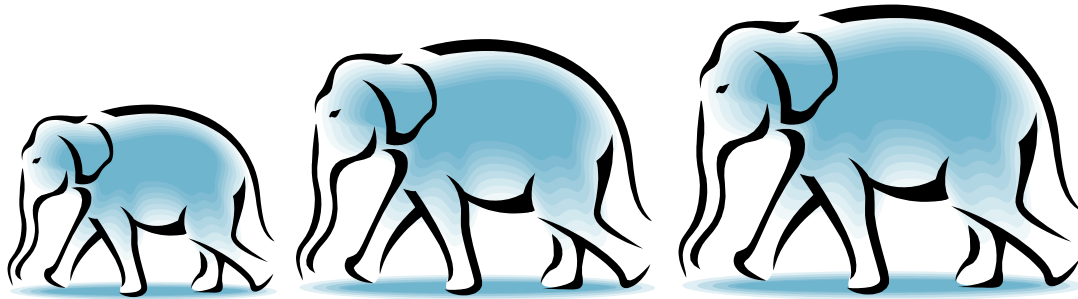


Level of work

Once you've determined the position purpose and where the position generally fits within the class structure, you can begin making more specific comparisons. What you'll want to compare next will depend on what the key allocation factors are for the classes to which you're comparing. These correspond to the trunk and the ears of the elephant, and some, if not all of them, need to be present in the position you're reviewing for it to compare to a particular class.

Level of work allocation factors

Continuing with the elephant analogy, let's say you have decided that this is an elephant. Are all your elephants the same size? If the answer is no, then you'll need to differentiate small elephants from medium elephants; medium elephants from large elephants, etc. How could you accomplish this classification task? You could probably use the factors of height and weight. These factors correspond to Level of Work Allocation Factors that differentiate "size" of jobs.



For example, a small elephant is the shortest and weighs the least of the elephants. You may not have to measure the exact height or weight but rather make a qualitative decision by just visually comparing elephants. What if you need a more exact measurement rather than just visual comparison? You would need a tape measure as a tool to determine height and a scale to determine weight. In this way, you could state quantitatively that a small elephant is 6 feet, 6 inches tall at the shoulder and weighs 1,500 pounds and 8 ounces. Using a tape measure and scale to determine the size of an elephant is like using job evaluation to measure the level of work of a position or job class.

In the State of Minnesota, we use the Hay Guide Chart-Profile method to measure the level of work of a position or class quantitatively. A Hay evaluation provides a way to assign a specific number of points, called "total Hay points" to each job class. The Level of Work Hay Factors are Know-How, Problem-Solving, Accountability, and Special Conditions. The process of completing a Hay evaluation is more fully described in Section 2.9 of this guide.

If you're not personally trained in the Hay method, you will want to consult with someone on your own agency staff or with a MMB- HRM Representative for assistance.

Key allocation factors may relate to the difficulty of the work done, the size and complexity of a program managed, the amount of discretion exercised, particular duties performed, the knowledge, skills and abilities required or other characteristics. All positions within a class series generally perform many of the same duties and require many, if not all, of the same KSAs. These common factors are important to making a decision about the kind of work performed. However, to determine the level, you need to know what is different about each of the classes you're comparing.

For example, all Office & Administrative Specialists perform clerical work, but one of the key allocation factors which distinguishes an Office & Administrative Specialist Intermediate from an Office & Administrative Specialist, is that the Office & Administrative Specialist Intermediate may provide on-going (daily) lead work to other employees. Not all Office & Administrative Specialist Intermediate positions provide lead work direction, but if the position you're reviewing does, you may be looking at an Office & Administrative Specialist Intermediate. To know for certain, you'll need to compare to other key allocation factors and to positions at both levels of the class series.

Step three: Determination

Most of the time, after you've completed the first two steps of the process, you will be able to make a decision about how a position should be classified. Sometimes, however, you may not be able to do so.

What do you do then? First, examine why you can't make a decision. Is it because you really don't understand what the position is all about? If so, it's time to go back to step 1. Maybe the position just doesn't compare to any class you've looked at and you've run out of ideas about what to compare it to. You may then want to discuss it with someone who has more classification experience.

What if it does compare to one particular class, except that there is something about the position that makes it different? It requires one or more KSAs that are not normally required of incumbents in positions assigned to that class. In that case, you may need to request that an **option** be established. Using the elephant analogy again, the following example illustrates when an option would be needed.

Let's say you were given an animal to classify and you determined that it was an elephant. After closer examination, you decided it compared to the classification, Medium Elephant, except that your elephant needed a special skill. All Medium Elephants have to walk around in circles, stand on their hind legs and trumpet on cue. The one you're looking at, also needs to stand on its head, a very difficult feat and not one other Medium Elephants have to do - or even can do. Does that mean the animal you're looking at is not a Medium Elephant? No, but you will have to expand on its title and call it something like Medium Elephant - Head Stander, so you can distinguish it from all other Medium Elephants and select the right one when a Medium Elephant is needed.

If none of the above seem to apply to the position you're reviewing, you'll need to discuss the request with your supervisor or your MMB-HRM Representative. Maybe you just need a different perspective - or maybe you need a whole new class. If you become convinced that the job you're auditing just doesn't compare to any existing class, then you'll need to request a new class and ask that the position be evaluated using the [Hay evaluation method](#).

Need a different perspective?

Ask for the minimum qualifications for the job.

If the position you're reviewing is filled and you've determined it should be reclassified, you'll also need to determine how the change in class came about - whether the change is a "**reallocation**" or a "**change in allocation**." This is an important consideration, since it determines whether or not the incumbent can be appointed to the new class without having to compete with others in whatever **selection process** has been developed for that class. To learn more about these two different types of reclassifications and how to distinguish between them, see the section titled "Reallocation" in Appendix A.3 to this guide.

Agencies with delegated authority make the final decision regarding the classification of the position. Agencies without delegated authority follow the same analytical process, but send the information to their Human Resource Management (HRM) Representative at MMB as a recommendation. The MMB representative reviews, makes the final determination and notifies the HR Office of the agency involved. The HR Office is responsible for notifying the incumbent and/or supervisor.

Step four: Notification

Your classification determinations must be communicated to the supervisor of the position, the employee in the position, if there is one, and in some cases to MMB-HRM. There are established forms and procedures for notifying MMB-HRM. It's your agency's responsibility to determine how the supervisor and incumbent should be notified. It is best if notices are in writing, in case there are disputes over appointment dates or appeal rights.

If you are not agreeing to reclassify the position to the class that had been proposed by the requester, you should discuss your decision with the requester before completing your documentation. This will allow the requester the opportunity to understand why you reached the decision you did and to provide

additional information if you have missed something. Although it may not change your decision, it may serve to avert an **appeal**.

Step five: Documentation

For the work you've done to be useful for future audits, it needs to be properly documented and filed. The object is to include as much information as you need, so that you or someone else can understand what you did and why you came to the conclusion you did, when making future comparisons. You don't need to write up four pages of documentation to say that the position is identical to one that was reviewed two months ago. Nor do you want to write one sentence when four pages are needed to really explain what was decided.

For review purposes, audit files need to be set up so that all of the information pertaining to one class is together. Each file should include the class specification, benchmark position descriptions, appeal letters and responses, Hay information and copies of previous audits, as well as any other relevant information about the class. Any changes in the use of the class should be noted on the copy of the class specification for future revisions. See "[Writing Class Specifications](#)"

1.4 JOB AUDIT PROCESS FLOW CHARTS – DELEGATED AND NOT DELEGATED:

Figure 1: Delegated Classification Authority Job Audit Process Flow Chart

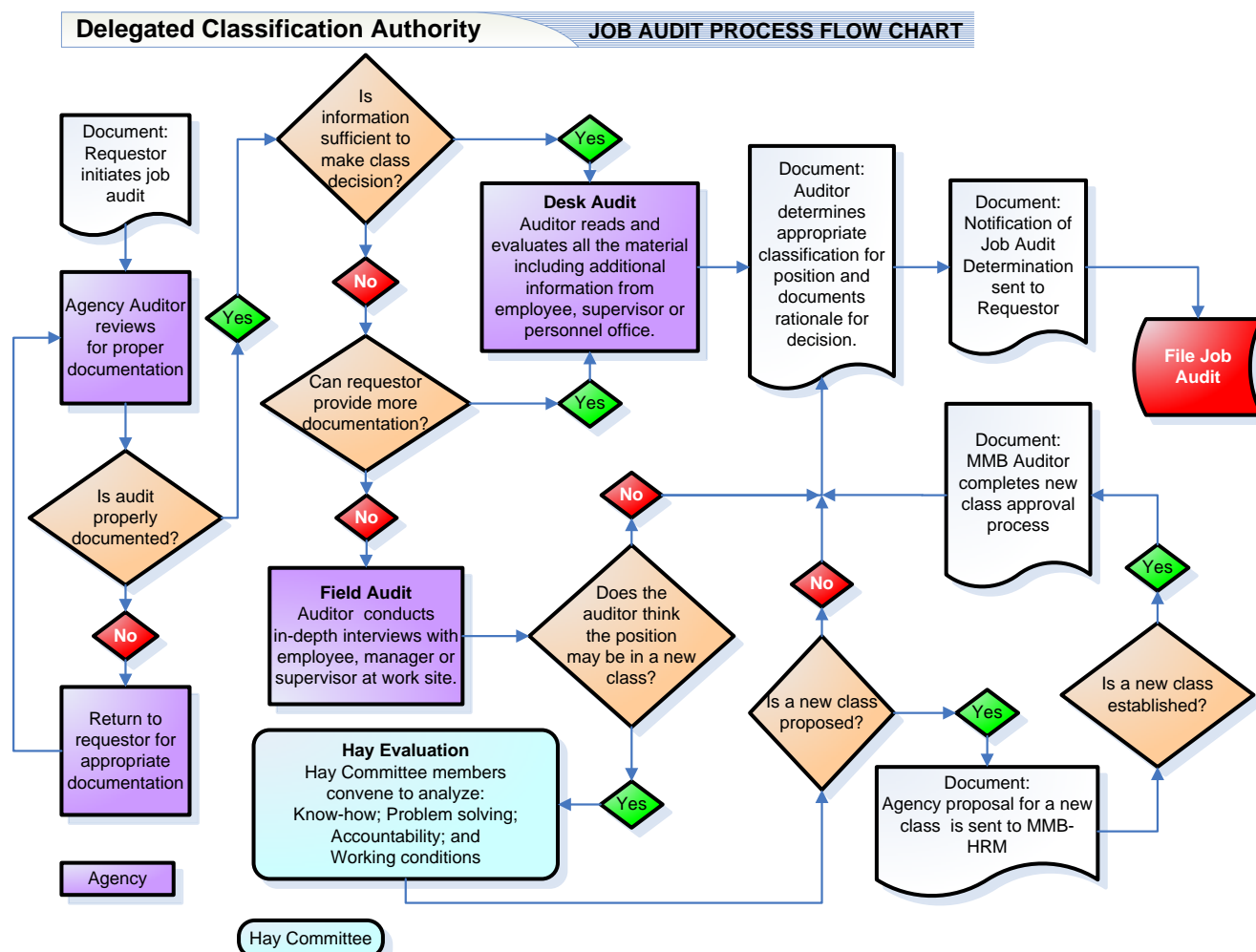
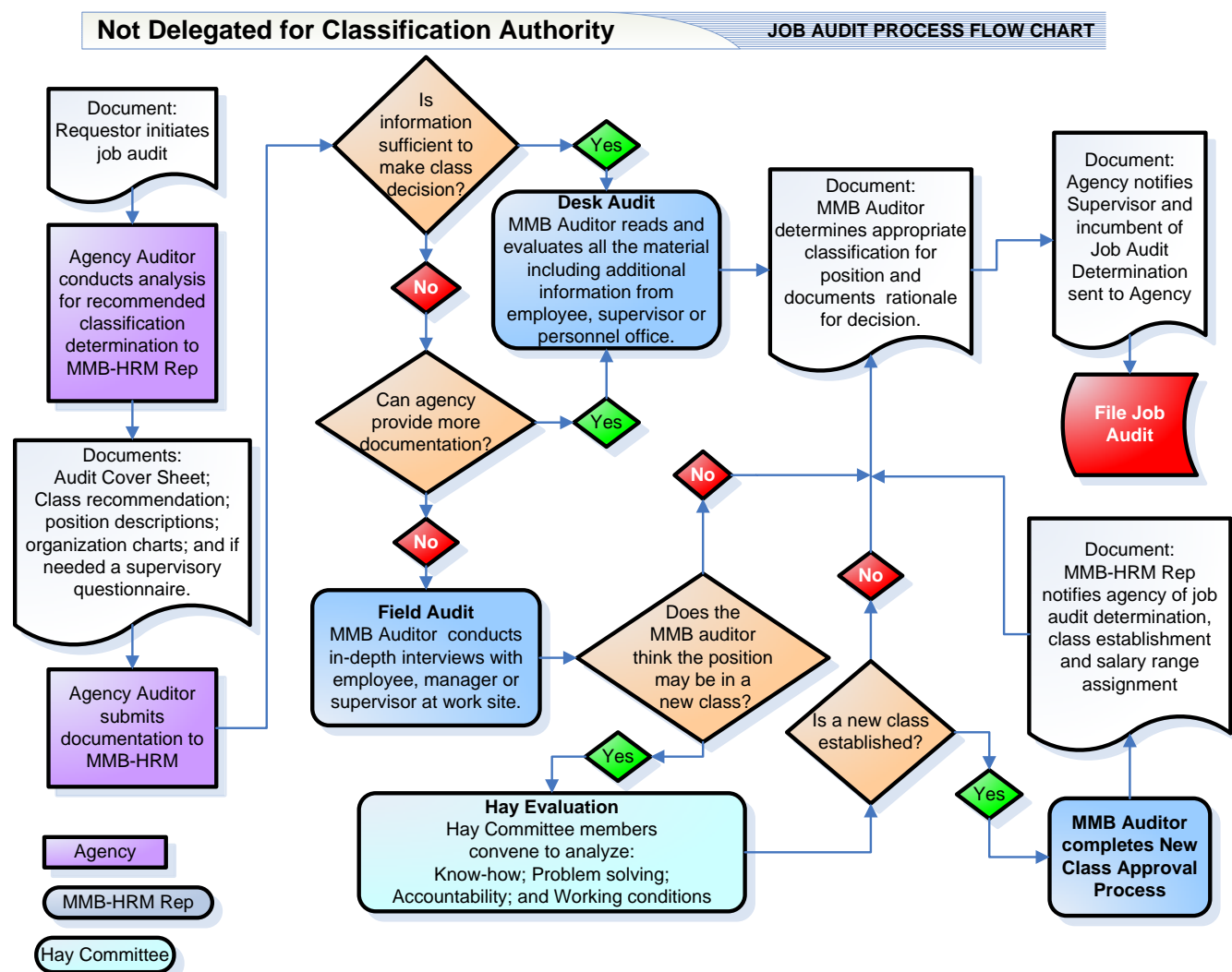


Figure 2: Job Audit Process Not Delegated Classification Authority



1.5 SOME ADVICE

As explained at the beginning of this guide, a job audit is conducted to determine the proper class of a position. Your major responsibility as an auditor is to make a sound classification decision by determining where the position best fits within the class structure. It is expected that you will make an informed judgment after weighing the similarities and differences between the positions' current class allocation and others.

It is important not to fall into Michael Monroe's "...Position Classifier's Dilemma," as quoted below from his book, "The Bureaucrat":

Position classifiers may fall into two extreme profiles. One resembles the zealous policeman who tickets anyone.... The other resembles a philanthropist...who approves all requests for grade and salary increases.... The first (has) a combative personality. The zealot must constantly be prepared to fight to ensure that the official standards, and his interpretation of them, prevail. The zealot proclaims a high ethical and moral purpose. He feels personally responsible for the taxpayer's money, and he treats the official standards as Holy Writ. The zealot is a fundamentalist.

The second profile possesses a personality that is resigned to bureaucratic "reality." He curries favor with superiors and employees alike. To disappoint no one is his motto. As the fundamentalist seeks his reward in another world, the philanthropist obtains his pleasure in this.... The philanthropist's generosity makes him an object of love and attention. His vested interest is in serving others, creating good will, and earning a special place in the hearts and minds of his benefactors.

While some position classifiers may actually fall neatly into these two profiles, most probably do not. People do, however, tend to develop habit patterns, and these patterns may enable any individual classifier to gravitate predominantly toward either the zealot or the philanthropist profile.

We realize that conducting job audits is an ongoing challenge. We hope that this guide helps you to resolve "The Position Classifier's Dilemma" and receive your reward, as Mr. Monroe says, both "in this world and another." As we said in the introduction:

When conducting job audits, auditors should keep in mind...

how important sound classification decisions are to both management and employees. Because job classification is the foundation of the human resource management system, it is essential that positions with similar duties be assigned to the same job classification. Accurate position classification promotes equitable salary treatment and effective HR practices in a variety of other areas, including recruitment, selection and training. Sound classification decisions pave the way for effective HR management.

Good audits result in sound classification decisions

*Think the job is
overallocated?*

*Check your facts
and comparisons.*

Section 2 - Conducting Job Audits

How much and what parts of the audit process you perform will depend on what you have been assigned to do, your agency's processing procedures, and whether your agency has been delegated authority for classification. This section is written as though the reader performs the entire process. As you read through it, you may want to highlight the parts you do and note who in your agency or MMB-HRM does the others.

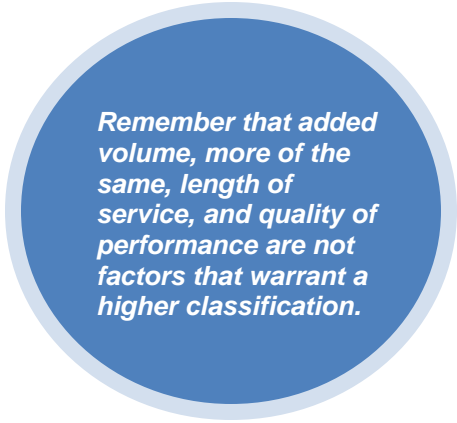
2.1 WHO CAN REQUEST A JOB AUDIT?

- An incumbent employee or her/his designated representative
- The position's supervisor/manager

When should a job audit be requested? [See Figure 3: Audit Decision Tree, pg.18]

A job audit should be requested **when a new position is created or when significant changes occur** in the **kind and/or level** or difficulty and responsibility of work assigned to an existing position. An audit may be appropriately requested:

- when an employee has gradually assumed additional responsibilities.
- when management has added to or deleted responsibilities from a position.
- when program, funding or organizational goals have changed, causing positions to change as well.
- when reorganization causes changes in a position and/or its reporting relationship.
- when a new position is established.



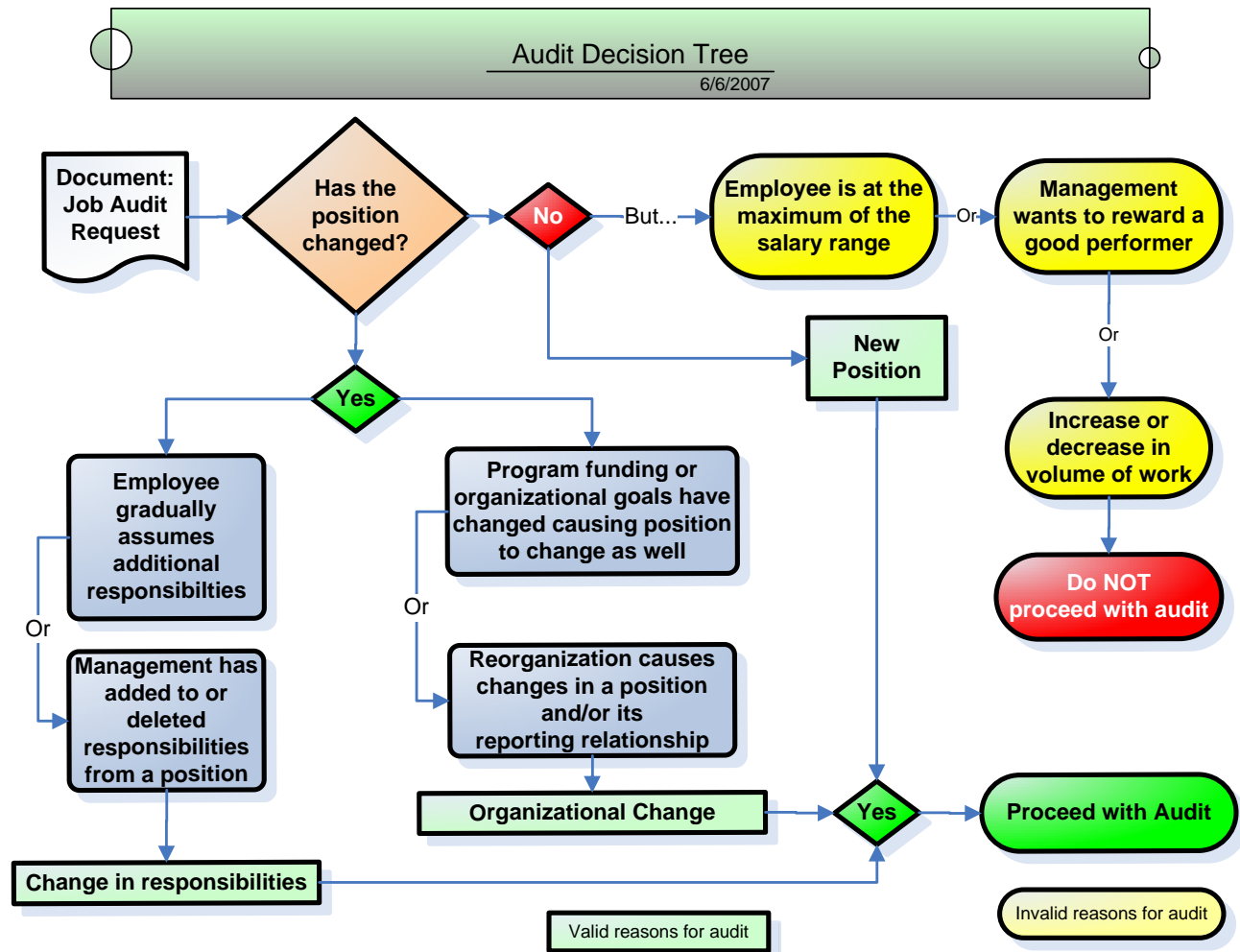
Remember that added volume, more of the same, length of service, and quality of performance are not factors that warrant a higher classification.

When should a job audit not be requested?

- A job audit request would not be appropriate:
- when an increase or decrease occurs in the volume of the same kind and level of work already assigned to a position.
- when submitted as a reward for good performance.
- because an employee has progressed to the maximum of his/her assigned salary range.

A position's class changes when at least one third of its job responsibilities change significantly.

Figure 3: Audit Decision Tree



2.2 WHAT IS THE JOB AUDIT PROCESS?

The job audit process is interactive, focusing on securing information from position incumbents and supervisors through personal contact. The process involves five phases: clarification, analysis, determination, notification and documentation.

2.2.1 Clarification

Requesting additional information

The type of content will vary according to the information needs of the auditor. The job audit process usually takes the form of a “desk audit,” a paper review process. **Desk audit** refers to a job audit conducted by the job auditor without leaving the HR office. S/he:

- reads and interprets all the materials submitted with the job audit request.
- may seek additional information from the employee or her/his supervisor by sending out a questionnaire or survey, by email, or by telephone.

Preparation

Determine how to request additional information: by phone, in writing or in person.

Write down additional information that is needed and all questions that need to be answered. Try to word questions so that they require more than a yes or no response.

Arrange questions in a logical sequence.

Phone requests

Call the supervisor. Inform the supervisor of the purpose of the call and approximately how long it will take. Ask if it is convenient to talk then. If not, arrange to call at a more convenient time.

Paraphrase each answer to the supervisor to ensure that you have a correct understanding.

Take complete and accurate notes.

Written requests [See also Appendix B.1, **Error! Reference source not found.**, pg **Error! Bookmark not defined.**]

Ask follow-up questions based on possible responses. For example, if the incumbent does something, how does that affect something else?

Provide a deadline date by which the information needs to be received in order to meet priority processing standards and targets.

In person/meeting

Arrange a time to meet with the supervisor and follow the same procedure as for a phone contact.

In person/field audit (optional)

Field audit refers to a work site (on-site) interview during which the job auditor meets with the employee and/or the supervisor. This method is used when:

- the job auditor is unfamiliar with the work performed or with the organizational context in which it is performed and desires first-hand exposure to the job and the work site.
- the job auditor has a number of questions that cannot be resolved by a 15-30 minute phone call.
- there is not sufficient background information on the program and position available to make a classification determination.

Field audit steps:

1. Determine what the field audit will include (e.g., interviews, tour of work site, demonstrations of how various tasks are performed).
2. Estimate the amount of time needed to conduct the audit and schedule a time to meet with the employee and the employee's supervisor.
3. Provide the supervisor and employee with written confirmation of when the interview is scheduled and how it will be conducted.
4. Arrive on time with a copy of the confirmation, questions to be asked and the audit documentation.
5. Before beginning the interview with either party, make certain they are comfortable and understand the purpose of the interview.
6. Paraphrase their answers back to them and ask appropriate follow-up questions to ensure a complete understanding.
7. Take complete and accurate notes.
8. Explain the audit process and state when an audit determination can be expected, but do not say what your decision might be, because this is still the information gathering stage.

Clarification should include:

1. Learning more about the job and how it has changed to be certain that sufficient change in the kind and/or level of work has occurred to merit review and possible reclassification.
2. Clarifying the position's responsibilities to be sure you understand the position.
3. Reviewing the position description (see [Writing Position Descriptions](#)).
4. Working with the supervisor and employee to *revise* the position description, if necessary, so responsibilities of the job will be clear to anyone reading the position description.

Determine, in particular, changes in the following factors:

- **Supervision received:** Nature of instructions received – general, specific, written, oral? Availability of supervisor. Nature of follow-up. Freedom to act independently. Frequency of reporting.
- **Guidelines provided:** By written manuals, statutes, collection of memos or notes? By unwritten policies, procedures and precedents which can only be learned through the experience? Must the employee make judgments and interpret policy or does the employee follow routine without opportunity to deviate in reaction to varying circumstances? Does the employee develop procedures and/or establish policy?
- **Consequence of error:** How and how soon after an error is committed will it be noticed? Are errors routinely corrected before their impact can be felt? What is the impact of an error in terms of safety, money, or time lost?
- **Work difficulty:** What kinds of problems are encountered by the employee? What is his/her responsibility for solving them? What is involved in developing a solution? Is it application of knowledge of past precedent or development of new alternatives? In which steps of problem-solving is the employee involved: problem identification, development of approach progression through solution, work in final phases, selecting alternatives, making recommendations and selling them?

Identify all factors that might have changed or otherwise affect the job classification, the kind, difficulty and responsibility of the work.

In what way has the position changed and to what extent?

Where did the new duties come from? If from a higher level employee, why, and what is the other employee doing now? What happened to the duties in the 'old' PD?

Analysis

1. Note whether the requestor has proposed a specific class to which he or she is suggesting the position be reclassified, or if no specific class has been proposed.
2. Determine what the allocation factors are for the current class and for any proposed class. That is, what are the unique factors that make the classes different from one another and from all other classes?
3. Compare the position to the allocation factors for the current and proposed classes and to positions that have been assigned to those classes.
4. Identify other classes to which the position might compare, by using your personal knowledge of state classes, by reviewing class titles in the pay plan or by talking with others with job classification experience.
5. When you are satisfied that the position under review compares well to most or all of the key allocation factors and to positions assigned to a class, determine that the job should be assigned to that class and complete the rest of the audit process.

Q: How many comparisons do you need?

A: As many as it takes to illustrate your point, e.g.:

the factors that distinguish one class from another,

what classification(s) you considered and why,

how the position compares to class(es) as used in multiple agencies or

to illustrate common elements among positions in the class you determine to be the best fit.

2.2.3 Determination

The job auditor arrives at an appropriate classification determination for a position, drawing conclusions from an analysis of the accumulated information. This includes:

- reviewing and weighing information gained during the previous phases.
- narrowing the alternatives to the "best" choice, realizing that many positions do not fit neatly into any one classification. Determining which classification most clearly describes the position's kind and level of work and, if none, proposing that a new classification be established to acknowledge the unique work of the position(s).

Classes often have some overlap. The position under review must fully meet the class concept.

Take one of the following actions based on the classification authority you have been given and what you have concluded from your review:

1. determine the appropriate class and complete the audit process;
2. recommend the appropriate class, or ask that the position be evaluated by a Hay committee and that a new class be established. If your agency does not have delegated authority submit your recommendation in a memo to MMB-HRM and attach any correspondence from the requester, a position description and an organization chart.

Classification recommendations to MMB-HRM:

When a position classification determination would result in movement of a position into or out of the supervisory unit or into the confidential unit, submit a recommendation to MMB Labor Relations for final determination. See Appendix C.1 Administrative Procedure 6, "Bargaining Unit Changes," and summary chart showing conditions under which audits must go to MMB Labor Relations.

*When a position reclassification determination would result in movement of a position into a class for which your agency does not have **delegated classification authority**, submit a recommendation to MMB-HRM.*

Provide the following information with any recommendations made to MMB-HRM:

- Audit cover sheet
- a cover memo outlining what is being recommended and the considerations that led to the recommendation;
- a position description;
- an organization chart;
- copies of all correspondence provided by the audit requester.

When the final determination notice is received from MMB-HRM, inform the supervisor in accordance with your internal operating procedures. Explain how any incumbent will be affected.

2.2.4 Notification

The job auditor is expected to notify the incumbent and supervisor of the determination. If the determination is different than requested, the job auditor sends a letter to the supervisor/manger explaining the basis for the decision. ([Appendix B.4 Sample Letters and Memos](#))

Before documenting a determination, it is generally good practice to contact the supervisor of the reviewed position to discuss your decision if any of the following apply.

- You have determined that a filled position should be classified at a higher level, but the change appears to be a "change in allocation," rather than a "reallocation."
- Your determination does not match what the requester proposed.
- You have determined that the position is properly classified as it is.

Include the following in a memo to the supervisor of the reviewed position:

- what classes the position was compared to;
- why you determined that the position compared best to the current class;
- appeal information; and
- a statement that the supervisor should notify the position incumbent, if there is one, of the decision.

Communicating the determination

- **No change in classification:** Provide the supervisor with a memo as described above. MMB-HRM does not need to be notified.
- **A change in classification:** Inform the supervisor in accordance with your internal operating procedures. When the classification is to be changed and the position is filled, explain how the incumbent will be affected.

2.2.5 Documentation

In general, the audit documentation should be a written explanation of the job clarification, data gathering, analysis and recommendation functions the agency job auditor performs during an agency job audit process. Follow agency-specific guidelines for additional documentation policy/procedure.

Create a written record of the audit (Job Audit Report). It is the official public document outlining all pertinent information used in reaching a classification decision. The record should include enough information to:

- identify the position that was reviewed and the classes and positions to which it was compared;
- describe how and why the final determination was reached (be specific);
- explain anything that was unusual or different about the determination from previous determinations.

Other general considerations include:

- utilizing a consistent format (see Appendix B.3 Sample Job Audit Decision Documentation);
- being as objective as possible in presenting the material and reaching a recommendation;
- reporting the facts as you see them (avoid editorializing);
- reporting only the facts (avoid assumptions); and
- being concise and to the point, don't generalize.

What to retain

Retain the audit determination documentation, the position description, organization chart and any relevant correspondence from the requester, which was not incorporated into the job audit report.

What not to retain

Don't retain duplicate copies of anything, samples of work done by the incumbent, or handwritten notes that have no relevance to the determination or which were incorporated into the final documentation.

How to retain it

- File all job audit materials for one classification together, so that they can be quickly and easily retrieved. Include all information retained for individual audits, class specifications, benchmark position descriptions and any other information about the class.
- File in the class files for each of the classes any new information that clarifies the differences between two or more classes.
- Establish a retention schedule or use the statewide retention schedule for completed audits. **All audits should be retained for four (4) years.** If an audit is the only one for a job class, you should keep it indefinitely.
- Audits submitted to MMB will be retained in Human Resource Management. Agencies should retain copies of what they submitted to MMB-HRM in their own agency audit files.

Data Practices And Documentation

Position descriptions, agency requests for classification review (job audit requests), memos concerning job audits and other supporting data is public information. Notices relaying determinations and explaining the analysis and rationale for a classification determination are also public information. Working papers, notes of conversations, and interviews and related materials prepared during the course of an audit are **non-public**. Information concerning an individual such as social security number, home phone number or street address contained in any of the public documents referenced above is **private data**.

For more information on Data Practices see the [Expanded and Revised Data Practices Manual](http://www.mmb.state.mn.us/doc/sema4/bull/1-18-11.pdf) at <http://www.mmb.state.mn.us/doc/sema4/bull/1-18-11.pdf>.

2.3 PROPERLY DOCUMENTED JOB AUDIT REQUEST

What is a “properly documented audit request?”

A properly documented audit request includes all the information necessary to make a classification determination on a position. It includes the following documents arranged in the following order:

- [Job Audit Cover Sheet](#) - (See Section 2.7 Job Audit Cover Sheet)
- Memo
- Organization chart (See Section 2.4 Organization Chart)
- Position description ([Position Description Template](#))
- [Supervisory questionnaire](#) - (if needed) (See Section 2.6 Supervisory Questionnaire)
- Job Audit Request Form (See samples in Appendix B.1)

Examples

Situation	“Properly documented date”
Required documents received, with no or minor clarification needed to make a determination	Date initial request is received
Missing documents, with no or minor clarification needed to make a determination once final document is received	Date final required document is received
Required documents received, but significant additional information is needed	Date sufficient information is obtained to make determination
Required documents received, but Hay rating is needed	Date of the Hay rating session

Why is proper documentation important?

Human Resource staff must require a basic level of information necessary to make a classification determination. The reviewer’s attention is better focused on arriving at an appropriate classification through review of documentation provided and comparisons with other State positions, than in researching for or requesting additional information and clarification about the position under review.

Proper documentation is also important because the date it is received becomes the date used for calculation of back pay allowed in reallocations to higher classifications.

2.4 ORGANIZATION CHART

What is an organization chart?

An organization chart is a document that graphically illustrates where a position fits into the department or agency.

Why is an organization chart needed?

This document is helpful to clarify the organizational and supervisory relationships of the position.

Who is responsible for developing the organization chart?

The supervisors of the position under review and/or the agency personnel office are responsible for developing the organization chart.

What does an organization chart need to include?

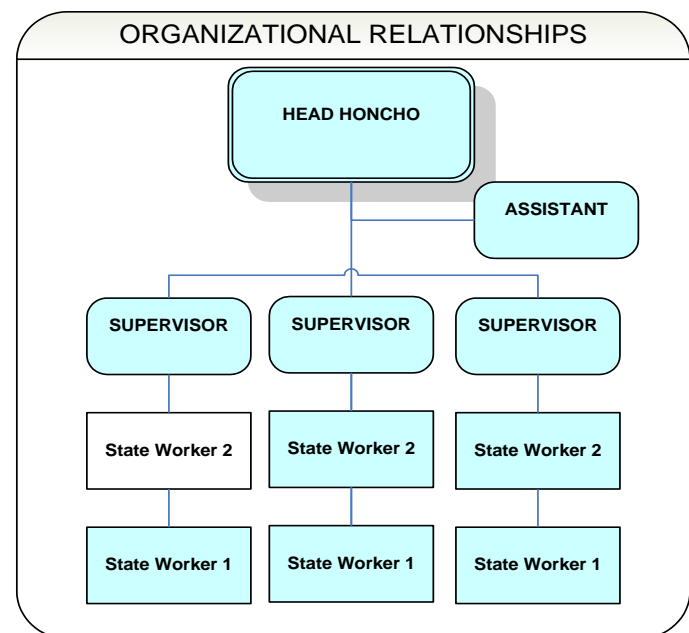
An organization chart should show the position being reviewed and the organization within which the position exists. The name of the department or agency, the unit and, when appropriate, sub-units should appear at the top. Identify each position using a box and include the names, actual classification titles, working titles (if they clarify), and compensation codes. Highlight the position being reviewed.

Figure 4: Organizational Relationships

The organization chart should depict positions within the unit that are:

- at least two levels above the position being studied.
- at the same level as the position being studied.
- one level below the position being studied, including any positions that report to the position being reviewed.

Reporting relationships should also be indicated by connecting appropriate boxes with a line (see Figure 4).



2.5 JOB AUDIT REQUEST MEMO

Why is a memo needed?

In the job audit request memo, the requestor presents and supports reasons for the requested classification for the position and/or the request for a determination of change in allocation or reallocation.

Who is responsible for the job audit request memo?

The job audit request memo is typically submitted to the agency Human Resource job auditor by the supervisor, manager or incumbent of the position under review.

What should the job audit request memo include?

While a job audit request memo may be a free-form document, an agency specific checklist, or a numbered form in a specific format, there is useful information that is needed. It is helpful to both memo writers and Job auditors if the memos follow a generally standard organization which includes:

- an overview of the request,
- an explanation of what changes have occurred in the position since it was last reviewed,
- comparison of the position to other positions in the organization allocated to the requested classification, and/or to the class specification,
- an explanation of how the changes in the position have occurred with a recommendation for a determination of change in allocation or reallocation, and
- any other information which may affect the decision.

As an aid in identifying changes in the position, the job auditor reviews documentation submitted to support previous audits of the position and any narrative determination notices.

Ideally the supervisor, manager or incumbent should note and compare current reporting structure in the organization to previous one. Show how the position is affected by any organizational restructuring, addition/removal of programs or staff. Has the employee's freedom to act and exercise of independent judgment changed? Has s/he become involved in new types of problem-solving or different phases of work?

If the supervisor, manager or incumbent has a recommendation for reclassification, state the specific classification and provide support for the change. Compare the work of the position with class standards (class specifications) noting both organizational/functional comparisons of the "Kind of Work" and "Nature and Purpose" or "Examples of Work" sections of the class specification with specific information in the position description (Principal Responsibilities and Task Statements). Copies of class specifications are available on-line at [Job Class Specifications](#).

The supervisor, manager or incumbent may also wish to support a reclassification request by comparing the position in question with other positions within the organization. Recommendations should be to positions that are comparable and the specific aspects of those positions, such as identical responsibilities or tasks, similarities in program, methodology of data collection or analysis, comparable supervisory demands, similar size of budget, or similar technology (knowledges, skills and abilities) required.

To enable the job auditor to make a decision regarding whether the reclassification of an occupied position is a reallocation or a change in allocation (see Appendix B), the memo must provide a discussion of how any changes in the position occurred and the period of time over which the changes occurred. Did the changes in the position occur abruptly (at an identifiable point in time) due to organizational/programmatic changes resulting in different responsibilities for the position or did the changes occur gradually adding new tasks similar to the current but at a different level than when the position was previously reviewed?

The supervisor, manager or incumbent should provide any additional information they think will be helpful to the job auditor in reviewing the position.

See B.1 SAMPLE JOB AUDIT REQUEST FORMS/MEMOS

2.6 SUPERVISORY QUESTIONNAIRE

What is a supervisory questionnaire

(A supervisory questionnaire is a form that asks a series of questions regarding supervisory tasks designed to help the Labor Relations Bureau of MMB determine if a position is likely to meet the supervisory criteria outlined in the Public Employee Labor Relations Act (Minnesota Statutes 179.63, subdivision 9) such that the Bureau of Mediation Services should be petitioned to determine that the supervisory bargaining unit is appropriate for the position.

Why and when is a supervisory questionnaire needed?

It is necessary to submit a supervisory questionnaire when a position has some authority over other positions in the organization, such that it has authority to perform or effectively recommend 6 of 10 supervisory functions defined as follows: hire, transfer, suspension, promote, discharge, assign and review work, reward, discipline, direct work, and adjust grievances. There are other factors considered for supervisory designation, but the presence of these functions is of primary consideration:

HIRE

- determine staffing need
- request to fill (vacancy notice)
- interview
- select (letter of offer)
- conduct probationary-employee evaluations
- certify/non-certify

TRANSFER

- approve reassignment of positions/employees between divisions
- transfer employees between classifications

SUSPEND

- write and sign letter of suspension

PROMOTE

- conduct promotional rating
- initiate reallocation

DISCHARGE

- write and sign letter of discharge

REWARD

- write letters of commendation
- nominate for achievement award

DISCIPLINE

- give warning
- give oral reprimand
- give written reprimand
- investigate alleged misconduct
- recommend other corrective action

DIRECT WORK

- structure jobs and sign position description
- complete and sign performance evaluation
- approve vacation and sick leave
- approve time sheets
- approve overtime and hours of work
- train new employees

ADJUST GRIEVANCES

- represent management at Step 1 or above

ASSIGN AND REVIEW WORK

- assign or establish work task
- review work products
- be responsible for unit work product
- provide guidance or constructive criticism
- temporarily reassign employees between work areas

SUPERVISORY STATUS QUESTIONNAIRE

1. What percentage of your time is spent on supervisory activities? _____ %

2. Do you work the same hours as your immediate supervisor? _____ Yes _____ No

If no, explain: _____

1. Is the area you direct geographically separated from your immediate supervisor's location?

_____ Yes _____ No

If yes, explain: _____

4. For the employees you directly supervise, please list their job classifications, employment condition (e.g., full-time, part-time, intermittent/unlimited, seasonal, temporary, emergency) and the number of employees in each category. This information should also appear on page 1 of the position description.

Class

Employment Condition

Number of Employees

TO BE COMPLETED BY PERSONNEL/LABOR RELATIONS DIRECTOR

5. Please attach an organization chart showing names, classifications, and managerial, supervisory, or non-supervisory designation of employees two levels above, on the same level, and two levels below the employee for whom this request is being processed.

6. Has the position previously been declared supervisory or non-supervisory by a Bureau of Mediation Services determination? _____ Yes _____ No

Date _____

7. Has the exclusive representative of the unit this position would be in if not supervisory (i.e., the residual unit) agreed that the position is supervisory? _____ Yes _____ No

If yes, which exclusive representative?

Who acted on their behalf? _____

Who is responsible for completing the supervisory questionnaire?

If a position is vacant, the position's supervisor is responsible for completing the questionnaire. If there is an incumbent in the position, the incumbent fills out the questionnaire and the supervisor reviews it.

Questions or problems regarding completion of the [Supervisory questionnaire](#) should be addressed to your Labor Relations account representative.

The position description of a position determined to be in the supervisory unit must reflect the supervisory functions performed by the incumbent of the position. The following is a suggested format to reflect those duties. The position description should only include those duties actually assigned to the position.

Example 1: Supervisory Responsibility Tasks and Performance Indicators in a position description

<u>Resp.</u>	Principal Responsibilities,	% of		
<u>No. 1</u>	<u>Tasks and Performance Indicators</u>	<u>Priority</u>	<u>Time</u>	<u>Discretion</u>
1.	Exercise supervisory authority so that applicable labor agreements and plans are equitably administered and employees under my jurisdiction will effectively perform assigned job duties to achieve the annual objectives of the section. a. Assess the qualifications of candidates and hire employees to perform job duties to achieve section objectives. b. Assign employees to work units to meet program objectives. c. Evaluate employee performance, rewards or discipline employees and promote, suspend, discharge or change their status according to their performance. d. Assign job duties, train and direct employees in the execution of job responsibilities to achieve annual work plan objectives. e. Mediate and adjust grievances of employees according to the requirements of the appropriate contract or plan. f. Direct the writing of employee position descriptions and approves the establishment of assigned work tasks. g. Administer applicable labor contracts and/or plans fairly and equitably and in accordance with statewide employer policy. h. Perform all supervisory tasks in accordance with established equal opportunity/Affirmative Action, non-harassment, and employee safety policies and procedures.	A	30%	A
NOTE: If a supervisor "effectively recommends" the preceding specific functions to be taken by higher authority, the above <u>Task Step Examples</u> should be modified in a position description to illustrate this action.				

2.7 JOB AUDIT COVER SHEET

* Date request received: _____

State of Minnesota Job Audit

☐ * Removed from active file

* optional fields / see back for FLSA compliance checklist

Agency/ * Other:	Position #:	* Auditor:
<input type="checkbox"/> New <input type="checkbox"/> Vacant <input type="checkbox"/> Occupied by:	Employee ID #:	* Position reports to:

CURRENT	<u>Class Title:</u>				<input type="checkbox"/> Classified	<input type="checkbox"/> Unclassified <input type="checkbox"/> Temp uncl – 43A.08, 2a <input type="checkbox"/> Academic uncl – 43A.08, 1(9) <input type="checkbox"/> Student Wkr – 43A.08, 1(15) <input type="checkbox"/> Other Uncl – 43A.08.1a <input type="checkbox"/> Other statutory:
	Option Code:	* Option Title:				
	<u>Class Code:</u>	<u>Comp Code:</u>	<u>Barg Unit/Plan:</u>	* <u>FLSA Status:</u> <input type="checkbox"/> Non-exempt <input type="checkbox"/> Exempt		
PROPOSED	<u>Class Title:</u>				<input type="checkbox"/> Classified	<input type="checkbox"/> Unclassified <input type="checkbox"/> Temp uncl – 43A.08, 2a <input type="checkbox"/> Academic uncl – 43A.08, 1(9) <input type="checkbox"/> Student Wkr – 43A.08, 1(15) <input type="checkbox"/> Other Uncl – 43A.08.1a <input type="checkbox"/> Other statutory:
	Option Code:	* Option Title:				
	<u>Class Code:</u>	<u>Comp Code:</u>	<u>Barg Unit/Plan:</u>	* <u>FLSA Status:</u> <input type="checkbox"/> Non-exempt <input type="checkbox"/> Exempt		

COMMENTS:

FINAL	<u>Class Title:</u>			<input type="checkbox"/> New job <input type="checkbox"/> Down	Date of Hay rating, if applicable:
	Option Code:	* Option Title:		<input type="checkbox"/> Up <input type="checkbox"/> No change	
	<u>Class Code:</u>	<u>Comp Code:</u>	<u>FLSA Status</u> (include FLSA checklist for exempt positions):	<input type="checkbox"/> Non-exempt <input type="checkbox"/> Admin exempt <input type="checkbox"/> Exec exempt <input type="checkbox"/> Prof exempt	
	<u>Barg Unit/Plan:</u> <input type="checkbox"/> Initial barg unit designation <input type="checkbox"/> Change – from _____ to _____ <input type="checkbox"/> No change <input type="checkbox"/> Sent to MMB LR for temp BU and BMS order (date):				

<input type="checkbox"/> CLASSIFIED FINAL DETERMINATION <input type="checkbox"/> Vacant, whether new or established (V) <input type="checkbox"/> Reallocation (R) <input type="checkbox"/> Change in allocation / occupied (C) <input type="checkbox"/> Change in class; no change in duties (*) <input type="checkbox"/> No class change (=) <input type="checkbox"/> Previously Unclassified <input type="checkbox"/> Gradual (R) <input type="checkbox"/> Change in class; no change in duties (*) <input type="checkbox"/> No class change (=)	Date properly documented request received: <hr/> HR approval by: _____ Date _____ LR approval by: _____ Date _____ Notice sent by: _____ Date _____ * Not eligible for back pay because: <input type="checkbox"/> New position <input type="checkbox"/> Change in allocation <input type="checkbox"/> Transfer or demotion <input type="checkbox"/> Reallocation approved fewer than 15 days from properly documented date <input type="checkbox"/> No class change (=) * Eligible for back pay as of this date:
<input type="checkbox"/> UNCLASSIFIED FINAL DETERMINATION <input type="checkbox"/> TEMPORARY UNCLASSIFIED APPROVAL Initial designation? <input type="checkbox"/> Yes <u>or</u> * Extension? <input type="checkbox"/> Start/end dates: _____	

NOTE: Where the incumbent of any reclassified position is ineligible to continue in the position and is not transferred, promoted or demoted, the layoff provisions of applicable collective bargaining agreements, the Commissioner's Plan or the Managerial Plan shall apply.

NOTICE: An appointing authority or an incumbent of a position affected by a classification determination may appeal in writing to the Commissioner of MMB (*Human Resources Director for agencies with Delegated Authority for classification decisions*) stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relevant to the classification of the position. If new information causes a change in determination, the date of receipt of that information will be used in determining back pay eligibility under collective bargaining agreements and plans.

Alternative formats available by calling 651-259-3637 or TTY user call MN Relay 711

What is a job audit cover sheet?

A Job [Audit cover sheet](#) is a two-sided form used to facilitate the job audit routing through MMB-HRM (not delegated) or used to track an audit through the audit process within an agency (delegated). The back side of this form has been replaced by the existing FLSA Compliance Checklist (See Section 2.10 FLSA) in response to multiple agencies' requests.

Why is a job audit cover sheet needed?

The cover sheet contains all the information necessary to record receipt of an audit into MMB-HRM, to track it through the audit process, and to produce reports of completed audits.

Agencies with delegated authority for the class being determined must complete the form for each position being audited and maintain the documented audit on file for at least four (4) years. Agencies without delegated authority complete the audit cover sheet through the Comments section, and then submit complete audit documentation to the state agency with audit authority for review and final approval (i.e., MMB-HRM or another state agency with delegated authority for the agency's job audits).

Who is responsible for the job audit cover sheet?

MMB-HRM updates the [Job Audit cover sheet](#) on its web site each year. From that point, the agency personnel offices fill out the appropriate sections, and attach the cover sheet to each requested initial allocation or reclassification.

How do you fill out a job audit cover sheet?

Required Fields:

Agency: Enter the agency's name.

Position #: Enter the position number assigned in SEMA4 to the position to be audited. New positions should be created in SEMA4 with an undetermined class code, 004001, until the audit is completed.

Position status: Check one of the three boxes. If the position is being established for the first time, check the "New" box. "Vacant" should only be checked when an unfilled position has already been created and a change is needed before filling it. When the position being audited has an incumbent in it, check "Occupied" and include the employee's name after "Occupied by."

Employee ID#: When a position is occupied, enter the employee identification number of the incumbent currently in the position to be audited. If it is a request for a new position or if the position is vacant, leave this area blank.

Class Title:

"Current" Enter the current class title assigned to the position or write "New" if a new position is being created.

"Proposed" Enter the title of the recommended or requested class that best describes the duties outlined in the attached position description. If you aren't sure, enter "to be determined."

"Final" Enter the class title determined most appropriate as a result of the job audit.

Option Code: Some positions have options assigned to them. For vacant and occupied positions with options, include the 6 letter or 4 digit code for the option that is assigned to the position. An agency may require the use of the 4 digit code; for example, MMB uses the 4 digit code for non-delegated audits.

Class Code:

"Current" Enter the six-digit class code assigned to the position's present class. If you are creating a new position, leave this area blank.

“Proposed” Enter the six-digit class code assigned to the proposed class. If you entered “to be determined” for the proposed Class Title, leave this area blank.

“Final” Enter the six-digit class code assigned to classification determined most appropriate as a result of the job audit.

Comp Code: Enter the number/letter salary range assigned to the present (leave this area blank if the position is new), proposed and final class titles areas; for example, 4I, 63H, 20M.

Bargaining Unit Plan: Enter the three-digit bargaining unit or plan number assigned to the position being audited in the present (leave this area blank if the position is new), proposed and final areas; for example, 203, 206, 214, 216, 220. In most cases, this will be the same as the bargaining unit or plan number assigned to the classification; however, there are times when they do not match, such as when the position is **confidential (217)**. (See Appendix A.1: Terms)

- BU 201 Mn Law Enforcement Association
- BU 202, 203, 204 Craft/Maint/Labor, Service and Health Care Non-Prof, AFSCME
- BU 205 Mn Nurses Assoc
- BU 206 Clerical, AFSMCE
- BU 207 Technical, AFSMCE
- BU 208 Corrections Officers, AFSMCE
- BU 212 Mn Government Engineers Council
- BU 213 Health Treatment Professionals (NUE)
- BU 214 Mn Assoc of Professional Employees
- BU 215 Residential Schools Education
- BU 216 Middle Management Assoc
- BU 217 Confidential
- BU 219 Severed
- BU 220 Managers
- BU 221 Excluded All Others
- BU 225 Public safety radio communications operator – AFSCME

Classified or Unclassified:

“Current” If the position is vacant or occupied, check the box appropriate to the position being reviewed. If the position is new, leave this area blank.

“Proposed” Check the box appropriate to the position being established or reviewed.

“Final” Check the “Classified Final Determination” box or the “Unclassified Final Determination” box in the lower left of the form, whichever reflects the final determination.

Unclassified positions: Unclassified positions fall under the following statutes:

- 43A.08, Subd 1 – Contains a list of specific types of employees who are always unclassified, including Academic Unclassified – 1(9) and Student Worker – 1(15).
- 43A.08, Subd 1a – Additional unclassified positions. These positions must meet specific criteria set in law, such as must report to the Commissioner or Deputy Commissioner; member of the senior management team, important for the position to be accountable to, loyal to, and compatible with, the governor and the agency head. Only certain agencies are authorized to use this section.
- 43A.08, Subd 2a – Temporary unclassified positions. An unclassified appointment under M.S. 43A.08, Subd 2a, has a definite ending date. The position must be professional, supervisory or managerial and fully anticipated to be of limited duration, not to exceed three (3) years. For historical reasons, temporary unclassified positions are sometimes called Rule 10 appointments.
- Positions specifically established by law in the unclassified service (i.e., have their own statute).

Position movement: Check the box that reflects the movement of the final determination in comparison to that of the present class, if the position was vacant or occupied. Check “New job” for positions being newly-established.

Hay rating: Use to document internal and “official” statewide Hay rating sessions, when applicable. Add the words “agency rating” to unofficial ratings for clarification purposes.

FLSA Status:

“Final” Check box for status-exempt or non-exempt. If exempt check appropriate box for type of exemption and complete the FLSA checklist on the back.

Final-Bargaining Unit Plan: Check the appropriate boxes. If this is a new class check “Initial bargaining unit designation”, If there has been no change in the bargaining unit from the current to the final class determination, check “No changes”. If there has been a change provide the 3 digit number for the old and the new bargaining unit in “Change from”. If the position movement requires a BMS check the “Sent to MMB LR” box and provide date sent.

Classified Final Determination: Check this box when the position is going into or staying in the classified service AND also check the specific box that reflects the action taken.

MOVING TO CLASSIFIED SERVICE

M.S. 43A.15, subd. 7, **Moving to Classified Service.** Appointments for unclassified incumbents of newly classified positions. The commissioner may authorize the probationary appointment of an incumbent who has passed a qualifying selection process and who has served at least one year in an unclassified position which has been placed in the classified service by proper authority.

Previously Unclassified: Check this box when an unclassified position is moving to the classified service; for example, when a temporary unclassified position is being moved to the classified service through an unclassified conversion AND also check the specific box that reflects the action taken. MMB or an agency with delegated authority may authorize the probationary appointment of the incumbent from an unclassified position to the classified service who has met certain criteria:

- (1) meets the minimum qualifications for the position, and
- (2) served at least one year in the unclassified position that has been placed in the classified service by proper authority.

Positions typically remain in the same class; however, the other two boxes are sometimes appropriate.

Gradual reflects the gradual change in duties of an unclassified position that result in a different class, similar to a reallocation in the classified service.

Change in class; no change in duties is appropriate when the unclassified position’s duties have not changed, but a different class is determined to be more appropriate.

For example, an unclassified position that was initially allocated to a class title that begins with the word “Project” (such as Project Analyst, Project Consultant, Project Manager, etc.) cannot remain in that class because the “Project” series was specifically created for unclassified positions. If the position and incumbent move to the classified service, a position in the “Project” classification series must move to another class.

Unclassified Final Determination: Check this box when the position is going into or staying in the unclassified service.

Temporary unclassified approval: Check this box when the unclassified position is also approved as temporary unclassified. Temporary unclassified appointments may be made for up to three years. AFSCME positions cannot be placed in the unclassified service, unless allowed by specific statutory language.

Initial designation: Check this box when the temporary unclassified appointment is the initial designation for this position.

Extension: Check this box when the initial designation was less than 3 years.

Enter the start and end dates for which the temporary unclassified designation is approved.

Date properly documented request received: Highlighted this section because of the importance of completing this box. This date may be different than the date the request was received. The properly documented date is when the auditor has sufficient information to make a final determination. This is also the date used for calculating back pay. (See Appendix A.3)

Examples

Situation	"Properly documented date"
Required documents received, with no or minor clarification needed to make a determination	Date initial request is received
Missing documents, with no or minor clarification needed to make a determination once final document is received	Date final required document is received
Required documents received, but significant additional information is needed	Date sufficient information is obtained to make determination
Required documents received, but Hay rating is needed	Date of the Hay rating session

Approval box: The "LR approval by" between "HR approval by" and "Notification sent by" is a reminder that an audit may need to go to LR between the other two steps.

Sign and date the cover sheet. This may be the date of the determination or the date the paperwork was completed.

Optional Fields

These fields are marked by an asterisk and light shading. They are included for agencies' discretionary use. Some fields may be determined to be mandatory within an agency, but they are not required for all state agencies. For example, the "Removed from active file" check box is required within MMB for internal tracking purposes.

- * **Date request received:** A place to document this information.
- * **Removed from active file:** Required within MMB for internal tracking purposes.
- * **Optional fields:** Explains what the asterisks and shading mean throughout the rest of the form.
- * **Auditor:** For agencies' discretionary use.
- * **Other:** To further designate the position's location (e.g., division, region, campus).
- * **Position reports to:** For agencies' elective use in recordkeeping. Agencies may choose to use the direct supervisor's name, job class, working title – whatever is most useful within the agency.
- * **FLSA Status:**
"Current" and "Proposed": Check box for status-exempt or non-exempt.
- * **Extension:** Some agencies use the audit cover sheet to track temporary unclassified extensions (instead of e-mails or other documentation).
- * **Eligibility for backpay:** Useful when an HR professional completes the audit and gives it to an HR aide for processing the transaction in SEMA4.

2.8 ADDITIONAL INFORMATION WHICH MAY BE REQUIRED

Some job audits will require additional information which is not typically included with an audit request, but may be essential to the job auditor's ability to make a classification determination. This additional information may include:

- Copies of position descriptions that are similar to the position being reviewed.
- Examples of work, such as letters, handbooks or brochures written or used by the incumbent.
- A detailed explanation of the program in which the position functions, or of the service or product provided by the position.
- A summary of any previous audit findings.

[Note: These items may be valuable tools in making a determination but not necessary to retain as part of the audit file.]

2.9 HAY PROCESS OF JOB EVALUATION

Hay Evaluation:

Hay evaluation refers to the process of convening a Hay Committee to evaluate a job using the Hay Guide Chart Profile Method of job evaluation. This approach is used when:

- it appears that a new class may be warranted
- the level of a position within a class series is difficult to determine
- all else fails ... the position defies comparison.

What is the Hay Guide Chart – Profile Method™ and where did it come from?

The Hay Guide Chart – Profile Method™ of job evaluation was developed in the early 1950s by HayGroup® and is used by more than 8,000 profit and nonprofit organizations in many different countries. It is the most widely used job evaluation method in the United States, in companies such as Honeywell, Pillsbury and General Mills and in state governments such as Arizona, Connecticut, New Jersey, Oregon and New Mexico.

The State of Minnesota has used the Hay system of job evaluation since the 1970s, when HayGroup® consultants evaluated managerial positions for the State of Minnesota. In the mid – 1970s, classification and compensation decisions primarily relied on the job audit and salary survey processes we use today – by comparing positions to each other and to class specifications, with consideration given to how similar jobs were paid outside of state government. The Hay System gives an added dimension which allows us to quantitatively compare jobs to one another.

The Hay job evaluation system has been used by the State of Minnesota to evaluate most state job classes, including the Governor's and positions in the Supreme Court.

How does the Hay Guide Chart – Profile Method™ work?

A committee rating process is used to help ensure a broad perspective and statewide consistency. Committees are made up of three or five professionals from State of Minnesota agencies' Human Resources offices and the Department of Minnesota Management & Budget (MMB). All Hay raters meet training standards established by MMB consistent with HayGroup® expectations and participate in advanced training seminars.

Written materials about each position being rated are provided to Hay committee members so they can prepare before a scheduled Hay rating session. Documentation typically includes a memo outlining the need for the Hay rating; an organization chart, a position description, and anything else that might help the raters understand each position. Subject matter experts provide an overview of each position's role and responsibilities to the Hay raters at a scheduled Hay rating session, along with information about the position's requirements related to Know-How, Problem Solving and Accountability.

Hay raters look at three major aspects when evaluating a job: Know-How, Problem Solving and Accountability. They consider a position's role and responsibilities, and the KSAs (knowledge, skills and abilities), problem solving and accountability required to satisfactorily perform the work involved.

The Hay rating of a job is the sum total of Know-How, Problem Solving, Accountability, and Special Conditions points.

What are the Key Elements to the Hay Guide Chart-Profile Method™?

Table 1: Key Elements to the Hay Guide Chart Profile Method™

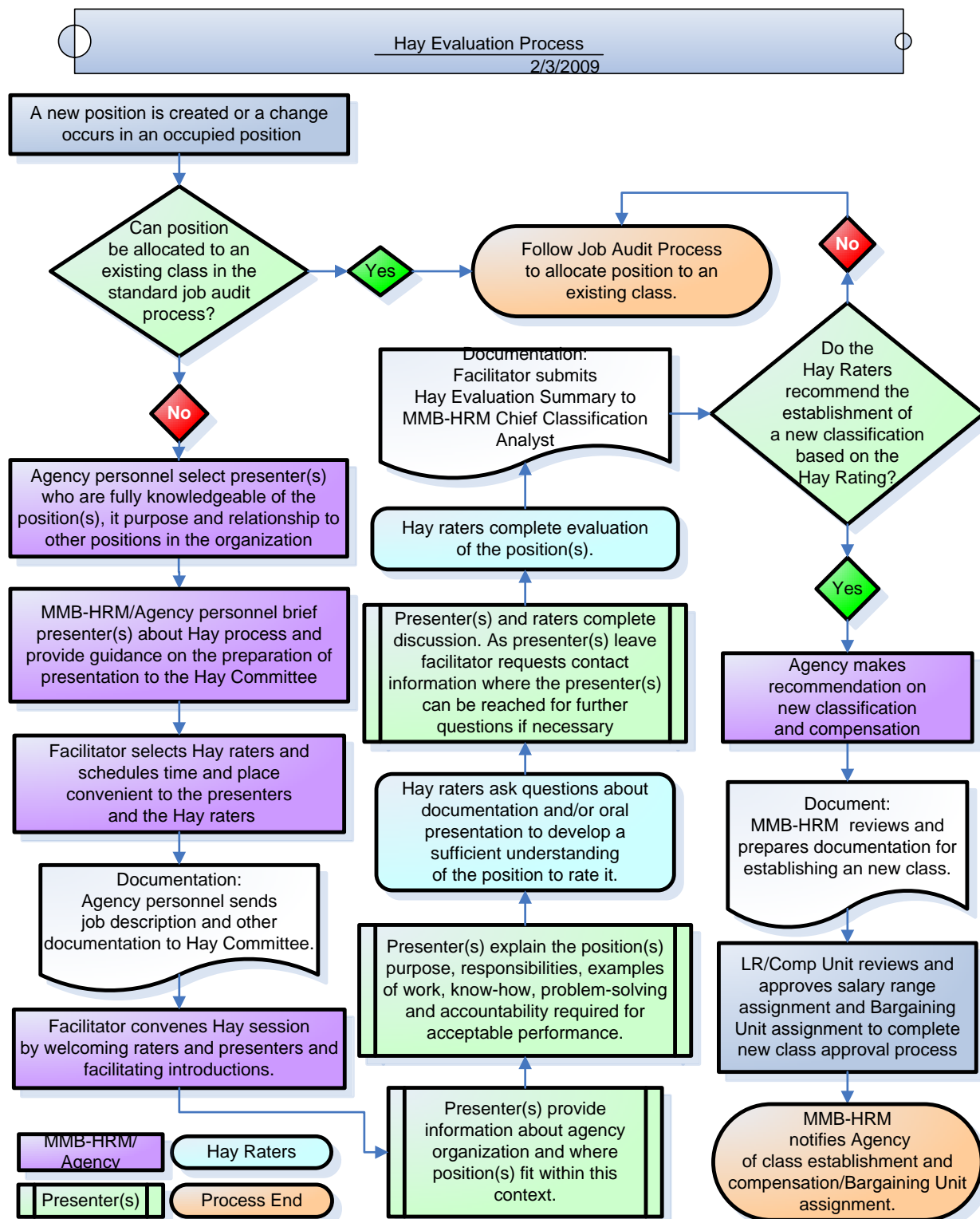
KNOW HOW	Technical or Specialized Knowledge	Integrating Know-How	Human Relations
The knowledge required to do the job. There are three aspects to Know-How:	The depth and breadth of job-specific knowledge	(Managerial functions and scope). This applies to those positions which are responsible for the integration of budgetary and program services.	The interpersonal skills necessary for productive relationships.
PROBLEM SOLVING	Thinking Environment	Thinking Challenge	
How the know-how is applied when making decisions and resolving problems. It is measured as a percentage of know-how. There are two aspects to Problem Solving:	The context within which decisions are made, or the constraints which limit or guide decision-making.	The process used in identifying, defining, and resolving problems.	
ACCOUNTABILITY	Freedom to Act	Magnitude	Job Impact
The responsibility for actions and their consequences or end results. There are three aspects to Accountability:	The empowerment that rests with the position, and the authority to take actions and make decisions.	The resources over which the position has control or influence, and is generally based on operational budgets. It may also include fixed resources, revenues or expenses.	The nature and degree of the position's impact on end results, including the affect on the satisfaction of customers or achievement of organizational objectives and/or mission.
SPECIAL CONDITIONS	Physical Effort	Environment	Hazards
A fourth aspect of some jobs is the Special Conditions under which work must be performed. Where hazards, unpleasant environment, or particular demands such as sensory attention are a significant element of the job, Special Condition Points are given.			

The raters look at each of these three basic factors separately and assign points from the Hay Guide Charts that represent their weight in the job. Every job that is evaluated receives the same treatment. This makes it possible to compare jobs that are drastically different and place them where they appropriately fit within the State's classification and compensation systems. The Hay system is designed to rank positions within the context of all statewide positions, from the Governor and the Supreme Court on down, not just within the context of one State agency.

How does the Hay rating relate to classification and compensation decisions?

A position's Know-How points and overall Hay rating are used as guides in determining where the job fits in the State's classification structure and provide a framework for determining the appropriate compensation range.

Figure 5: Hay Evaluation Process



2.10 FAIR LABOR STANDARDS ACT (FLSA)

What is the Fair Labor Standards Act?

The Fair Labor Standards Act (FLSA) prescribes standards for basic minimum wage and overtime pay. It prescribes standards for the hours that children can work and forbids the employment of children under age 16 or 18 in certain operations.

Who is exempt from overtime ?

There are three types of positions exempted from coverage under the FLSA. These are called “White Collar” or EAP exemptions: executive, administrative, and professional. Outside Sales is an additional exemption under FLSA. Under these classifications, employees are allowed to be “exempt” from the overtime provisions of the federal regulations if certain salary and duties tests are met. Employees who do not meet these salary and duties tests are “non-exempt” and eligible for overtime pay at the rate of time and one-half for all hours worked over 40 in a 7 day work period. Different work periods may apply to non-exempt employees working in hospitals or residential care facilities (overtime is paid after 8 hours in a day or 80 hours in a two-week period); and special provisions apply to Fire Fighters and Law Enforcement employees.

Who administers the Fair Labor Standards Act?

There is a Federal FLSA which is administered by the United States Department of Labor (www.dol.gov/elaws/flsa.htm) and the Minnesota FLSA which is administered by the Minnesota Department of Labor and Industry (www.doli.state.mn.us/laborlaw.asp).

Agency Responsibilities

1. Review the FLSA status of all positions at the time a job audit (new and occupied positions) is conducted.
2. If position status and/or type of exempt status is the same as the class status, document on job audit and ensure position is correctly coded in SEMA4.
3. If position status and/or type of exempt status changes to a status already designated by MMB document on the job audit and ensure position is correctly coded in SEMA4
4. If position status or the type of exempt status changes to a status not designated by MMB (see examples below) submit a completed [exemption checklist](#) [See Figure 7] with a position description to LR/Comp and include a memo stating what has changed since the determination was made during the statewide audits in 2000 and/or 2004.
5. If a new class is established or an abolished class is re-established submit a completed exemption checklist with a position description for each audit packet submitted to MMB to establish or re-establish a classification.

MMB FLSA designations by classification

<http://www.mmb.state.mn.us/doc/comp/flsa/flsa-class.pdf>]:

Example

Information Technology Specialist 1 – non exempt

Information Technology Specialist 2 – non exempt

Information Technology Specialist 3 – mixed

Information Technology Specialist 4 – mixed

Information Technology Specialist 5 – Exempt Professional

Reallocation from	to	FLSA action needed
ITS 1 – non exempt	ITS 2 – non exempt	none
ITS 1 – non exempt	ITS 2 – exempt administrative	Requires MMB approval to change the designation of the job class
ITS 2 – non exempt	ITS 3 – non exempt	Document at agency and on SEMA4
ITS 3 – non exempt	ITS 4 – exempt professional	Requires MMB approval to add type of exempt status designation to the job class.
ITS 3 – non exempt	ITS 4 – exempt administrative	This exempt status designation is attached to this class. Document at agency and on SEMA4.
ITS 4 – non exempt	ITS 5 – exempt professional	Document at agency and on SEMA4

MMB Human Resource Management Unit Responsibilities

MMB's Human Resource Management Staffing/Compensation Unit is responsible for designating the exempt, non-exempt, or mixed status for all job classes. For exempt and mixed classes it is responsible for designating the type of exempt status within the class—Professional, Administrative, or Executive. Fair Labor Standards Act designations for all state job classes appear on the current salary plan at the following web site: (<http://www.mmb.state.mn.us/comp-salary-plans>). If the Agency's recommendation to change the position's status is approved, this will be indicated on the FLSA checklist and recorded in the Classification Plan.

Important Definitions in FLSA:

Primary duty (29 C.F.R.) 541.103

The amount of time spent in the performance of managerial duties is a useful guide in determining whether management is the primary duty of the employee. A good rule of thumb is that primary duty means the major part, or over 50 percent, of the employee's time.

Time is not the sole test; where employees do not spend over 50 percent of their time on managerial duties, they might have management as their primary duty if other factors are present. Some of these factors are the relative importance of the managerial duties as compared with other types of duties; the frequency with which the employee exercises discretionary powers; and the relative freedom from supervision.

Management (29 C.F.R.) 541.102 and Minn. Rule 5200.0180 subd.2

Managerial and supervisory functions generally include: 1) interviewing, selecting and training employees; 2) setting rates of pay and hours of work; 3) directing employees' work; 4) maintaining

records for supervision or control; 5) handling complaints, grievances and discipline; 6) planning work; 7) determining techniques to be used; 8) determining the type of materials to be bought; and 9) controlling the distribution of materials and supplies.

For purposes of parts [5200.0180](#) to [5200.0210](#), the term "manage" means to control and direct the business operations of a given enterprise, department, or branch establishment. Duties involved in managing must involve the making of decisions and the issuance of directions to other employees which involve skill and judgment. The term includes those employees that act primarily and principally in a directive capacity as opposed to those who primarily do the actual work.

Discretionary Powers Minn. Rule 5200.0180 subd. 3 and Discretion and Independent Judgment (29 C.F.R.) 541.207

Minn. Rule 5200.0180 subd. 3: The thrust of this criterion is to distinguish between those employees empowered to independently commit their employers on matters of importance and those employees who merely make day-to-day decisions which, although necessary to the daily operations of the employer's business, are routine, or follow prescribed procedures, or involve a determination of whether specific standards are met, or are lacking in substantial importance to the employer's business as a whole. One test which should be utilized in determining whether an employee exercises discretionary powers is to ask whether the decisions being made involve a discretion as to company policy or procedure or commit the employer on matters of substantial importance. Mere recommendations with respect to policies and procedures are not sufficient unless it can be shown that the employer consistently accepted and followed those recommendations.

(29 C.F.R.) 541.207: The exercise of discretion and independent judgment involves the comparison and evaluation of possible courses of conduct and acting or making a decision after the various possibilities have been considered. The term implies the person has the authority to make an independent choice, free from immediate direction or supervision and with respect to matters of significance.

This term has most frequently been misunderstood and misapplied in cases where there is confusion between the exercise of judgment and independent judgment, and the use of skill in applying techniques, procedures or specific standards.

The term "matters of significance" refers to the level of importance or consequence of the work performed. An employee does not exercise discretion and independent judgment with respect to matters of significance merely because the employer will suffer financial losses if the employee fails to perform the job properly. Similarly, an employee who operates very expensive equipment does not exercise discretion and independent judgment with respect to matters of significance merely because improper performance of the employee's duties may cause serious financial loss to the employer. The wider the scope of impact of an action or decision, the more likely an issue is a matter of significance.

Exempt or Non-exempt work Minn. Rule 5200.0180 subd. 5

In determining exempt and nonexempt work under parts [5200.0180](#) to [5200.0210](#), work directly related to executive or administrative work may be included if the executive work which it relates to is actually performed by the employee. It is not sufficient to claim certain work is exempt where the executive or administrative function it might be directly related to is not performed by the employee.

Department or subdivision (29 C.F.R.) 541.104

The phrase "a customarily recognized department or subdivision" is intended to distinguish between a collection of employees assigned from time to time to a specific series of jobs and a unit with permanent status and function.

Two or more other employees (29 C.F.R.) 541.105

Employees will qualify as executive if they customarily and regularly supervise at least two full-time employees or the equivalent. For example, one full-time and two half-time employees are equivalent to two employees.

Independent establishment (C.F.R.29) 541.113

The establishment must have a fixed location and must be geographically separated from other company property (separate buildings on the same or adjacent property does not qualify).

Sole charge (C.F.R.29) 541.113 and Minn. Rule 5200.0180 subd. 4

Only one person in any establishment can qualify as an executive under this exception, and then only if he/she is the top person in charge at that location. Only one employee per enterprise, department or branch establishment may be considered to be in sole charge regardless of the number of work shifts per day.

Non-manual work (29 C.F.R.) 541.203

The requirement that the work performed must be office work or non-manual work restricts the exemption to “white collar” employees. The accepted usage of the term “white collar” includes all office workers.

Directly related to management policies or general business operations (29 C.F.R.) 541.205

This phrase limits the exemption to persons who perform work of substantial importance to the management or operation of the business of his or her employer or the employer’s customers. Examples of such work include advising management, planning, negotiating, purchasing, and business research and control. The phrase also includes a wide variety of persons who either carry out major assignments in conducting the operations of the business, or whose work affects business operations to a substantial degree.

Learned professions (29 C.F.R.) 541.301

The “learned” professions are those which require knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study as distinguished from a general academic education. The word “customarily” implies that, in the vast majority of cases, the specific academic training is a prerequisite for entrance into the profession.

Generally speaking, the professions which meet the requirement for a prolonged course of specialized intellectual instruction and study include law, medicine, dentistry, nursing, accountants (depending on training and job duties), actuarial computation, engineering, architecture, teaching, various types of physical, chemical, and biological sciences including pharmacy and registered or certified medical technology. Typically, a prolonged course of study requires a four year degree.

“Advanced knowledge in a field of science or learning” is customarily acquired by a prolonged course (generally BA/BS or above) of specialized, intellectual instruction and study. General academic education, apprenticeships, training in routine processes, or extensive experience in the field or with the employer doesn’t qualify. A degree alone isn’t the determining factor. Employees who hold one of the degrees listed in the regulations don’t meet this test if the degree is not applicable to their work or if the work is not professional.

Artistic professions (29 C.F.R) 541.302

The character of the artistic type of professional work is original and creative in character in a recognized field of artistic endeavor (as opposed to work which can be produced by a person endowed with general manual or intellectual ability and training), and the result depends primarily on the invention, imagination, or talent of the employee. The work must be in a recognized field of artistic endeavor such as music, writing, the theater, and graphic arts.

Figure 6: FLSA Compliance Checklist



**STATE OF MINNESOTA
MANAGEMENT & BUDGET
FLSA COMPLIANCE CHECKLIST**

Please Check One:

- ☐ EXECUTIVE EXEMPTION
- ☐ PROFESSIONAL EXEMPTION
- ☐ ADMINISTRATIVE EXEMPTION
- ☐ OUTSIDE SALES EXEMPTION
- ☐ NON-EXEMPT

Job Class Title:	Agency:
<p>Employees must meet <u>both</u> the salary and duties tests to be exempted from the overtime provisions of the Fair Labor Standards Act (FLSA). Employees who do not meet the duties tests or do not meet the salary test will be assigned an exemption status of non-exempt.</p> <p align="center"><u>Salary Test Section</u></p> <p>If no employee within a class meets the salary test, the class will be designated as non-exempt.</p> <p>If some employees do not meet the salary test (due to part-time employment status), these employees will be classified as non-exempt. However, if the duties tests are met by all and some employees meet the salary test, the class will be assigned one of the exempt options on this form.</p> <p>Employees are compensated on a salary basis at a rate of not less than \$455 per week exclusive of board, lodging or other facilities.</p> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Yes, Some or All Employees <input type="checkbox"/> No Employees (Class will be assigned as non-exempt, no need to complete duties test section) </div> <p align="center"><u>Duties Test Section</u></p> <p>Employees must meet the duties test requirements as specified below to be considered exempt from the Fair Labor Standards Act (FLSA) and assigned to one of the exemption types indicated below. Where "and" is indicated after a statement, all statements within that section must be checked to meet the duties requirements.</p>	
<p align="center">EXECUTIVE EXEMPTION DUTIES TEST (Check all which apply)</p> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Manages and supervises a department of at least two full-time people; and <input type="checkbox"/> Has authority to hire or fire or suggest changes in employees' status; and <input type="checkbox"/> Regularly exercises discretionary powers; and </div> <p>Either:</p> <div> <input type="checkbox"/> Devotes less than 20 percent of time worked to nonexempt work; or <input type="checkbox"/> Has sole charge of an independent or branch establishment. </div>	<p align="center">PROFESSIONAL EXEMPTION DUTIES TEST (Check all which apply)</p> <p>Either:</p> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Performs work requiring advanced knowledge in a field of learning customarily acquired by prolonged specialized intellectual study, not a general academic education, an apprenticeship, or training in routine mental or physical processes; or <input type="checkbox"/> Performs original work dependent on the person's own creativeness in a recognized field of artistic endeavor. </div> <p>And:</p> <div> <input type="checkbox"/> Consistently exercises judgment and discretion; and <input type="checkbox"/> Performs predominately intellectual work so varied that the output cannot be standardized by time necessary for accomplishment; and <input type="checkbox"/> Devotes less than 20 percent of the hours worked to activities not essential to the person's professional work. </div>
<p align="center">ADMINISTRATIVE EXEMPTION DUTIES TEST (Check all which apply)</p> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Either performs office or non-manual work directly related to business operations or management policies, or administers an educational system or subdivision thereof, in work relating to academic instruction; and <input type="checkbox"/> Regularly exercises discretion and independent judgment and makes important decisions; and <input type="checkbox"/> Devotes less than 20 percent of time worked to nonexempt work; and </div> <p>Either:</p> <div> <input type="checkbox"/> Directly assists owner or bona fide executive or administrative employee; or <input type="checkbox"/> Performs supervised work only along lines requiring special training or experience; or <input type="checkbox"/> Executes special assignments. </div>	<p align="center">OUTSIDE SALES EXEMPTION DUTIES TEST (Check all which apply)</p> <p align="center">NO SALARY TEST REQUIRED</p> <div style="margin-bottom: 10px;"> <input type="checkbox"/> "Salesperson" is defined as one who makes sales of, or obtains orders or contracts for, materials, services or the use of facilities for which payment will be made. Incidental deliveries, collections, and other non sales or non solicitation work that is directly related to the primary sales duties shall be considered the work of a salesperson.; and <input type="checkbox"/> An outside salesperson is hired for the express purpose of performing such duties away from the Employer's place(s) of business and conducts no more than 20 percent of sales on those premises. The hours of non outside sales work may not exceed 20 percent of the hours worked by employees who are not outside salespersons. </div>

DOER SIGNATURE _____ EFFECTIVE DATE OF
DESIGNATION _____

2.11 APPEALS

What is an appeal of a classification decision?

An appeal is a *written protest* of the allocation or reclassification of a position addressed to the Human Resources Director (delegated) or the Commissioner of MMB (not delegated). It may dispute: 1) the classification determination, or 2) the determination of change in allocation or reallocation, or 3) both. Most agencies require the appeal to be submitted within 30 days after the audit decision is released.

Who can appeal?

An appeal may be submitted by a supervisor/manager or an incumbent employee affected by a position allocation or reclassification (or denial thereof) decision.

What information should be included in an appeal?

An appeal should include:

- new information which was not provided with the initial request, and/or
- clarification of information presented in the initial reclassification request. This may be necessary because an analysis of the rationale provided for the classification decision identifies that previously presented information was unclear, misleading or not correctly understood.

Example 2: Appeal Rights Statements

Delegated:

You may appeal this classification decision in writing to the Human Resources Director, within 30 days, stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relative to the classification of the position. If new information causes a change in determination, the date of receipt of that information will be used in determining back pay eligibility under collective bargaining agreements and plans.

Non-Delegated:

An appointing authority or an incumbent of a position affected by a classification determination may appeal in writing, within 30 days, to the Commissioner of MMB stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relative to the classification of the position. If new information causes a change in determination, the date of receipt of that information will be used in determining back pay eligibility under collective bargaining agreements and plans.

When is an appeal not acceptable?

An appeal is not appropriate if it merely expresses disagreement or unhappiness with a determination. An appeal is not acceptable without rationale or support for a different determination or examples to provide job auditors a better understanding of the position and of the rationale for a preferred class comparison. Also, lack of an “on-site” audit is not a basis for an appeal.

An appeal cannot challenge the consensus rating resulting from a Hay evaluation session. An appeal can challenge the classification decision made based on that rating.

What is the role of the agency Personnel Officer in the appeal process?

The agency Personnel Officer will relate, to the affected employee and/or supervisor/manager, the basis for the classification decision. The Personnel Officer will also advise the employee and/or supervisor/manager of the right to appeal the decision and the information to be provided on appeal for it to warrant consideration.

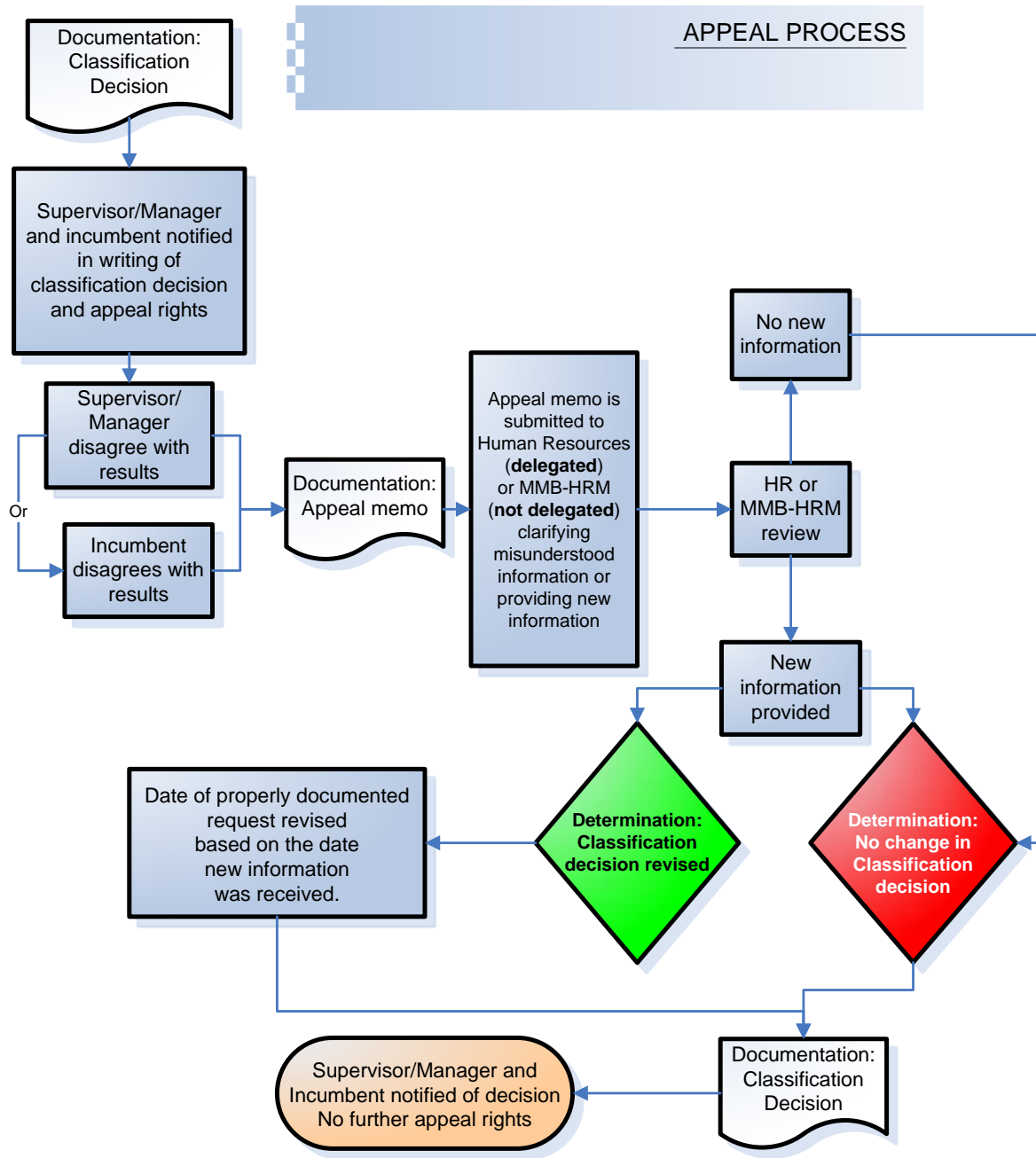
Note: When a determination is revised based on the submission of new information provided on an appeal, the date the new information was received in the Department of MMB (not delegated) or in the

agency HR Office (delegated) becomes the “date of properly documented request” on which back pay calculations are based. This too is included on the notice of appeal results.

Can the results of an appeal be challenged?

No. The authority of the Commissioner of MMB or delegate for the classification system must be recognized and accepted. We cannot support a program allowing unlimited appeals. The appeal process is provided as a quality control check. One appeal and reconsideration must be sufficient.

Figure 7: Appeal Process



2.12 Auditor Checklist

This list includes many of the questions identified in the previous pages plus other items recommended by experienced raters. Check off the items and indicate the source of your information (Supervisor(S) and/or Incumbent (I)), jot notes for your analysis. (See also Appendix B.3 Sample Audit Decision Documentation)

Questions	S	I	Notes
Why does the job exist?			
Review written job description. Does the supervisor agree with the description of the work?			
1. What work is done?			
2. What does the incumbent spend the most time doing?			
3. How is it done?			
4. What methods, tools or other aids are used?			
5. To what extent are procedural restrictions (rules, regulations, policy, contracts, etc.) a factor in the incumbent's freedom to act?			
6. Have the duties actually changed, or just the way the task is completed?			
7. Has the level of duties increased or just the volume of the same duties?			
8. Where did the old duties go?			
9. Are new duties still appropriate for the current class?			
10. Have the changes occurred gradually over a period of nine months to two years?			
11. Did the change occur abruptly as a result of management action or over a relatively short time frame, say < 9 months?			
12. Are the changes within the normal learning curve of the class/position?			
Review class specifications. How does this job compare? Be specific, not simply a statement that the job compares to the class specification.			
How does the position compare with similar positions within the unit/division/department? Be specific.			

"The ideal critical thinker is habitually inquisitive, well-informed, trustful of reason, openminded, flexible, fair-minded in evaluation, honest in facing personal biases, prudent in making judgments, willing to reconsider, clear about issues, orderly in complex matters, diligent in seeking relevant information, reasonable in the selection of criteria, focused in inquiry, and persistent in seeking results which are as precise as the subject and the circumstances of inquiry permit." Peter A. Facione, author of "THINK_Critically"

APPENDICES

APPENDIX A – TERMS AND CONCEPTS

A.1 TERMS

Terms followed by an asterisk (*), are further explained in the appendices. Consult the Table of Contents for the page number. Where a term is followed by a “reference,” that refers to another document that will provide further clarification.

Allocation factors* - Job responsibilities and requirements that can be compared to measure the similarity among positions in kind and level of work and evaluate the level sufficient to assign a position to a single classification within the job class plan.

Appeal - A written protest of a decision relating to allocation or reclassification of a position.

Bargaining unit - A group of positions and employees organized according to occupational and administrative similarities to collectively bargain terms and conditions of employment, compensation and to resolve employer-employee disputes.

References: M.S. 179A.10, State Units, Recognition Articles, Collective Bargaining Agreements

Benchmark position* - A position that most accurately represents the concept of a particular class and that serves as a basis for comparison when other positions are allocated to that same class. The benchmark represents the most frequently occurring representation of the class. Although there may be stronger or weaker positions within the class, comparisons should be made to the benchmark positions rather than the fringe positions to prevent a continual shifting of the standard for the class as a whole.

Change in allocation* - Reclassification of a position resulting from abrupt management-imposed changes in the duties and responsibilities of a position.

Class clarification materials - All job-related documentation that defines a job classification more fully and accurately. These materials include class specifications, benchmark positions, organization charts, enabling legislation, job class study questionnaires, etc.

Class series - A grouping of two or more job classes on the basis of kind of work and levels of difficulty. This grouping reflects different and ascending levels of difficulty within the same kind of work.

References: Describing Job Content: Writing Job Specifications

Classification (Class) - One or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with clarity to designate each position allocated to the class, and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.

Classification (Class) specification - A brief, general description of the concepts attributed to a classification, including class title, kind of work, nature and purpose, examples of work, and the knowledge, skills and abilities required.

References: Describing Job Content: Writing Class Specifications

Classification title - The official name used to identify and describe a specific job class within the class plan.

References: M.S. 43A.07

Classified/classified service - Positions in the state civil service for which appointments must be based on merit and ability to perform the duties of the position and which afford tenure following a probationary period.

References: M.S. 43A.07

Confidential Employee - For a state employee to be "confidential," the employee must meet the requirements of Minnesota Statutes Section 179A.03, subd. 4, which provides that a "confidential employee" means an employee who as part of their job duties: (1) has access to labor relations information as that term is defined in Section 13.37; (2) actively participates in the meeting and negotiating on behalf of the public employer. "Labor relations information" includes management's collective bargaining proposals, as well as information used and gathered to formulate those proposals. In our state agencies, "confidential employees" would include many of our human resources personnel, labor relations managers, labor relations representatives, and certain office personnel who work closely with human resources personnel and/or managers involved in collective bargaining.

Their job duties could include the following:

1. Research/compile classification and compensation information to respond to equity proposals for salary ranges for classes under review in collective bargaining negotiations.
2. Serve as resource to management team for labor relations information, as defined in M.S. 13.37, used in collective bargaining.
3. Provide assistance and information for use in the development of a strike plan.
4. Prepare or assist in preparing written proposals to be presented to a union as part of the collective bargaining process.
5. Review union proposals/prepare written analysis of the proposals as to the acceptability, cost and possible counter strategies.
6. Maintain confidential files containing collective bargaining proposals and counter proposals, strategies, costing information and other labor relations information as defined by M.S. 13.37.

References: M.S. 179A.03 and M.S. 13.37

Cover memo - A memo that explains what is being requested, including an explanation of how a position has changed, comparisons that have been made to other positions and a classification proposal or recommendation.

Delegated classification authority - The responsibility and accountability given to an agency by the Department of Employee Relations to perform certain classification, compensation, selection and/or appointment functions. This authority varies from agency to agency.

Field audit/desk audit - A field audit is conducted at the job site and normally includes a review of the job duties with the incumbent and the supervisor of the position under review. A desk audit is conducted in the auditor's own office from information submitted with the audit request and provided through phone and written contacts.

Filled - There is an employee in the position under review.

Hay/Hay Evaluation Method/Hayed - Hay Guide Chart-Profile™ method of job evaluation which uses numeric tables to compare jobs to determine their relative worth/value within an organization based on know-how, problem solving, accountability and working conditions; a copyrighted product of HayGroup®.

Incumbent - Employee performing the job duties of a position.

Insufficient Work Time - Employees who work less than 14 hours per week or less than 67 days in any calendar year and are, therefore, excluded from the bargaining units to which their classes are assigned (referred to as "insufficient work time employees").

References: Commissioner's Plan

Knowledge, skills and abilities (KSAs) - Knowledge (organized body of information or understanding of a subject or variety of subjects); skills (observable and measurable manual, verbal mental activities); abilities (competence to perform specific actions, learned by training and practice) minimally required to perform the essential job duties.

References: Writing Class Specifications

Lead worker* - An employee who provides ongoing work direction to other state employees.

Limited appointment (appointments with limited duration)

Appointments made under statutory, contract, or plan provisions which specify a maximum duration and do not meet the definitions of temporary, emergency, seasonal, provisional, trainee, intern or academic. The types of positions identified as limited are constitutional officers, judicial judges, temporary unclassified, student worker, qualified disabled, and co-terminus agency heads.

Managerial* - "Managerial" means those positions designated pursuant to section [43A.18, subdivision 3](#) as being accountable for determining, securing, and allocating human, financial, and other resources needed to accomplish objectives. Positions in this category also are accountable for determining overall objectives, priorities, and policies within a program area. Higher level positions in this category handle significant and involved relationships with governmental leadership. Incumbents of these positions have the authority to exercise discretionary powers on a regular basis.

References: M.S. 43A.18

Option* - A sub-title used with a class to identify an area or position(s) of specialization within the class (e.g., Management Analyst 1 - Rulemaking).

Organization chart* - A pictorial representation that graphically illustrates where a position fits into the department or agency.

Position - A group of duties and responsibilities assigned or delegated by competent authority, requiring the full-time or less than full-time employment of one person.

Position description - A formal definition of the duties, responsibilities, working relationships and performance expectations of a position in state service (written description of work performed).

References: Writing Position Descriptions

Reallocation - Reclassification of a position resulting from significant changes over a period of time in the duties and responsibilities of a position. This differs from a Change in Allocation, see Appendix A.3 Reallocation/Change in Allocation.

References: Minnesota Statutes 43A.02, subdivision 35

Reallocation back pay date* - The date 15 calendar days after the date that the properly documented request for a job audit for reallocation promotion was received by the Department of Employee Relations or the agency's Human Resources office (if the agency has delegated authority).

Recompare - A key difference between reallocating and recombining is that reallocate relates to a classified employee and **recompare** relates to an **unclassified** employee/position.

Statutory Unclassified

A position may be designated statutory unclassified if it meets one of the following conditions:

- Defined as unclassified in M.S. 43A.08, Subd. 1.
- Meets the criteria outlined in M.S. 43A.08, Subd. 1a.
- Is placed in the unclassified service by other enabling legislation.

Job codes that begin with "008XXX" are designated specifically for the statutory unclassified service. Typically positions in the Commissioner's office are established in the statutory unclassified service. Positions created as statutory unclassified typically do not have end dates. Don't confuse the position with the appointment of the individual to the position. The appointment of a Commissioner for example, is a statutory unclassified appointment and the incumbent's end date is coterminous with the Governor. The position, however, is ongoing and in the statutory unclassified service.

Supervisor - An employee as described under M.S. 179A.03, Subd. 17. "Supervisory employee" means a person who has the authority to undertake (or for non-essential employees, the authority to recommend) a

majority of the following supervisory functions in the interests of the employer: hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other employees, direction of the work of other employees, or adjustment of other employees' grievances on behalf of the employer. To be included as a supervisory function which the person has authority to undertake, the exercise of the authority by the person may not be merely routine or clerical in nature but must require the use of independent judgment.

Supervisory questionnaire* - A form containing a series of questions regarding supervisory tasks to help the Labor Relations Bureau of MMB determine if a position is likely to meet the supervisory criteria outlined in Public Employee Labor Relations Act (MN Statutes 179.63, Subdivision 9) such that the Bureau of Mediation Services should be petitioned to determine that the supervisory bargaining unit is appropriate.

Temporary classified appointment - A classified appointment of limited duration, under M.S. 43A.15, Subd. 3. A temporary classified employee's term of employment may not exceed a total of 12 months in any 24-month period within the same agency. Temporary classified employees typically are not eligible for benefits. Check the applicable collective bargaining agreement or plan for specific provisions.

Temporary unclassified appointment - An unclassified appointment under M.S. 43A.08, Subd. 2a, with a definite ending date. The position must be professional, supervisory or managerial and fully anticipated to be of limited duration, not to exceed three (3) years. Historically temporary unclassified employees were sometimes said to have Rule 10 appointments. Eligibility for benefits depends on the duration of the appointment and the appointee's preceding state employment. Check the applicable collective bargaining agreement or plan for specific provisions. (See also Limited Appointment)

Unclassified service - Positions in the state civil service which by statute or by action of the commissioner of Employee Relations, are not included in the classified service, do not require merit selection and do not afford tenure following a probationary period.

References: M.S. 43A.08, Administrative Procedure 8

Unlimited - Appointment with no definite end date.

References: M.S. 43A.02

Vacancy - New or unoccupied position.

References: Collective Bargaining Agreements/Plans

Work area - The area in which the position is located.

References: Collective Bargaining Agreements

Working title - An unofficial name used to describe a position within a job class (e.g., File Clerk instead of Office Specialist).

A.2 ALLOCATION FACTORS

In the preceding “Terms,” we defined **Allocation Factors** as “Job responsibilities and requirements that can be compared to measure the similarity among positions in kind and level of work sufficient to assign a position to a single classification within the job class plan.”

Allocation Factors are critical concepts in job classification and require further explanation. As you recall from the elephant illustration, the large ears and long trunk were among the most important physical characteristics that allowed us to classify this animal as an elephant. Essentially, the ears and trunk are Allocation Factors that allow us to distinguish the elephant from all other animals. Another example from the Animal Kingdom is the polar bear. The color of the polar bear’s fur distinguishes it from other species of bear. Thus, the white color of a bear’s fur is an Allocation Factor that allows us to distinguish among bears and to place those with a certain color of fur (white) in the “class,” POLAR BEAR.

Moving back to the “Job Kingdom” from the Animal Kingdom, Allocation Factors are those special characteristics that help us to assign an individual position to a job class. For example, if a position requires the employee to supervise several electricians and possess an electrician’s license to inspect their work and to perform electrical installation and maintenance work, we assign that position to the Electrician Supervisor class. What are the Allocation Factors for the Electrician Supervisor class? That’s right. Supervision and the Electrician license. So, Supervision and Occupational Licensure are examples of Allocation Factors.

In addition to supervision and occupational licensure, other, more general examples of Allocation Factors are:

Kind of work factor

Kind of technical knowledge (e.g., accounting, engineering, etc.) required by the position.

Level of work factors

- The extent to which this knowledge is necessary for satisfactory work performance (mastery of the subject matter; size of the responsibilities; variety of subject matter).
- Supervisory, policy and procedural controls that guide the employee in the position.
- The complexity, difficulty and novelty of the problems solved and decisions made by the employee.
- The personal contacts and purpose of those contacts made by the employee.
- Physical effort and demands on the employee.
- Work environment and hazards encountered by the employee.
- Dimensions/Scope of accountability for actions taken by the employee.

Applying each of these Allocation Factors to a specific position will guide you toward a classification decision. Your familiarity with the responsibilities of the position and your knowledge of the organization and its programs will determine how many Allocation Factors you will actually consider before you know enough to make a decision - like when you know enough about bears so that the color of the bear’s fur will be the first Allocation Factor that you’ll apply, and the only one when it turns out to be white and you can immediately identify it as a polar bear.

A.3 REALLOCATION/CHANGE IN ALLOCATION

Jobs change over time. If a position changes significantly, it may need to be reclassified. Whether a job is reclassified as a reallocation or as a change in allocation depends upon how the change took place. See also *Smart Staffing-Reclassification*.

What is a change in allocation? What is a reallocation?

- “**Change in allocation** means reclassification resulting from abrupt, management imposed changes in the duties and responsibilities of a position.” (Minnesota Statutes 43A.02, subdivision 9)
- **Clarification:** The change is abrupt and typically due to reorganization or management assignment, at a specific point in time, of a distinct set of responsibilities which directly affect the kind and/or level of work performed. There is a substantial decrease in or addition of new and different duties to those originally in the position when the incumbent entered it.
- “**Reallocation** means reclassification resulting from significant changes over a period of time in the duties and responsibilities of a position.” (Minnesota Statutes 43A.02, subdivision 35)

Clarification: The change is gradual and typically a function of changed level of responsibility and employee freedom to act. In other words, the employee grows in the job. The change is evolutionary and generally includes more responsible and/or increased or decreased duties due to shifts in size or diversity of the program in which the employee works. Changed duties are similar to but at a different level than those originally assigned to the position when the incumbent entered it.

Note: While this issue tends to be seen in terms of upward movement of positions and employees, it should be emphasized that changes in allocation and reallocations can also result in positions being reclassified to lower or similar (transferable) levels.

What are the effects of the determination?

Selection/retention effects

The distinction between reallocation and change in allocation affects the opportunities of the incumbent to remain in the position once it has been reclassified.

Collective bargaining agreements and plans of the Commissioner of MMB include provisions regarding the treatment of employees occupying positions which have been reallocated or changed in allocation. Typically, contracts and plans provide that positions which are changed in allocation are declared vacant. Such positions are to be filled by posting, recall and transfer, demotion or appointment for which seniority among bidders and/or candidates may need to be considered. The incumbent cannot be assured of continuation in the position.

Reallocated positions are not considered vacant. Posting, bidding and job-filling requirements of contracts or plans do not apply. A special type of appointment procedure is authorized in M.S. 43A.15, subdivision 5 for incumbents of positions which have been reallocated to a higher class. The statute reads: “The Commissioner may authorize an appointing authority to promote the incumbent with permanent or probationary status to a reallocated classified position.” This is called a non-competitive promotion. The incumbent of the reallocated position is generally expected to be appointed to the new class via the non-competitive promotion outlined above (if reallocation is to a higher class) or by transfer or demotion (if reallocation is to a transferable or lower class).

Some contracts include other conditions which must be met before contractual, vacancy-filling provisions can be waived for the filling of a reallocated position, such as: 1) that the action leading to the reclassification did not result from the assignment of the incumbent to work out of class in a manner so as to bypass the selection process, 2) that the reclassification was not caused by assignment of the incumbent to a vacancy in a new position, or 3) that the reclassification did not occur as a result of actions taken without regard to proper selection procedures.

Labor relations effects – bargaining unit changes

Changes in allocation and reallocations which cross bargaining unit lines to or from **supervisory units or to managerial or confidential status** require varying treatments. In general, a change in allocation may be affected upon receipt of the temporary unit assignment from the Labor Relations Unit while a reallocation into the supervisory unit must await hearing by the Bureau of Mediation Services before it can be affected. Consult [Administrative Procedure 6](#) for specific instructions.

Compensation effects – back pay eligibility




Typically, contracts and plans provide for back pay where reallocation to a higher class is determined. This is not the case when a change in allocation is the determination.

Under specified circumstances, retroactive pay will begin after a **properly documented** (see Appendix B.1 Job Audit Request) allocation request has been in the agency (delegated) or Department of MMB (not delegated) at least 15 days if the determination results in a promotion for the incumbent.



Notice of the decision on a job audit request specifies whether the reclassification has been determined to be a “change in allocation” or a “reallocation” and, if the latter, the date of receipt of the properly documented request in the Department of MMB (not delegated) or in the agency HR office (delegated) for use in determining the date from which pay at the higher rate should begin.



Examples of reallocations and the appropriate back pay for each:

EXAMPLE 3: 15 DAY BACK PAY CALCULATIONS

Date of proper documentation <i>(does not count toward 15 day requirement)</i> 	No Back Pay August 2 thru August 8th. Date of proper documentation and date of Probationary appointment is less than 15 days.
Date of Probationary Appointment 	7 Days of Back pay (based on a M-F workweek) Fifteen calendar days = Sept 2-Sept 16 th . Back pay begins Sept 17 th and goes through Sept.26 th .
First day of back pay 	50 Days of Back pay (based on a M-F workweek) Fifteen calendar days = Oct 3-Oct 17 th . Back pay begins Oct 18 th and goes through Dec 26 th .


JULY						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST						
S	M	T	W	T	F	S
			2	3	4	5
6	7	8		10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER						
S	M	T	W	T	F	S
						2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
	18	19	20	21	22	23
24	25	26		28	29	30

OCTOBER						
S	M	T	W	T	F	S
1		3	4	5	6	7
8	9	10	11	12	13	14
15	16	17		19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER						
S	M	T	W	T	F	S
					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26		28	29	30
31						

What is the philosophy behind reallocation provisions?

Minnesota State government has a merit system of employment. A hallmark of merit systems is that they require public notice and open competition for appointment and advancement. The idea is to afford applicants and employees maximum opportunity to be appointed to positions for which they are best suited. The concept of competition may, however, conflict with certain inevitable aspects of organizational life. Job duties change, organizations change – abruptly and subtly. People grow in their jobs, in experience and in capability to assume more challenging work. Often a series of small changes occur in a position. Individually, none of those changes may be sufficient to cause reclassification of the position, but the cumulative effect of several changes supports reclassification of the position. When this happens, the employee who has held the position throughout the changes expects to continue in the reclassified job without needing to compete with others to keep the job.

Experts in human motivation and organizational theory indicate that this kind of change is personally and organizationally healthy and natural. Further, when such changes occur, there is a natural expectation on the part of both the organization and the affected employee that reward rather than penalty should accrue to the employee involved. Everyone presumes that the employee will continue in the position and receive whatever salary increases are appropriate to the new class.

In a merit system, however, concern for competition for advancement causes us to look critically at the concept of evolutionary job change to be certain that it is not occurring artificially or being engineered in a manner that erodes the merit principle of competitive entry and advancement.

We recognize, understand and sympathize with supervisors and managers who add to the work of good employees, especially when new projects come up. As new responsibilities are added to unit workload, they have to be placed somewhere. Often they fall logically into an existing responsibility of an employee. A manager needing to accommodate additional workload isn't always sure that the addition of duties, regardless of how abrupt, is sufficient to require a classification. Nor can agencies wait for a classification review to take place and for the results of a competitive examination process before beginning to assign new responsibilities in order to get work carried out. However, where there is some doubt about whether additional work duties added to a position may require a change in allocation, the necessity for equitable treatment of like-situated employees with due regard for their promotional opportunities and for the competitive process of the merit system should be considered. All of this emphasizes the need to get positions reviewed as quickly as possible when changes occur, before employees affected by the changes have time to develop a sense of job ownership.

Employees are also concerned with protection of the competitive process of the merit system. They want maximum opportunity to compete for promotion, to be provided equitable opportunity to gain experience for advancement and not to see management curtail advancement opportunities by unfairly singling out an employee for special assignments designed specifically to lead to his/her promotion. The distinction between reallocation and change in allocation arises out of the need to balance and fairly administer two concepts: 1) merit-based competition for advancement, and 2) reward rather than penalty for natural growth of jobs and employees. It is a balancing act and the distinctions are not always easy to make. Yet we must do so in order to fairly administer statutory and contractually agreed upon effects of these distinctions on employees.

Examples of Determinations [see Figure 9, pg. 57]:

- Situations where a **change in allocation** is always determined

- Abrupt changes in duties sufficient to require reclassification.

Examples: 1) An agency assumes a new function, such as operation of a conference center, and an employee who had previously performed general secretarial duties is assigned to handle all scheduling and coordination of conference attendance. 2) A program's size is increased significantly with more staff added and increased resources provided, causing management to add a number of new duties and responsibilities to several positions.

It is important to note here that whether these changes in duties are noted immediately or after a considerable lapse of time, it is still determined to be a specific, abrupt, management-imposed change in duties and, therefore, can only be termed a change in allocation.

- Organizational changes (another form of abrupt, management-imposed change).

Example: A reorganization results in the establishment of a new layer in the organizational hierarchy and a supervisory employee who had previously had direct supervision of only three employees is assigned to continue to supervise the three, but through a lead worker, and also to supervise a second unit comprised of a supervisor and four subordinate staff. If the expanded duties and organizational responsibility merit reclassification to a higher level supervisory classification, the action is a change in allocation.

Again, whether this abrupt organizational change is noted immediately or after a significant time lapse, it is still a single, specific event imposed by management which causes the classification to change and, therefore, must be determined a change in allocation.

- Assignment to a vacancy.

Example: In a unit of several staff, one of whom is designated as lead worker and occupies a higher level position, the lead worker position falls vacant. One of the remaining employees is assigned lead work responsibility for the others. Since the lead work duties constitute the basis for higher classification, this assignment of the duties of the vacancy to another position has the same effect as filling the vacancy by bypassing the competitive selection procedure. The resulting reclassification can only be determined to be a change in allocation to which competitive selection procedures must apply.

Situations where special scrutiny is applied and **change in allocation** is usually determined

- Shift from non-supervisory to supervisory.

Examples: 1) An employee (position) previously a peer to others is elevated in responsibility to direct and supervise the others. 2) An employee who has always, as a lead worker, assigned and reviewed work and recommended discipline and reward, is also assigned to make recommendations about whom to hire, promote or transfer which are accepted by management. This change causes the position to include six of the ten supervisory responsibilities necessary to meet the PELRA test for supervisor and the allocation criteria for the supervisory class. The change was abrupt and management-imposed, and is determined to be a change in allocation.

- Moves between different occupational categories and between different career families.

An employee who has had clerical responsibilities for collecting, assembling, checking and arranging data is assigned professional responsibilities for analyzing and drawing conclusions from data. This represents a significant variation in duties—a shift of both occupational categories and career family. Occupational categories differentiate levels of work responsibilities. Career families differentiate kinds of work responsibilities. Reclassifications of positions which cross these distinctions are reviewed especially carefully. The differences are greater than are the more subtle variations of level which occur within a class series. For this reason, reclassifications which cross either or both occupational

category and career families receive special scrutiny and are most likely to result in a determination of a change in allocation.

- Situations in which **reallocation** is the likely outcome
 - A gradual change in job duties typically within a class series, in the same occupational category and career cluster. The gradual rate of the change is well documented. For example, a Research Analyst whose command of statistical procedures increases with use makes her able to independently design study projects, as well as carry out the data analysis for them, resulting in reallocation from Research Analyst to Research Analyst Intermediate.
 - Reclassification resulting from a study of multiple positions

Here the presumption is that any changes found in the course of a study are reallocations unless proven otherwise. Class studies are undertaken to clarify class concepts and bring classification consistency to all affected positions. Efforts are concentrated on appropriate definition of the kind and level of work of positions without regard to the type and manner of occurrence of changes in those positions. As a result, decisions affecting large numbers of employees and positions must be made as efficiently as possible while minimizing the effect on individual employees.
 - “Mis-classification”

Those situations in which a position was improperly classified at the point it became vacant and the employee who was hired into it and has continued working in it with the same duties throughout is subsequently reviewed by the Department of MMB and reclassified to a class other than that for which the employee was originally hired. Again, the emphasis is on effective definition of kind and level of work in the position while minimizing the effects on the incumbent employee.

Note: A review of the duties assigned a recently vacated position prior to recruitment efforts, will minimize the occurrence of “mis-classifications.”

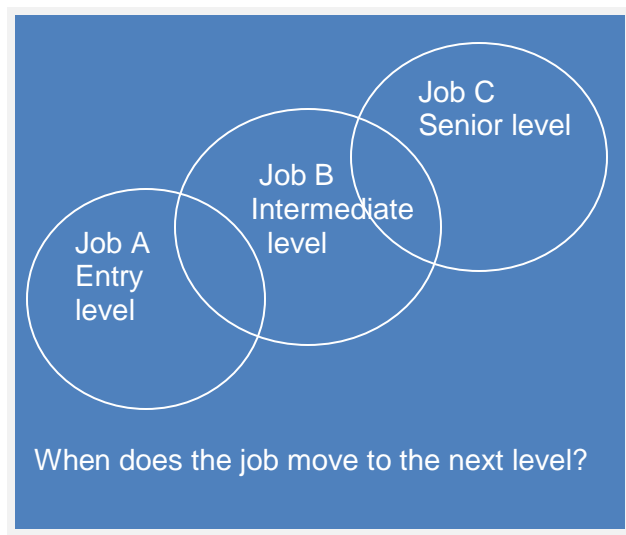
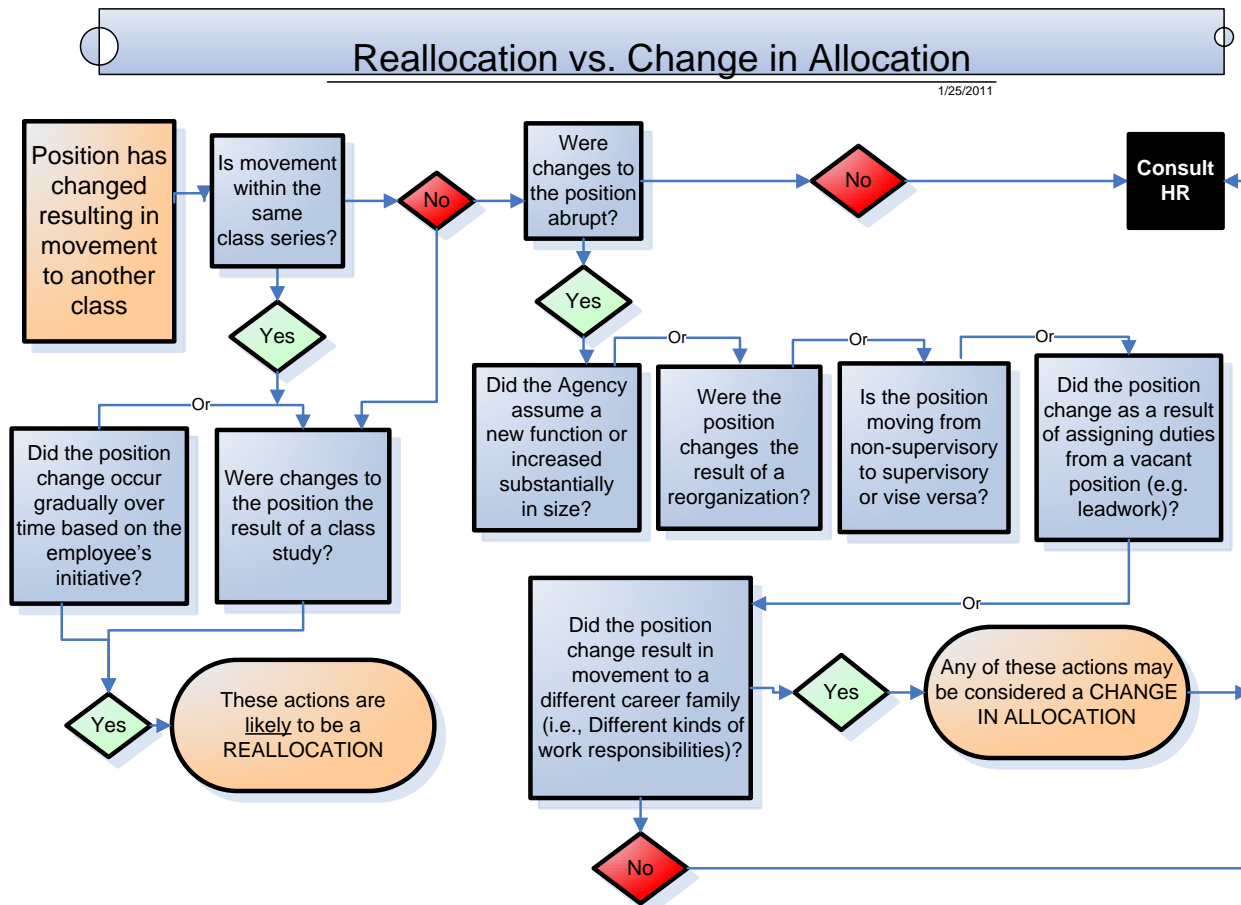


Figure 8: Reallocation vs. Change in Allocation



What documentation is needed to determine reallocations vs. changes in allocation?

- If a request is made for reallocation, it should be specific and set apart in a separate paragraph of the audit memo. The paragraph(s) should give a clear explanation of how the position's duties have changed, how the change(s) occurred, over what time period, and for what reasons. If available, previous descriptions of the position verifying the variations in duties at different times may be presented in support of the request.
- If information submitted in support of a reclassification request of an occupied position does not contain a specific request for and justification of why the reclassification should be determined to be a reallocation, a change in allocation determination will be made.

Unclassified positions [See Appendix D.2 M.S. 43A.08 Unclassified Service]

Note: The foregoing information applies to classified positions. A similar determination is applied to unclassified positions when changed duties necessitate comparison to a different job class. In such situations, a determination is made concerning whether the change was abrupt (a change in allocation) or gradual (a reallocation). Appointment procedures for unclassified positions are different from procedures for classified positions (requires another unclassified appointment to the new class comparison, not a non-competitive promotion, transfer or demotion), but back pay provisions and effective dates of appointment for positions are the same as those for the classified service.

Recomparison/Conversion

If a position which has been unclassified and compared to class X is moved into the classified service and determined to be properly allocated to class Y due to a gradual change in duties, the incumbent cannot be appointed to the classified service via non-competitive promotion. Instead, the unclassified position is first audited and recompared to class Y. Second, the incumbent is appointed to class Y in the unclassified service. Then, the incumbent can be converted to a probationary appointment in the classified service in class Y if s/he meets the one-year requirement in the unclassified service (class X and class Y combined) and meets the minimum qualifications for class Y.

A.4 BENCHMARK POSITIONS

In the preceding “Terms,” **Benchmark Position** is defined as “A position that most accurately represents the concept of a particular class which serves as a basis for comparison when other positions are allocated to the same class.”

As with Allocation Factors, Benchmark Positions represent an important concept in job classification and require further explanation. Let’s say we have 20 positions in one classification. In this group of 20 we have 15 positions that are very similar in duties and responsibilities. There are 2 positions that share some of the responsibilities of the group of 20 but were viewed as weak examples of the class. On the other hand there are 3 high achievers that share the bulk of the same duties but seem more accountable or are taking on a few additional duties (but not enough to move to a higher class). In statistics the 15 positions would represent the MODE, or most frequently occurring value of a set of data. Thus the **benchmark position** represents the most frequently occurring representation of the class. Even when there may be stronger or weaker positions within the class, comparisons should be made to the benchmark positions, rather than the fringe positions, to prevent a continual shifting of the standard for the class as a whole.

A.5 LEADWORK

Definition

When leadwork is the essential requirement (the only reason, eg. GMW Lead) for allocation to a job class, the following definition applies: Under limited supervision, leadwork is the ongoing, daily responsibility to prioritize, schedule, assign, direct, guide and report on the work activities of other state employees so that the work is completed in an efficient and effective manner. This is accomplished by recommending to the supervisor or manager the allocation of human and financial resources; by distributing and reassigning work tasks to other state employees; by directing other state employees on daily work assignments; by instructing other state employees on how to complete their work tasks; by taking immediate remedial action to correct and improve their work; and by reporting on the quality, quantity and timeliness of work performance to the supervisor or manager.

List of leadwork considerations

- **What are the responsibilities/authorities which typify/define a leadwork position/class?**

Managers and supervisors delegate to a leadworker the ongoing, daily responsibility to prioritize, schedule, assign, direct, guide and report on the work activities of other state employees. Please refer to the above definition.

- **What differentiates a leadworker versus a non-leadworker? versus a supervisor?**

A leadworker differs from other state employees because she/he is answerable to a supervisor or manager for the quality, quantity and timeliness of work performed by state employees but does not meet the MS179A.03 definition of a supervisor. A leadworker, on an on-going basis, may have authority for responsibilities listed in the statutory definition of “supervisory employee” but does not meet the “6 out of 10” test for supervision.

- **What number of staff is appropriate for a leadwork designation? What should be considered in deciding what is/isn’t enough?**

Leadwork direction is provided to at least three FTE state employees and a minimum of 20% of the leadworker’s time is spent in actual leadwork. As an essential requirement for allocation to a leadwork class, a minimum of 20% of a position’s time is more consistent with a principal responsibility than a task. Also, is it reasonable for an employee to spend the equivalent of an 8-hour workday in a 40-hour work week as a leadworker to only two employees? If so, why? Finally, as we reviewed representative position descriptions, they normally directed the work of at least three other state employees.

Leadwork is an ongoing, daily responsibility delegated to a state employee. It is not a temporary or rotating role such as a team leader for a self-directed work team, responsible for coordinating the internal activities of team members and the team’s activities with those of other teams. It is ongoing rather than a more temporary training/learning relationship common between “senior” and more “junior” employees; or the more temporary and limited relationship to a project contractor, consultant, volunteer, or seasonal/floating labor pool employees.

Should staff beyond “normal” employees be considered in determining leadwork status (e.g., students, inmates, DHS residents, contractors, temporaries, seasonal crews)?

As an allocation criterion, leadwork is provided only to state employees. Inmates, students, Regional Treatment Center residents and patients, and volunteers are not considered in this definition because their “work” is most frequently part of habilitative therapy (Regional Treatment Center residents and patients), instruction and vocational skills development (inmates), academic training and financial aid (students and interns) and contribution of time and effort without remuneration (volunteers); therefore, this does not represent the same nature and character of employer/employee relationship as found with other state employees.

Secondly, work direction over these groups does not require increased levels of know-how because work tasks are usually unskilled or designed and modified to their simplest level. It does not require detailed implementation of bargaining agreements; pay is less dependent on detailed analysis of performance; the hiring process is greatly simplified; simpler options are available if termination is necessary; affirmative action guidelines and other hiring restrictions are not applicable; and expectations for output/production are typically less because of these limitations. While direction of non-employees is not considered in allocation to a leadwork class, it may indicate greater job complexity and be a factor in allocation to a different class. See discussion below.

Other comments

The leadwork work team emphasized leadwork as the essential requirement for both kind of work and level of work to differentiate these classes from others. We are aware that the term “leadwork” is frequently used to describe tasks that coordinate the work of others. These tasks, ALONG WITH OTHER TASKS, may also be considered in allocating a position to another classification. Under these circumstances, they may be less specific and are not THE ONLY REASON for the allocation decision. We certainly do not propose the creation of the “position description police” to monitor and control these situations. Actually, it is not too different from the more generic use of the term “supervise” as applied to supervising accounts receivable and accounts payable transactions, or “manage” in managing the agency’s fixed asset and consumable inventory.

A.6 OPTIONS

Definition

An option may be defined as an area of specialization that may require special licensure, certification, or registration, or for which a separate selection process is used in making appointments to a job classification.

Further clarification

An option should be seen as a subset of one or more positions within a job class. While having duties at an equal level and involving a similar kind of work, the positions nonetheless have some differences, primarily in knowledge, skills and abilities required. Therefore, a different selection process must be used.

Entry to an option may occur through a selection process or a non-competitive promotion. While any of these routes can provide the basis for the establishment of an option, the option can only be used for selection (e.g., bidding, expression of interest) and layoff, if notification provided to the exclusive representative has the class and the option associated with appropriate positions both on the seniority rosters maintained by the agency and in the state's payroll system.

Using an option rather than creating a new class requires balancing a number of considerations. A new class is required if the position(s) should receive a different salary or be in a different bargaining unit or show significant differences in Hay ratings from other positions in the class. An option is appropriate where the position is properly allocated to the class but well-qualified candidates are not available via the standard selection process for the class. Typically a new class is more appropriate when the primary difference is in the work itself (the responsibility, the level of discretion, etc.). With an option, the primary distinction is in qualifications and selection. It may be best to consider establishing an option for a particular position or group of positions within a classification when the selection process for the classification is inappropriate in its screening for the position or group of positions. (That is, it does not assess an important KSA required at hire and, therefore, passes candidates who are not qualified, or requires a KSA not required for the position and, therefore, screens out qualified applicants).

Exam vs. class options

The state's contract with AFSCME envisions a distinction between exam and class options. Exam options are used in the selection process only and do not receive consideration in the layoff process. Class options are used for both selection and layoff and are specifically listed in an Appendix to the AFSCME contract. This distinction between exam and class option rests on whether the requirements for selection that necessitate separate selection procedures (exam option) stay with a position throughout its tenure and are important also for layoff (class option). Perhaps one of the more reasonable reasons for requiring an option at hire but not throughout tenure and at layoff is the need to fill some immediate hole in the organization that requires specific skills that might not be available within the organization but where nonetheless it is anticipated that after that immediate need is met the employee hired for it will get experience in the full breadth of duties of the class and that other employees will also gradually get trained in whatever function it is that required the specialization for the vacancy filled by exam option. Thus, sometime after hire via exam option employees will in fact become interchangeable.

All other contracts that refer to options make no distinctions between class and exam options. Thus, the presumption is that any option developed for selection applies also in layoff (i.e., an option is an option).

The Class Option Action Form can be found on the MMB web site at:

<http://www.mmb.state.mn.us/doc/hr/staff/staff-option.pdf>

Date

Class Option Action Form

- ☐ Establish new option
- ☐ Associate existing option
- ☐ Abolish option
- ☐ Disassociate option
- ☐ Retitle option

Class:

Class Code:

Requesting Agency:

*Bargaining Unit:

Requested by:

Phone #:

Title of Option:

6 character option code:

4 digit option #:

Rationale (write out or attach information from agency):

*If an AFSCME unit. Will the option be used for:

- ☐ Selection only or
- ☐ Both selection and layoff (class option)

Note: AFSCME agreement requires offering employees the opportunity to compete through the selection process before filling vacancies in a new class option.

Is this an existing option already used for other classes? Yes No (See option table)

If new, will option be used in more than one agency? Yes No

Which others?

Will option be used with other classes? Yes No If yes, list class title(s) and code(s):

How is the option being established/changed?

- ☐ Selection Process
- ☐ Reallocation. If this will abolish option for previous class, list class title and code below:
- ☐ Other. Explain:

Staffing Rep. _____ Date _____

Union notice-AFSCME class options and all MAPE: _____

Original to Class Clarification File

staffing\exam\Class Option Action Form (Rev. 12-05)

A.7 OCCUPATIONAL CATEGORIES

Minnesota State Executive Branch employees are assigned to one of 17 occupationally-based bargaining units or are covered by the Managerial or Commissioner's Plans (see *table below*).

Labor Contracts and Plans

State of Minnesota's 17 Bargaining Units and Plans

Exclusive Representative	Acronym	Bargaining Unit or Plan
American Federation of State, County and Municipal Employees	AFSCME	Craft, Maintenance and Labor Unit (202)
		Service Unit (203)
		Health Care Non-Professional Unit (204)
		Clerical and Office Unit (206)
		Technical Unit (207)
		Correctional Officers Unit (208)
Commissioner's Plan (Unrepresented)	CMR	All non-managerial classified and unclassified employees (except for unclassified employees of the legislative and judicial branches) who are not covered by a collective bargaining agreement and who are not otherwise provided for in law.
		Health Treatment Professionals (213)
		Confidential (217)
		Insufficient Work Time (218)
		Severed (219) – groups that separated from the general professional, health treatment, or general supervisory units
		Medical Specialists Addendum (221)
Managerial Plan (Unrepresented)	MGR	All classified and unclassified employees in positions identified by Minnesota Management and Budget as managerial (220)
Middle Management Association	MMA	Supervisory Employees Unit (216)
Minnesota Association of Professional Employees	MAPE	General Professionals Unit (214)
Minnesota Government Engineers' Council	MGEC	Professional Engineering Unit (212)
Minnesota Law Enforcement Association	MLEA	Law Enforcement Unit (201)
Minnesota Nurse's Association	MNA	Health Care Professionals Unit (205)
State Residential Schools Educ Assoc	SRSEA	Prof State Residential Instructional Unit (215)
Minnesota State Colleges and Universities (MnSCU) Faculty Employees		
Inter-Faculty Organization	IFO	State University Instructional Unit
Minnesota State College Faculty	MSCF	Community College Instructional Unit
		Technical College Instructional Unit
Minnesota State University Association of Administrative and Service Faculty/ Teamsters	MSUAASF	State University Administrative Unit

The terms defined below are used to determine the broad occupational grouping for the kind of work performed by job classes in each bargaining unit or plan. Occupational groupings are based on the type of work performed and the required skills, education, and training.

Managerial positions are defined in M.S. 43A.02, subd. 28. Managers are required to determine, secure, and allocate the human, financial and other resources needed to accomplish objectives. In other words, they must have authority for all three responsibility areas with regard to all three types of resources. They determine overall objectives, priorities and policies within a program area and exercise discretionary powers on a regular basis. They generally have significant and involved relationships with governmental leaders in procuring resources.

In most cases, jobs meet these requirements by having their own staff and budget, but in limited instances, these criteria are met in other ways. For example, someone "managing" grants and other pass-through funds could determine, secure and allocate large amounts of money without administering a state budget of their own. Also, managerial level consultants or advisors to an agency head could meet all the requirements yet have no direct control over their own budget and employees.

All State of Minnesota job classes identified as managerial in the State of Minnesota are covered by the Managerial Plan (220). Examples include heads of departments, divisions and programs. The word "Director" or "Manager" is often included in managerial job class titles.

Supervisory positions are defined in the Minnesota Public Employee Labor Relations Act (MPELRA). Supervisors are responsible for getting things done through and with assigned state employees. This includes providing work direction and utilizing allotted resources in order to accomplish assignments. The significance of positions included in this category is that they (1) have authority to perform or effectively recommend a majority of the following actions, and (2) typically spend a significant amount of time performing these activities:

Hire	Adjust grievances
Direct	Discipline
Assign work	Suspend
Reward	Discharge
Transfer	Layoff
Promote	Recall from layoff

Examples of job classes in the State of Minnesota's Supervisory Employees Unit include:

Supervisory Job Classes		
Barg Unit		
MMA 216	Accounting Supervisors	Health Program Supervisor
	Attorney 3	Management Analyst Supervisors
	Building Manager	NR Forestry Supervisor
	Business Manager 1	Office Services Supervisors
	Chief Cook	Personnel Director 1 and 2
	Corrections Captain	Special Agent in Charge
	Education Supervisor	State Program Admin Supervisors

Note that "supervisor" is often, but not always, included in the class titles of positions represented by the Middle Management Association.

Supervisor or Leadworker?

Leadworkers are different than supervisors and can be found in any of the bargaining units or plans OTHER than the Managerial Plan or MMA. This broad role reflects job classes and individual positions with ongoing, daily responsibility to prioritize, schedule, assign, direct, guide and report on the work activities of other state employees so the work is completed in an efficient and effective manner. This is accomplished by:

- recommending to the supervisor or manager the allocation of human and financial resources;
- distributing and reassigning work tasks to other state employees;
- directing other state employees on daily work assignments;
- instructing other state employees on how to complete their work tasks;
- taking immediate remedial action to correct and improve their work; and
- reporting on the quality, quantity and timeliness of work performance to the supervisor or manager.

Professional employees perform work that:

- Is predominately intellectual and varied in character as opposed to routine mental, manual, mechanical, or physical work;
- Involves the consistent exercise of discretion and judgment in its performance;
- Is of a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and
- Requires advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education, an apprenticeship, or training in the performance of routine mental, manual or physical processes;

OR

Any employee who has completed the course of advanced instruction and study described above; and is performing related work under the supervision of a professional person to qualify as a professional employee as defined in the above paragraph;

OR

A teacher (M.S. 179A.03).

Professional job classes are found in several bargaining units and the Commissioner's Plan in the State of Minnesota. Examples of professional State of Minnesota job classes include:

Barg Unit or Plan	Professional Job Classes	
MAPE 214	Accounting Officers Architects Attorneys Auditors Education Specialists Food Inspectors Health Program Reps Hydrologists	IT Specialists Management Analysts NR Forestry Specialists Psychologists Public Utilities Rates Analysts Research Analysts Social Workers State Program Administrators
MGEC 212	Engineers	Land Surveyors
MLEA 201	State Patrol Troopers Fugitive Specialist Special Agent	NR Specialists (Conservation Officer) NR Specialists (CO Pilot)
MNA 205	Registered Nurses Nursing Evaluators	Nurse Specialists Public Health Nursing Advisors
SRSEA 215	Special Teachers	Arts Education Teachers
CMR 213	Dentist Pharmacists	Physician Assistant Veterinarian
CMR 217	Labor Relations Representatives	Personnel Officers Personnel Representatives
CMR 219	Attorneys Compensation Attorneys NR Enforcement Supv	State Patrol Captain, Lieutenant, Major Unemployment Insurance Judges
CMR 221	Administrative Law Judge Compensation Judge Legislative Auditors	Medical Specialists Mediator Pilots

NOTE: Professional occupations are identified and defined in the Handbook of Occupational Groups and Families at www.opm.gov/fedclass/gshbkocc.pdf.

Technical/Paraprofessional positions require a combination of basic scientific or technical knowledge and manual skills that can be obtained through specialized post-secondary school education or through equivalent on-the-job training, according to the U.S. Equal Employment Opportunity Commission. Work performed is normally supportive of a professional discipline, but does not require knowledge of the theoretical principles of the field. Some independence in judgment is typically required. Some positions in this category may require licensing or registration. Examples of technical/paraprofessional job classes include:

Barg Unit or Plan	Technical/Paraprofessional Job Classes	
AFSCME 207	Accounting Technician Architectural Drafting Tech Audio Visual Technician Benefit Recovery Technician Dairy Inspectors Dental Assistant Registered Dental Hygienist Driver Improvement Spec Engineering Aides	Executive 2 Graphic Arts Specialist Grain Inspectors Higher Education Tutor Medical Laboratory Technicians Medical Records Technicians NR Technicians Pharmacy Technician Student Worker Paraprofs
AFSCME 204	Licensed Practical Nurses	
AFSCME 212	Engineering Specialists	

Professional or Technical/Paraprofessional?

This section is adapted from the federal government's "Classifiers' Handbook," p. 31, www.opm.gov/fedclass/clashnbk.pdf.

In some cases, it may be difficult to differentiate between professional and technical or paraprofessional (T/P) work based solely on the assigned responsibilities. This can be especially true among positions in the sciences or engineering, where T/Ps carry out highly exacting tasks and complicated sequences of operation. To make the proper occupational group/job class determination, you must consider the characteristics of each kind of assignment.

Professional work requires knowledge of the occupation's principles, concepts, and theories. This is typically gained by completing a related bachelor's degree curriculum or higher at a college or university. This is called a "positive education requirement" and is common to most professional occupational series.

Professional work involves creativity, analysis, evaluation, and interpretation. It involves applying basic or natural law, principles, or theory; evaluating others' research; and assessing the need for and validity of proposed changes and improvements in procedures and methods. Professional responsibility involves the ability to reason from existing knowledge to unexplored areas; to adapt methods to circumstances that deviate from the standards; and to stay abreast of and evaluate technical subjects, analyses, and proposals in professional literature.

Work performed by T/P support personnel is closely allied to professional work. Their duties and responsibilities may appear very similar to those of professional employees performing related work, especially at higher levels. T/P work, however, is normally planned and managed by professional employees. The T/P carries out or implements plans or projects based on extensive experience or vocational/community college education and supplemental on-the-job training rather than on more extensive formal academic education in the discipline itself. T/P work is typically performed in a narrow or highly specialized area of the overall occupation and requires a high degree of practical knowledge and skill. The experienced T/P often works with considerable independence for significant periods of time. This independence, however, does not alter the nature and character of the work, which is to support a professional discipline.

Positions are considered professional only if the work **requires** application of professional knowledge and ability. *Neither the desirability of such qualifications nor the employee's possession of them is a factor in determining the occupational group and job class.*

Whenever there is a question of whether to place a position in a professional or T/P job class, you must determine whether all of the following required professional characteristics are present:

- the work requires application of professional knowledge and skills;
- management has decided that the work is to be performed following accepted professional methods and practices; and
- the employee in the position meets the professional qualification requirements for the occupation.

Office/Clerical positions involve a wide variety of office skills needed to carry out office processes and procedures, such as keeping records, processing paperwork, operating office machines, and handling communications. Examples of job classes in the Clerical and Office Unit (AFSCME 206) include Account Clerks, Cashier, Customer Service Specialists, Office and Administrative Specialists.

Craft, Maintenance and Laborer positions:

- require craft, trade, maintenance or laborer experience and knowledge to perform their primary responsibilities;
- emphasize manual work that may include operating vehicles or other equipment;
- range from relatively unskilled (laborer) to highly skilled (craft); and
- are placed in AFSCME Unit 202.

Laborer	Maintenance	Craft
Unskilled work	Semi-skilled work	Skilled trade work
Work emphasizes bodily strength performed under close supervision or specific directions	Work emphasizes skilled operation and/or maintenance of machinery, equipment, or property	Work emphasizes special skills or training, especially manual skills within an art, trade or occupation traditionally represented by a guild
Doesn't require specialized training or licensure for successful work performance	Requires mechanical, installation, maintenance and/or repair skills; may require special training or licensing	Requires the completion of formal apprenticeship, vocational school or equivalent training; usually requires special licensing
Job classes include: <ul style="list-style-type: none"> • Laborer – Trades and Equipment 	Job classes include: <ul style="list-style-type: none"> • Building Maint Coord • General Repair Worker • Heavy Equip Operator • Highway Helper 	Job classes include: <ul style="list-style-type: none"> • Carpenters • Electricians • Painters • Plumbers

Service positions include (1) health care support, (2) protective service, (3) food preparation and serving-related, (4) buildings and grounds cleaning and maintenance, and (5) personal care and service occupations (*Occupational Outlook Handbook, 2008-09 edition, Bureau of Labor Statistics*). Jobs usually require limited prior training or experience; employees typically receive most of the required on-the-job training after being hired. Examples of service and closely-related job classes in AFSCME bargaining units 203, 204 and 208 include:

Barg Unit	Service & Related Job Classes	
AFSCME 203	Buildings & Grounds Worker Cook Delivery Van Driver Food Service Worker General Maintenance Workers	Groundskeepers Laborer General Laundry Worker Parks Worker Security Guard
AFSCME 204	Human Services Technicians	Security Counselors
AFSCME 208	Corrections Officers	

APPENDIX B – SAMPLE FORMS, FORMATS AND EXAMPLES

[Note: These are informative only]

B.1 SAMPLE JOB AUDIT REQUEST FORMS/MEMOS

Example 4: Job Audit Request Form

Job audit request form

JOB AUDIT REQUEST FORM (Dept of Public Safety)

An up-to-date position description, a previous position description describing duties prior to changes, and an organization chart must be attached to this request in order for it to be processed. Send this form and all other information to Fiscal and Administrative Services who will review, approve and forward to the Office of Human Resources.

Employee Name (or vacant) _____

Supervisor Position Number _____

Division Section/District _____

Present Class and Suggested Class

Names of Employees Performing Similar Duties (if any)

Individual Whom HR Should Work With on the Audit

Give a concise but detailed description of why you are making this request.

For a change in an existing position include:

- what has changed; how it has changed (new equipment or process?);
- why it changed (reorganization?); and
- when it changed (either a date or time period).

For a new position, indicate why the new job is needed; under the authority it is being created; and if the duties were performed before somewhere else. Attach separate sheets or a memorandum if necessary.

Division Director's Signature

Comments Attached? Yes No

FOR HR USE ONLY

Assigned to Date

All Required Documentation Received (if previously incomplete)

Determination Date Sent to MMB _____

Example 5: Reallocation Request Worksheet

REALLOCATION REQUEST WORKSHEET

(Dept of Human Services)

DATE:

TO: Human Resources

FR:

RE: Reallocation – Request for class change of filled position

Employee Name & EID:

Position Number:

Current Class (& Option):

Position Appointment Date:

Division & section:

Brief overview of program area or section function

Summary of purpose/primary role of the position; primary clientele

Summary of the position's principal responsibilities

Dealings with other key positions, internal & external; nature and frequency of interactions

Basis for the request: Explanation of substantial changes in the job

How/why and over what time period these changes occurred

Details/examples of the most difficult or complex responsibilities

Optional: Recommended class & basis for recommendation (identify comparison positions, etc.)

Additional information concerning the request, as needed

Is licensure, certification or a degree mandated prior to appointment? If yes, specify & verify possession

Example 6: Reallocation Request Form

REALLOCATION REQUEST FORM (Pollution Control Agency)

To be completed by supervisor/manager. Please attach the following: 1) previous position description; 2) two copies of the current position description; 3) organization chart; and 4) division routing slip.

Important Notice: Before you start entering data, please click **File Save As** and save to your designated Folder.

Employee Name:

Current position/classification:

Supervisor:

Division/section/unit:

Requested Classification:

1. What class are you recommending this position be moved to? Why?
2. Have you discussed your recommendation with your Human Resources Representative?
3. Describe how the job has changed.
4. How were the changes initiated?
5. Why were the changes made?
6. Identify other positions you feel are comparable and why? (Comparable positions could be in the work unit, section, division, agency, or within the state system).
7. Is all the work described in the old position description still being done? If not, why? If so, how and by whom?
8. Given the responsibilities of the work unit, how does this position fit into the unit's structure? Describe why the classification is appropriate for the overall function of the unit.
9. Why is a position at this level needed by the program?
10. List any other relevant information.
11. Is the incumbent meeting performance standards?
12. What is your salary recommendation?

Example 7: Job Audit Request Worksheet

JOB AUDIT REQUEST WORKSHEET

A job audit is a process used to review and determine the classification of a position. A job audit may be requested for any of the following:

Job class change – filled position (reallocation or change in allocation)

Job class change – vacant position

Establish new position

Convert temporary unclassified to permanent

In order to make a classification determination, it is important to submit a complete job audit request. A complete request includes the following:

1. A written summary documenting your request – either complete the **attached Job Audit Request worksheet or prepare a narrative** that includes the information outlined in the worksheet.
2. A **new position description** that includes priorities, percentages and discretion levels. A signed copy is required for filled positions.
3. An **organization chart** showing the position and its relationship to other staff that includes employee names and classification titles.
4. For existing positions (either filled or vacant), also include the **old position description**.
5. Additionally, for filled positions in the **Revenue Tax Specialist classification** series, also include a completed Reclassification Questionnaire for the appropriate level (available on Rspace Employee Information under Hiring and Position Management category) –

[RTS to RTS Intermediate](#)
[RTS Intermediate to RTS Senior](#)
[RTS Senior to RTS Principal](#)

Supervisors must submit the above information using the **Job Audit Request** process in Rspace.

JOB AUDIT REQUEST WORKSHEET

This worksheet is to be completed by the supervisor and used when submitting a Job Audit Request. Please attach the completed worksheet (or a narrative that includes this information) to your Job Audit Request.

Incumbent's Name (if position is filled):

Previous Incumbent's Name (if existing vacant position):

Current Classification (if existing position):

Proposed Classification:

Division and Unit Name:

Supervisor's Name:

1. Summarize why you are submitting this request to be reviewed.
2. If you are proposing a specific classification, explain why you chose that classification.
3. Identify comparable positions within DOR or another Agency.
4. Summarize the work of the division/unit.

5. For an existing position (either filled or vacant), describe what changes occurred, when they occurred and the reason. Be specific – i.e. include organizational or staffing changes, why the work was assigned to the position, indicate if the work is new to the unit, etc. Also, include dates when each of the changes occurred.
6. For a filled position, explain whether the changes that occurred were management assigned or assumed by the employee through their own initiative or a combination.
7. For a filled position, comment on independence, discretion, problem solving and job complexity. If the work is now more difficult or complex, describe the difference between routine and difficult or complex.
8. For a filled position, evaluate and comment on the incumbent's job performance and attendance, including sick leave usage.
9. For an existing position (either filled or vacant), comment on position history, workload issues, organizational needs or any other pertinent information.
10. For filled positions in the Revenue Tax Specialist classification series, include the employee's audit case statistics from date of hire or for the last two years, whichever is less. (Note: Do not include confidential taxpayer information). In chronological order, please provide the following:
 - Date audit was assigned
 - Date audit was closed
 - Initial complexity score of audit (at time of assignment)
 - Final complexity score of audit (after completion of audit)
 - Initial rating (classification level) of audit
 - Final rating (classification level) of audit
 - Total hours to complete the audit

Also, please provide an analysis of **completed** casework for the two years prior to the reallocation request date. Example:

	RTS Int audit stats				RTS Senior audit stats				Totals			
	# cases	% of cases	# hours	% of hours	# cases	% of cases	# hours	% of hours	# cases	% of cases	# hours	% of hours
4/14/09 - 4/13/10	34	83%	716	71%	7	17%	298	29%	41	100%	1014	100%
4/14/08 - 4/13/09	6	92%	77	87%	0.5	8%	12	13%	6.5	100%	89	100%

HRM Rev 8-10

Example 8: Other types of audits (create, conversion, etc)

NEW PERMANENT POSITION REQUEST

(DHS)

DATE:

TO: Your [H.R. Generalist](#)

FR:

RE: Request to Establish a New Permanent Position

Basis for the request: Need for the new position

Brief overview of program area or section function in which the position will operate

Summary of purpose/primary role of the position; primary clientele

Summary of the position's principal responsibilities

Details/examples of the most difficult or complex responsibilities

Dealings with other key positions, internal & external; nature and frequency of interactions

Optional: Recommended class & basis for recommendation (identify comparison positions, etc.)

Additional information concerning the request, as needed

UNCLASSIFIED CONVERSION to CLASSIFIED SERVICE REQUEST

(DHS)

DATE:

TO: Your [H.R. Generalist](#)

FR:

Employee Name & EID:

Division & section:

Position Appointment Date:

Position Number:

Current Class (& Option):

Proposed Class (& Option), if different:

Brief overview of the original position approved for the Temporary Unclassified Service

Brief overview of current position; highlights of any substantial job changes

Basis for request: Describe on-going need to justify conversion

Optional: Recommended class & basis for recommendation (identify comparison positions, etc.)

Additional information concerning the request, as needed

REQUEST FOR A NEW TIME-LIMITED POSITION

USE FOR TEMPORARY UNCLASSIFIED, CLASSIFIED TEMPORARY, EMERGENCY POSITION REQUESTS
(DHS)

DATE:

TO: Your [H.R. Generalist](#)

FR:

RE: Request to Establish a New Time-Limited Position

Need for the new position. Important: Also note position's duration & fully explain why it is time-limited

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Brief overview of program area or section function in which the position will operate

--

Summary of purpose/primary role of the position; primary clientele

--

Summary of the position's principal responsibilities

--

Details/examples of the most difficult or complex responsibilities

--

Dealings with other key positions, internal & external; nature and frequency of interactions

--

Optional: Recommended class & basis for recommendation (identify comparison positions, etc.)

--

Additional information concerning the request, as needed

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SAMPLE JOB ANALYSIS QUESTIONNAIRE

(To be completed by the incumbent)

Name of incumbent completing the questionnaire: _____

Division _____

Name of Supervisor: _____

Current Job Classification: _____

The answers to these questions will be used to determine the appropriate job classification for the position. Complete all questions as best as you can. You may use this form or a separate sheet. If a question does not apply, skip it. If you do not understand a question, contact your HR representative or skip it. Upon completion, sign, date and return it to your HR representative. After HR has reviewed your answers, you will be contacted to schedule a time for an interview, and/or you or your supervisor may be contacted for any clarification needed.

1. Why does your job exist?
2. How long have you been in your current position?
3. Do you have anyone reporting to you? How many? What job classification?
To what extent do you supervisor or oversee work of others?
4. Is the position description submitted with the audit an accurate reflection of your duties? If not, describe your current duties and provide an updated position description.
5. Can you designate one period of time when your job started to change? What is different now from when you started in this job?
6. How and when have these changes taken place, i.e. gradually over a period of time, assigned by your supervisor, at your own initiative, new technologies, management initiatives, new programs, etc.?
7. What do you spend the most of your time doing?
8. In day to day functioning on the job, are human relations equal in importance, more important or less important than the technical know-how that is built into the job?
9. Where do you get source material or information to do the job? What guidelines or procedures are used?
10. How much does the job rely on policy, procedures or precedent?
11. Who assigns your work? How are work instructions provided? How much and how often is work reviewed? By whom?
12. What specialized or technical knowledge is required to do the job? (Tech terms, special terminology, laws, department policies and procedures, math, bookkeeping etc.)
13. What gives you greatest concern or worry in doing the work?
14. What are some examples of problems in your areas of major concern?
15. What guidelines or references do you use in resolving problems?
16. Do you solve problems assigned by your supervisor or do you sense needs and recognize where work is needed? Provide an example.

17. To what extent do you independently solve problems? Are there any problem areas that you refer to your supervisor or others?
18. How is your work reviewed?
19. Is most of your work similar from month to month, or does the bulk of it change in nature? Please explain.
20. For what are you held responsible.
21. Do you delegate work to other employees? What and to whom?
22. What people do you generally have contact with, what type (phone, mail, in person) and for what purpose?
23. Is there any additional information you feel should be considered in the review of your position?

Signature of incumbent completing this form _____

Date completed _____

B.2 Instructions for Completing Position Description

INSTRUCTIONS FOR COMPLETING POSITION DESCRIPTION A, B, C

A. HEADING, POSITION PURPOSE, REPORTABILITY AND DIMENSIONS

EMPLOYEE'S NAME: Name of the person currently holding position.

POSITION CONTROL NUMBER: Six-digit identification number assigned to the position by the Department of Finance

AGENCY/DIVISION: Name of the department, agency, board, commission, institution, etc., where the employee is currently working. Include name of the division or work unit if applicable.

ACTIVITY: Management or budget activity.

CLASSIFICATION TITLE: Official title assigned to the position by the Department of Personnel.

WORKING TITLE: Unofficial working title, if any, assigned to the position by the employee's agency.

PREPARED BY: Name of the person who wrote the position description.

APPRAISAL PERIOD: Beginning and ending dates of the employee's official appraisal period.

EMPLOYEE'S SIGNATURE/DATE: Signature of the person holding the position/month, day and year that the employee signed the position description.

SUPERVISOR'S SIGNATURE/DATE: Signature of the employee's immediate supervisor/month, day and year that the supervisor approved the position description.

POSITION PURPOSE: A concise one-sentence statement describing the overall reason why the position exists ("This position exists to . . .").

REPORTABILITY

Reports To: Classification title of the employee's immediate supervisor.

Supervises: Classification titles and numbers of the people supervised by the employee.

DIMENSIONS

Budget: Dollar amount of budget that the position controls, manages or has direct impact upon.

Clientele: People and/or organizations directly affected by the position.

B. PRINCIPAL RESPONSIBILITIES, TASKS AND PERFORMANCE INDICATORS

PRINCIPAL RESPONSIBILITIES: General duties that the employee performs to achieve measurable end results. ("It is my responsibility to...so that..."). There are usually 4 to 10 responsibility statements in a position description.

Example: To coordinate department mailings so that the appropriate people receive memos, bulletins, etc. on time.

TASKS: Specific and distinct activities that comprise each of the employee's principal responsibilities. Tasks should be listed on the left side of the column directly below the principal responsibility statement.

Example: Maintain updated mailing list, address envelopes.

PERFORMANCE INDICATORS: Statements of conditions that will exist when tasks or responsibilities are performed satisfactorily.

Performance indicators are specific, measurable and attainable goals that the employee intends to reach in a designated period of time. They measure the quality or quantity of the work to be performed, the time frame in which the work is to be completed, and/or the resources used to get the job done. Performance indicators may relate to individual task statements or principal responsibilities. Each task statement may not require a performance indicator.

Example: Mailing list will be updated by the first of each month. All addresses on the mailing list will include zip codes.

Priority: Use the letter A, B or C to indicate the relative importance of each principal responsibility to the total position.

- A Results are essential and must be accomplished.
- B Results are important and should be accomplished, but not at the expense of A priorities.
- C Results are desirable, but should not be accomplished at the expense of A and/or B priorities.

NOTE: Priority changes should be made only with the consent and approval of the employee's immediate supervisor.

% of Time: Number assigned to each principal responsibility statement, indicating the anticipated percentage of time that the employee gives to the responsibility. The total of all responsibilities should be 100%.

NOTE: % of Time and Priority considered together reflect the overall importance of each responsibility to the total position.

Discretion: Use the letter A, B, C or D to describe the employee's level of authority for each principal responsibility.

- A Employee investigates situations, makes decisions takes appropriate actions, reports by exception and through normal review processes.
- B Employee investigates situations, makes decisions, takes appropriate actions, reports to supervisors immediately after action is taken.
- C Employee investigates situations, recommends action to supervisor, makes decisions with supervisor, takes appropriate action, reports to supervisor immediately after action is taken.
- D Employee discusses situations with supervisor before investigating, makes decisions with supervisors, takes appropriate actions, reports to supervisor immediately after action is taken.

C. NATURE AND SCOPE (narrative)

Relationships: Communication methods (oral and written) used to carry out responsibilities; committees on which the employee serves; agencies, divisions, organizations and/or individuals through which the employee's work is coordinated.

Knowledge, Skills and Abilities: Minimum knowledge, skills and abilities needed to carry out principal responsibilities; how knowledge; skills and abilities are used; relative importance of managerial, technical and human relations skills on the job.

Problem Solving (need not be completed by Schedule B employees): Types of job-related problems that the employee encounters; examples of problems that must be handled by a higher authority; opportunities for creativity.

Freedom to Act (need not be completed by Schedule B employees): Frequency with which employee reports to a higher authority; methods of reporting (oral and written); externally imposed controls which limit the employee's freedom to act (laws, rules, procedures, etc.)

POSITION DESCRIPTION CHECKLIST

Instructions: This checklist is intended to provide an efficient source of quality control regarding the current state of any position description you wish to evaluate. Just lay it alongside the position description and fill in the blanks with the response that most accurately reflects the current contents of the position description. Use: Y = Yes; N = No; NA = Not Applicable. In the event of "N" responses, add explanatory comments in the space between items to further specify what needs to be done to bring the position description up to standards.

FORM A

- a) _____ 1. Position Purpose: a) Does the position purpose accurately summarize in one concise sentence the reason the current position exists?
- a) _____ 2. Budget: a) if the employee's position controls, manages and/or influences budget amounts, are those amounts clearly and accurately written in dollars? b) If the budget contains separate categories for operating and equipment amounts, are those separate categories clearly shown?
- a) _____ 3. Clientele: a) Are the people and/or organizations directly affected by the employee's position clearly listed?

FORM B

- a) _____ 4. Principal Responsibilities: a) Are each of the principal responsibilities an accurate and complete description of the major functions of the current position?
b) _____ b) Are the principal responsibilities written in a clear "TO ..., so that ..." format which specifies "what" and "why." c) _____ c) Are there an appropriate number (usually 5 to 8) reflecting a logical subdivision of the position into its major functions?
- a) _____ 5. Tasks: a) Do the tasks reflect a division of each principal responsibility into its essential.
b) _____ b) Are they written in a concise "Action verb(s)/object" format?
- a) _____ 6. Performance Indicators: Are the performance indicators: a) Significant and measurable
b) _____ b) indicators which specify the quantity, quality or timeframe necessary for a "fully meets standards" level of performance? b) Is there at least one performance indicator for each principal responsibility?
- a) _____ 7. Priority: a) Are there letters A, B or C accurately indicated for each principal responsibility statement?
- a) _____ 8. % of Time: a) Are the percentages accurately assigned to each principal responsibility
b) _____ b) statement (and only to them)? b) Do they total 100%?
- a) _____ 9. Discretion: a) Are the letters A, B, C or D accurately assigned to each principal responsibility
statement (and in exceptional cases, to tasks)? b) Is there one letter per each principal responsibility
statement (or task)?

FORM C

- a) _____ 10. Relationships: a) Are the communication methods (oral or written) used to carry out
b) _____ b) responsibilities clearly indicated? b) Are committees which the employee serves on
c) _____ c) indicated? c) Are agencies, divisions, organizations and/or individuals through which the employee's work is coordinated clearly indicated?
- a) _____ 11. Knowledge, Skills & Abilities: a) Are the entry level knowledge, skills and abilities
b) _____ b) needed to carry out principal responsibilities specified? b) Is the relative importance of managerial, technical and human relations skills on the job specified?
- a) _____ 12. Problem Solving: a) Are the employee's most common job-related problems clearly
b) _____ b) indicated? b) Are there examples of problems that must be handled by the present
c) _____ c) employee? c) Are opportunities for creativity clearly indicated?
- a) _____ 13. Freedom to Act: Does the employee's position description clearly indicate:
b) _____ b) a) The frequency which employee reports to higher authority; b) Methods of reporting
c) _____ c) (oral and/or written); c) The external controls which limit the employee's freedom to act, such as laws, rules or procedures?

B.2.b Action Word Definitions in Position Descriptions

The following words are used to identify and define work-related activities performed by employees. By using concise terminology, we can minimize ambiguity or misunderstanding. It is not a complete list and position description or class specification writers may find other suitable words.¹

A	
ACCOUNT	To furnish a justifying analysis or explanation.
ACQUIRE	To buy or take possession of.
ADAPT	To modify to suit or fit specific needs.
ADJUST	To bring the parts of something to a true, more desirable, or effective position.
ADMINISTER	To carry out or regulate organizational or program operations, policies, and procedures; to apply a remedy.
ADOPT	To accept and use as one's own.
ADVISE	To provide, based on specialized knowledge and usually only on request, information, ideas, suggestions, or informed opinions which aid/support others in deciding on a course of action or making a decision.
ADVOCATE	To endorse in an assertive and deliberate manner.
ALLOCATE	To set aside money, property, power, or other resources for a particular individual/program, group of individuals/programs, or an organization.
ALLOT	To distribute a share or portion for a specific purpose.
ALTER	To make different without changing into something else.
AMUSE	To provide any form of distraction that contents the mind.
ANALYZE	To separate all or any part of something into its constituent parts for the purpose of identifying and examining relationships of the parts to one another and to other factors.
ANSWER	To speak or write in reply to an inquiry.
APPLY	To put to use for a purpose.
APPOINT	To officially designate.
APPRAISE	To give an expert judgment of worth or merit.
APPROVE	To exercise final authority with regard to the acceptability of an action.
ARBITRATE	To act with defined authority to resolve a dispute.
ARRANGE	To prepare for an event.
ASSEMBLE	To convene individuals out of common interest or purpose; to fit together with component parts of a structure or machine.

¹ Sources include: **American Psychological Association (APA):** *The American Heritage® Dictionary of the English Language, Fourth Edition*; *Webster's Revised Unabridged Dictionary*; and *WordNet® 3.0*. from the Dictionary.com website: <http://dictionary.reference.com/browse/>

ASSESS	To determine the exact value or extent prior to judging it or using it as the ground for a decision.
ASSIGN	To specify or designate tasks or duties to be performed by others.
AUDIT	To examine accounts in a final, official sense to verify their correctness.
AUTHORIZE	To give permission for or to empower through vested authority.
AWARD	To confer or bestow for performance or quality.
B	
BALANCE	To arrange or prove so that the sum of one group equals the sum of another.
BARGAIN	To negotiate the terms of a sale, exchange, or other agreement.
BATCH	To group into a quantity for a future operation.
BUDGET	To plan a summary of probable expenditures and income for a given period.
C	
CALCULATE	To determine by mathematical or statistical processes.
CALIBRATE	To check, adjust, or standardize the graduation of.
CARRY	To move something or someone from one place to another, using the hands.
CATEGORIZE	To group on the basis of a comparison of certain readily perceived characteristics and criteria.
CERTIFY	To officially endorse something in conformance with set standards.
CHECK	To compare with a source as to verify accuracy.
CIRCULATE	To move from person to person or place to place.
CLASSIFY	To arrange, distribute, or group facts/items according to common characteristics.
CLEAN	To remove dirt or impurities; to prepare for cooking.
CLIMB	To move progressively upward.
COACH	To encourage individuals on a personal, caring basis.
CODE	To translate words or figures into symbols (letters or numbers).
COLLABORATE	To work together, especially in a joint intellectual effort
COLLATE	To assemble in proper numerical or logical sequence.
COLLECT	To bring data or material together in a group or mass.
COMPARE	To examine for the purpose of discovering similarities or differences.
COMPILE	To place information or arrange material from other documents into a formalized order.
COMPOSE	To make or form by combining things, parts or elements; to create by artistic labor.
COMPUTE	To determine by arithmetical processes.
CONDENSE	To shorten material without altering its meaning.
CONFER	To seek and compare views, opinions, and judgments with others through discussions.
CONFIRM	To assure the accuracy, consistency, or completeness of.
CONSOLIDATE	To bring together; combine several into one.
CONSTRUCT	To make or form by combining parts; draw with suitable instruments and under specified conditions.
CONSULT	To give expert professional advice.

CONTROL	To evaluate, verify, regulate, and/or be informed about actions to the point of influencing or directing activities/functions toward conformance with plans or desired results.
CONVERT	To alter the physical or chemical nature of something.
CONVEY	To carry, bring or take from one place to another; to transport; to communicate or make known.
COORDINATE	To guide, regulate, or adjust the interrelated and interdependent activities of individuals or functions of a unit(s) to facilitate a common action and attain a common purpose or goal.
COPY	To reproduce an original.
CORRECT	To eliminate error or defect.
CORRELATE	To establish a direct or inverse relationship.
CORRESPOND	To communicate with others in writing.
COUNSEL	To provide advice, usually on one's own initiative, in which a course of action is suggested or urged and some recourse of follow-up is implied.
COUNT	To list or name, one by one, to find the total number of units involved.
CREATE	To bring into existence; produce through imaginative skill.
D	
DEBATE	To discuss and argue a question formally, and usually in public.
DECIDE	To make up one's mind as to action, course, or judgment.
DEFEND	To protect someone or something; to represent some in court; ward off something that actually threatens; repel something that actually attacks.
DEFINE	To determine and state the limits and nature of; to give the distinguishing characteristics of.
DELEGATE	To designate with authority another to perform tasks or duties which in turn may carry specific degrees of accountability and authority.
DELIBERATE	To consider carefully and thoroughly a matter with abstract/complex variables to arrive at a conclusion.
DELIVER	To carry something to an intended destination.
DEMONSTRATE	To explain or make clear by using examples/experiments or showing the operations of.
DESCRIBE	To give an account in words that create a visual image to the minds of others.
DESIGNATE	To formally choose someone for a job, position, or duty.
DESIGN	To conceive, create, and execute a detailed plan, form or shape of a physical object or the method for doing something.
DESTROY	To completely tear down, do away with, or bring to an end.
DETECT	To take notice of something by physical means (e.g., visual, tactile).
DETERMINE	To decide the course, character, functions, or scope of something.
DEVELOP	To expand or realize the potentialities of; bring gradually to a fuller, greater, or better state.
DEVISE	Form in the mind by new combinations or applications of ideas or principles; to invent.
DIAGNOSE	To identify a disease, malfunction, or cause of disorder by symptoms or distinguishing characteristics.

DIG	To break and turn over or remove with a tool.
DIRECT	To personally oversee, inspect, or guide the work of others, with responsibility for ensuring certain standards of performance are met.
DISBURSE	To pay out or distribute with authority.
DISCIPLINE	To penalize individuals or groups, whose behavior is contrary to existing regulations; to establish habits of self-control.
DISCOVER	To intentionally search for and acquire or find something that already exists but is new to the discoverer.
DISCUSS	To exchange views to arrive at a better understanding.
DISMANTLE	To take apart or raze; remove furniture or equipment.
DISPATCH	To send off or out.
DISPENSE	To distribute or give out a carefully or measured portion.
DISPLAY	To show; place before the view of others.
DISSEMINATE	To spread or disperse information or ideas.
DISTRIBUTE	To deal out portions or spread about units among a number of recipients.
DRAFT	To prepare a first or preliminary form of any writing, subject to review.
DRIVE	To start, stop, and control the movement or action of machines.
DUMP	To empty out or unload in a heap or mass.
DUPLICATE	To make a copy or reproduction through the use of machinery.
E	
EDIT	To prepare written material for publication by correcting, revising, or adapting.
ELABORATE	To work out in detail; to give details.
ELECT	To vote for.
ELIMINATE	To get rid of; to set aside as unimportant.
EMPLOY	To use or engage the service of; to provide a job with consideration.
ENCOURAGE	To inspire with spirit and hope.
ENDORSE	To support or recommend actively.
ENLIST	To secure the support and aid of.
ENTER	To write down in a record, diary, log, or list; make an entry of.
ENTERTAIN	To provide some activity or attraction that will give pleasure or relieve monotony or boredom.
ESCORT	To accompany another or others to give protection or to watch over; to accompany as a courtesy or honor.
ESTIMATE	To make a rough approximation of the size, extent, or value of.
EVALUATE	To judge reports, data, plans, or performances in relation to established goals, policies, and standards; compare critically to a standard for suitability.
EXAMINE	To look over closely to determine the condition, quality, validity, or nature of.
EXCHANGE	To give or take one thing in return for another.
EXERCISE	To train by drills and maneuvers in order to strengthen and develop.
EXHIBIT	To put forward prominently or openly, either with the express intention or with the results of attracting other's attention or inspection.
EXPERIMENT	To undertake an action to discover something not yet known or to demonstrate something known.
EXPLAIN	To make clear or easier to understand that

	which appears vague, causeless, or inconsistent.
EXTRACT	To pull out by effort; make a selection or quotation of; determine by calculation.
F	
FABRICATE	To build by assembling; to manufacture.
FACILITATE	To make easy or less difficult; to free from difficulty or impediment; to lessen the labor of; as, to facilitate the execution of a task
FASTEN	To make secure by locking, shutting, buttoning; fix firmly in place.
FEED	To move into a machine or opening in order to be used or processed; to furnish with something essential for growth and sustenance.
FILE	To arrange in a methodical manner; to rub smooth or cut away with a tool.
FORECAST	To predict or indicate a condition or event beforehand as a result of rational study of available data.
FORMULATE	To prepare mentally a rough plan, policy or procedure.
G	
GARNER	To acquire or deserve by one's efforts or actions.
GATHER	To bring together; to collect, as a number of separate things, into one place, or into one aggregate body; to assemble; to muster; to congregate
GAUGE	To assess a thing as authentic, good, or adequate or the degree it is so in relation to a standard measure or scale.
GENERATE	To originate, especially by a vital or chemical process; to produce; to cause.
GOVERN	To make and administer the public policy and affairs of; to exercise sovereign authority in.
GRADE	To divide into groups based on ascending or descending order.
GUARD	To watch over to keep safe from any potential attack or harm.
GUIDE	To show the way or approach by applying intimate knowledge or experience of the way or approach and of all its difficulties.
H	
HAUL	To move by pulling or drawing; to transport by vehicle.
HIRE	To engage the service of for a set sum.
HYPOTHESIZE	To form a tentative assumption to test its logical or empirical consequences.
I	
IDENTIFY	To recognize, acknowledge, or establish based on the characteristics of.
ILLUSTRATE	To make clear something which is difficult, abstract, or remote from experience; especially when using pictures or sketches to make vivid or real what is being explained.
IMPLEMENT	To carry out or into effect a plan, program, or operation.
IMPORT	To bring in from abroad. To transfer (electronic data) into a database or document
IMPROVE	To correct or advance something by supplying what is lacked or wanted.
INDEX	To classify information, usually by subject matter or name to facilitate reference.
INDICT	To bring legal charges against an individual or organization.
INFORM	To make known; to call attention to.
INITIATE	To set in motion, to start an event or prepare the way for

INNOVATE	To exercise creativity in introducing something new or in making changes.
INSPECT	To search, through direct observations, for conditions such as errors, defects, flaws, or shortcomings.
INSTALL	To establish in an indicated place, condition, or status; to set up for use in service.
INSTRUCT	To impart knowledge systematically.
INTERPRET	To explain meanings or intentions, not immediately apparent to others, in light of individual judgment; to translate.
INTERVIEW	To obtain facts or opinions through oral inquiry or examination.
INVENTORY	To catalog; to count and list; to make an itemized record of.
INVENT	To create; to think up or imagine.
INVESTIGATE	To make a methodical, searching inquiry into a situation.
ISSUE	To put forth or distribute officially.
ITEMIZE	To enumerate one after another; to set or note down in detail.
J	
JOIN	To bring or put together.
JUDGE	To investigate and compare the evidence and merits of all issues in a case and decide where the truth lies.
JUSTIFY	To prove or show to be right or reasonable in light of individual belief or facts.
L	
LEAD	To guide or direct others on a course or in the direction of without final responsibility for results achieved.
LIFT	To use effort to overcome the force of gravity.
LOAD	To place in or on a means of conveyance.
LOCATE	To search for and find.
LUBRICATE	To apply a substance to machinery to reduce friction in operation.
M	
MANAGE	To guide and coordinate worker activities and organizational or program policies, rules, practices, methods, and standards.
MANIPULATE	To move, guide, or place objects or materials with skill and dexterity.
MANUFACTURE	To make or process raw material into a finished product.
MAP	To make a survey of for the purpose of representation.
MATCH	To pair up or put into a set those items possessing equal or harmonizing attributes.
MEASURE	To determine the quantity, mass, extent, or degree of in terms of a standard unit or fixed amount.
MEDIATE	To intervene between two or more disputants in order to bring about an agreement, a settlement, or a compromise.
MEND	To repair; restore to soundness that which is broken or torn.
MIX	To combine or blend particles, parts, or elements into one.
MODIFY	To limit or restrict the meaning of; to make minor changes in.
MONITOR	To watch, observe, or check for a specific purpose.
MOTIVATE	To stimulate the active interest or desire within someone for something.
MOVE	To go or transport from one point to another.

N	
NEGOTIATE	To confer with others for the purpose of reaching agreement.
NOTIFY	To send a formal notice giving required or pertinent information.
NULLIFY	To make of no value or consequence; cancel out.
O	
OBSERVE	To obtain data visually.
OBTAIN	To acquire or gain possession of.
OPEN	To make available for entry or passage.
OPERATE	To start, stop, control, and adjust machinery or equipment.
ORGANIZE	To take steps to set up the administrative structure or functions of an office or process.
ORIENT	To make familiar with or adjusted to facts, principles, or a situation
ORIGINATE	To bring into being; to initiate.
OUTLINE	To make a summary of the significant features of a subject.
OVERHAUL	To make repairs, adjustments needed to restore to good working order.
OVERSEE	To watch; to monitor.
P	
PACKAGE	To wrap or box an item or group of items.
PERMIT	To consent to; to authorize.
PERSUADE	To induce others by argument or entreaty to accept a belief or position; to prevail upon others to take a course of action.
PICK UP	To collect or lift an object or material.
PLAN	To devise a detailed means of course of action for attaining an objective or goal.
POST	To transfer or carry information from one record to another; to display prominently.
PREDICT	To foretell on the basis of observation, experience, or scientific reason.
PRESCRIBE	To recommend medical treatment with authority.
PRESENT	To lay as a charge before the court; to offer for view.
PRESERVE	To keep safe; to protect; to keep free from decay.
PREVENT	To stop something from occurring; to take advance measures against.
PROCURE	To obtain possession of.
PRODUCE	To grow; to make, bear, or yield something.
PROGRAM	To arrange or work out a sequence of operations to be performed by equipment or machinery.
PROMOTE	To advance to a higher level or position; to foster the growth or development of.
PROOFREAD	To read copy of a printer's proof against the original manuscript.
PROPOSE	To formulate and suggest for adoption.
PULL	To cause to move in the direction toward the source of the force.
PURCHASE	To buy or procure by committing funds.
PUSH	To use force upon an object to move it away from the source of the force.
Q	
QUANTIFY	To determine or express the amount of.
QUESTION	To interrogate; to inquire.
R	
RANK	To determine or assign the relative

	importance of data, people, or things.
RATE	To determine the rank of in relation to others of the same kind.
REAP	To harvest (a crop); to obtain as a result of effort
REBUILD	To make extensive structural repairs.
RECOMMEND	To suggest and support for adoption a course of action; to advocate for; to advise.
RECONCILE	To adjust; to make congruous; to seek agreement.
RECORD	To set down in writing; to preserve in some permanent form.
REDUCE	To narrow down; to diminish in size or amount.
REFER	To send or direct for aid, treatment, information, or decision.
REFINE	To free from impurities, imperfections, or vulgarities; make more polished.
REGISTER	To enter in a record or list officially.
REGULATE	To order or restrain by rule, method, or established mode.
REINFORCE	To strengthen with additional forces.
REJECT	To refuse to hear, receive, or admit.
RELEASE	To permit the publication or dissemination of.
REMIT	To send money in payment of.
REPAIR	To put into good or fitting order something that is not working or damaged.
REPLACE	To provide a substitute for something now lost, gone, or worn out.
REPORT	To give an account, in detail, of facts and figures.
REPRESENT	To act or speak on behalf of someone or something; to foster general interest in, through speeches, and consultation and contacts with individuals, groups, and constituencies.
RESCIND	To make void; to repeal; to abrogate a contract by restoring pre-existing conditions.
RESCUE	To free a person or animal from imminent danger by prompt or vigorous action.
RESEARCH	To perform a systematic, critical, intensive investigation directed toward development of new or fuller knowledge of the topic or issue studied.
RESOLVE	To decide to do or refrain from doing something; to take remedial action.
RETRIEVE	To recover from a location where previously placed, set, or thrown.
REVIEW	To consider or reexamine results for the purpose of giving an opinion or approval.
REVISE	To rework in order to correct or improve; to make a new, improved, or up-to-date version.
REWARD	To give something in recompense for worthy behavior.
S	
SALVAGE	To rescue or save (as from wreckage or ruin).
SCAN	To survey from point to point in a cursory manner.
SCHEDULE	To plan a timetable; to set specific time for.
SCORE	To assign a numerical evaluation.
SCREEN	To examine for the purpose of separating into groups.
SEAL	To secure the contents of by closing with adhesive.
SEARCH	To systematically look over and through for the purpose of finding an item.
SELECT	To decide on one, or a few from several possibilities.

SELL	To give up property to another for money or other valuable consideration.
SEND	To dispatch by a means of communication; to convey.
SERVE	To attend to the personal needs or requests of people.
SERVICE	To make fit for use by providing maintenance, supplies, repairs, or installation.
SMELL	To acquire and examine the odor or scent with one's nose.
SOLICIT	To approach with a request or plea; to strongly urge.
SOLVE	To answer a question or to work out a problem.
SORT	To group or categorize according to systematic relations or common characteristics; put in a definite place or rank according to kind, class, or other category.
STACK	To load or arrange in a somewhat orderly heap or pile.
STORE	To put away for future use; to deposit or receive for safe keeping.
STUDY	To contemplate; to learn all the possibilities, applications, variations, or relations of a subject before making plans and/or taking action.
SUBMIT	To present for the decision, judgment, or information of others.
SUGGEST	To direct attention to something for consideration.
SUMMARIZE	To present in a concise and compact manner.
SUPPLY	To provide space, equipment, material, and other non-financial resources.
SURVEY	To look at or consider in a general or comprehensive way; to determine the location, form, or boundaries of by measuring the lines and angles.
SYNTHESIZE	To compose or combine parts or elements in order to form a new, complex whole.
SYSTEMATIZE	To arrange or make by the use of a method or orderly planning.
T	
TABULATE	To put in table form; to set up in columns, rows.
TEACH	To apply a guided process of assigned work, discipline, direct study, and the presentation of examples to increase the general knowledge of another person.
TEND	To start, stop, and monitor the functioning of machinery and equipment.
TESTIFY	To provide oral or written testimony on facts known.
TEST	To put a thing to decisive proof by thorough examination under controlled conditions.
TOTAL	To add up; to compute.
TRACE	To copy as a drawing.
TRADE	To give in exchange for another commodity; to make a purchase.
TRAIN	To develop one or more particular faculty or skill in others to bring them up to a predetermined standard of work performance.
TRANSACT	To carry on or handle business in accordance with a prescribed procedure.
TRANSCRIBE	To transfer data from one form of record to another or from one method of preparation to another, without changing the nature of the data.
TRANSFER	To change from one mode of conveyance to another or from one depository to another.

TRANSLATE	To turn into one's own or another language.
TRANSMIT	To transfer or send out a signal either by radio waves or over a wire.
TREAT	To give medical or surgical care; to subject to chemical action.
TURN	To make to rotate or revolve; to cause to move around to affect a desired end (as locking, opening, and shutting).
TUTOR	To instruct on an individual basis and in a special subject or for a particular occasion or purpose.
TYPE	To use a typewriter or computer keyboard to put printed words, letters and other symbols on a page or other surface.
U	
UPDATE	To make current with most recent facts, methods, or ideas.
USHER	To guide to a particular place.
W	
WASH	To clean by means of water and/or other substances by dipping, tumbling, or scrubbing.
WAX	To rub, polish, cover, smear, or treat with a sealing substance.
WEIGH	To determine the heaviness of an object.
WRITE	To set down letters, words, sentences, or figures on paper or other suitable material.

Ambiguous "Action" Words

This is a short list of vague "action" words that require further clarification and supporting details before they can be used effectively to describe work behaviors, responsibilities, or tasks. Some may be acceptable if used in an appropriate context; for example, "endorse a check . . .". While they may adequately provide generalized or appropriate descriptions or definitions of work, there are usually better choices available:

Accept; Accompany; **Accomplish;** Acts for/as; **Aid;** Appears (before a group); **Ascertains;** Assists; **Assume responsibility for;** Assure; **Attend;** Available for; **Brief;** Carry out (instructions); **Communicate;** Conduct; **Cooperate;** Effect; **Endorse (an idea);** Enforce; **Engage in;** Ensure; **Establish;** Execute (an action); **Follow (instructions);** Follow up; **Function as;** Furnish; **Give;** Handle; **Help;** In cooperation with; **Interface;** In charge of; **Institute;** Interact; **Keep abreast of;** Keep records; **Keep staff informed of;** Maintain; **Make necessary action;** May (perform, serve, etc.); **Participate;** Perform; **Prepare;** Process; **Provide;** Receive; **Relate;** Reply to; **Respond to;** Responsible for; **Request;** Require; **Secure;** See that; **Serves as (in a functional role);** Supervise; **Support (someone);** Talk; **Understand;** Use; **Utilize;** Verify; **Visit;** Work with.

B.3 Sample Job Audit Decision Documentation

Job Audit Decision Documentation

Date: _____ Determination: _____

Determination made by: _____

Department: _____

Incumbent: _____

Present Class: _____

Proposed Class: _____

Background:

[This paragraph(s) should discuss why the HR Auditor is looking at the position. This may include information the supervisor provided on changes in the position; what caused those changes (gradual assumption of additional duties vs. abrupt change in duties); the time frame in which the changes occurred; and the classification level supervisor has requested.]

Basic purpose and focus of position being reviewed:

[This paragraph summarizes the current position description.]

Class concepts for proposed class:

[This paragraph(s) summarizes the class specification and allocation factors for the classes reviewed as comparisons to the subject position description]

Class concepts for current class:

[This paragraph(s) summarizes the class specification and allocation factors for the classes reviewed as comparisons to the subject position description]

Concepts for other related classes:

[This paragraph(s) summarizes the class specification and allocation factors for the classes reviewed as comparisons to the subject position description]

Comparison positions:

[These paragraphs summarize the position descriptions of positions within the agency or state-wide the HR Auditor considered as comparable to the subject position.]

Analysis and classification determination:

[These paragraphs compare and contrast the subject position with the class specification, allocation factors and comparison positions. Determination of classification level approved as a result of the job audit and why.]

If occupied, reason for reclassification to be a reallocation or change in allocation:

Job Audit Determination Cheat Sheet

Memo Components:	Contents of Memo / Things to Consider: <i>(not all items will be applicable in all audits)</i>
Introduction/Background	Include who is making the request; what is being requested. Include the reportability of the position and where it is located in the organization.
Overview of Job Responsibilities	Include the position purpose, broad task statements, budget responsibility (if any), and key KSAs. If position has lead/supervisory responsibilities, list number and classes.
For reallocations: Description of how work has changed over time	<ul style="list-style-type: none"> • Have the duties actually changed, or just the way the task is completed? • Has the level of duties increased or just the volume of the same duties? • Where did the old duties go? • Are new duties still appropriate for the current class and, if so, is the amount of time devoted to those duties significant enough (say >10 or 15%) to affect the class? • Has the position really changed, or is this a way to reward/retain the incumbent?
For reallocations: Description of the period of time the changes have occurred	<ul style="list-style-type: none"> • How and approximately when were the new duties assigned. • Have the changes occurred gradually over a period of nine months to two years? • Did the change occur abruptly as a result of management action or over a relatively short time frame, say < 9 months? If so, it may be considered a "Change in Allocation" • Are the changes within the normal learning curve of the class/position?
For temporary or statutorily unclassified: Reference to statute and justification and an explanation of why the position is of limited duration.	<p>For example: Management is requesting this position be established in the unclassified service for a period of XXX (cannot exceed three years), pursuant to MS 43A.08, sub 2a.</p> <p style="text-align: center;">and</p> <p>This temporary unclassified position is being created to XXX (list project/grant/etc.). After two years, the plans for implementation will be developed and the position will no longer be needed.</p>
Comparison to Class Specification and to other positions in this or other agencies (look for benchmark positions that strongly represent allocation to the class(es) being considered)	<ul style="list-style-type: none"> • How does the position compare with similar positions within the unit/division/department? • Profile the work unit/division/agency by checking the org charts and/or seniority rosters to understand/consider: <ul style="list-style-type: none"> ◦ How many positions are currently within the same classification? ◦ Where are they located within the organization? • Is the comparison solid? The standard, not always easy to assess or apply, is that the position should be clearly a better fit for a different class (make sure it's not an over-allocated position) • Have similar positions been reallocated? • Does the incumbent meet the criteria of the proposed classification? <ul style="list-style-type: none"> ◦ For example, degree or licensure requirements. ◦ Is there a significant difference between the incumbent's qualifications and the standard selection criteria?
Analysis	<ul style="list-style-type: none"> • Priorities: If push comes to shove, what duties have to be done first? • Why does this position exist? • Where did the new duties come from? • Do the duties of the incumbent make sense in terms the role and responsibilities of the supervisor and co-workers? • Does the employee's current performance/attendance warrant an upgraded position? Since class decisions are based on job content, this does not prohibit a reallocation, but this is something you should discuss with the supervisor or HR management. • Don't assume – have the facts and be specific. • Stay objective.
If option is needed: Justification of option	Include name of option.
Final allocation decision/recommendation	Include job classification; option (if needed); employment condition (full- or part-time); status (permanent classified; temp unclassified; statutory unclassified; temporary; emergency); length of appointment (if necessary); and reallocation or change in allocation and FLSA status of job class/position.

B.4 Sample Classification Notice (e.g. Job Audit Results)

Agency Letterhead

DATE:

TO:

FROM:

PHONE:

RE: Classification Notice - Position Number: _____ /Option Code: _____

<u>Incumbent</u>	<u>Present Classification</u>	<u>Proper Classification</u>
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Action Determined to be:

- ☐ Reallocation (if classified) or Recomparison (if unclassified)
 - a. ☐ May be eligible for back pay. Date properly documented request received _____
 - b. ☐ Not eligible for back pay because:
 - ☐ reallocation/recomparison resulted from study.
 - ☐ transfer ☐ demotion
- ☐ Change in allocation.
- ☐ Initial allocation to classified/unclassified service.
- ☐ Other _____

Bargaining Unit:

- ☐ Initial bargaining unit designation _____
- ☐ No change
- ☐ Change; from _____ to _____. Labor Relations approval:
 - ☐ Notice of temporary bargaining unit assignment _____
 - ☐ Order from the Bureau of Mediation Services _____

An appointing authority or an incumbent of a position affected by a classification determination may appeal in writing to the Commissioner of MMB stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relevant to the classification of the position. If new information causes a change in determination, the date of receipt of that information will be used in determining back pay eligibility under collective bargaining agreements and plans.

Appointment

A. Reallocation/Recomparison

- ☐ Appoint via class transfer
- ☐ Appoint via voluntary demotion
- ☐ Promote via M.S. 43A.15, Subd. 5 (non-competitive promotion)
- ☐ Appoint via new unclassified appointment
- ☐ Other _____

B. Change in Allocation or Initial Allocation of Previously Unclassified Position

- ☐ Seniority Unit Layoff list exists. If names on this list are cleared, appoint as indicated below.
- ☐ Submit Vacancy Builder and appoint by a competitive process.
- ☐ Appoint via transfer
- ☐ Appoint via voluntary demotion
- ☐ Transfer or demotion approved because:
 - ☐ Qualifies for the position Date: _____
 - ☐ Demotion to lower class, same series Explain: _____
 - ☐ Other
- ☐ Appoint via M.S. 43A.15, Subd. 7 (Unclassified conversion).
 - ☐ Incumbent has served at least one year in the unclassified position performing similar duties.
 - ☐ Incumbent has qualified for the position: _____
- ☐ Other: _____

Staffing Authorized Signature

Date

NOTE: Where the incumbent of any reclassified position is ineligible to continue in the position and is not transferred, promoted or demoted, the layoff provisions of applicable collective bargaining agreements, the Commissioner's Plan or the Managerial Plan shall apply.

B.5 Sample Letters and Memos

The following are examples of letters or memos written to convey job audit decisions and/or explain classification concepts.

- reclassify a position to a lower class than the class requested
- decision not to reclassify
- explanation of differences between levels within a class series
- kind of work –different class series than proposed
- options
- appeal response

Example 9: Reclassify A Position To A Lower Class Than The Class Requested

The following memo explains why the job auditor chose to reclassify a position to a lower class than the class requested. In it, the writer simplifies technical language in order to make the explanation of the decision as understandable as possible to the reader.

Subject: Reclassification of Position Occupied by John X.

As you know, I completed my job analysis and made a classification decision about the position occupied by John X in division A. After completing my analysis, I concurred that the Information Technology Specialist (ITS) 1 class was no longer appropriate for this position but decided that it should be reclassified to ITS 2 rather than ITS 3 as requested. The purpose of this memo is to address possible concerns about my decision.

I realize that even though this reclassification decision will result in a promotion for the incumbent, it was something of a disappointment to both John X and Harry Y, his supervisor, because it differed from the requested classification of ITS 3. Since this decision differs from the original recommendation, I hope that the following explanation will assist you in understanding my decision and will assure both John and Harry that their concerns were fully considered.

Position classification in the system as large and complex as the State of Minnesota's is a process of identifying differences as well as similarities among positions. Assigning positions to the appropriate class within statewide information systems class series is always a challenge because of the variety of state agencies to which these classes are assigned. Classification issues frequently become complicated by organizational considerations, such as the computing environment and the job context. Most information system work is project-driven. Some projects involve relatively routine hardware and software upgrades, while others will be more complex involving newly developed applications. It is not unusual for positions in state classes such as ITS 3 or ITS 2 to have diversity in responsibilities because they're assigned to a variety of projects. Thus, to arrive at a classification decision, both job content and job context need to be considered.

At the ITS 3 level, the employee is typically the technical expert for all information systems activities ranging from mainframe to microprocessing and for systems design, applications programming, etc. within a division of a major agency. Also, s/he serves as the ongoing leadworker for applications development tasks assigned to divisional staff or consulting information systems professionals. On the job context basis, I did not concur with the proposed ITS 3 class because according to the organization chart, two ITS 4's are assigned to the A division information systems project which thereby reduce opportunities for John X to independently lead systems design projects. On a job content basis, Mr. X's position devotes more time to programming-related activities than is typical of an ITS 3. Consequently, on both job content and job context basis, the position occupied by John X does not compare to the full responsibilities performed by an ITS 3. Although I do not concur that this position should be reclassified to ITS 3, I do think that sufficient changes have occurred to warrant reclassification to ITS 3, in view of the increased complexity in the programming projects completed by John X.

Please congratulate John X on his promotion from ITS 1 to ITS 2. Also, inform him that even though this classification decision represents a promotion, he still has an opportunity to appeal this decision within 30 days of the receipt of this memo. I hope this explanation provides a helpful summary of my rationale for reclassifying the position to ITS 2. If you have any questions concerning this classification decision, please contact me at _____.

Example 10: Decision Not to Reclassify

This memo explains the job auditor's decision not to reclassify a position as requested and explains why occasional minor duties which may be typical of another class do not affect the overall position determination.

Subject: Reclassification Review - Position Occupied by Paul C.

I have completed my review of your request to reallocate Paul C's position from General Repair Worker to a higher classification. Comparisons to class criteria and other positions indicate that his position is correctly classified as a General Repair Worker. Although this is not the outcome that Mr. C had hoped for, please assure him that I gave careful consideration to all elements of his job responsibilities before arriving at my decision.

The position description that accompanied the audit request states that Mr. C maintains and repairs electrical, heating, air conditioning, and mechanical systems. He maintains and operates the college's environmental control system. His position description also states that he repairs and adjusts machinery and equipment, makes minor repairs to campus buildings, and cleans buildings and grounds. I found these same duties described in General Repair Worker positions from various state agencies such as the Department of Corrections, Transportation, Natural Resources, and Department of Human Services Regional Treatment Centers, as well as from other campuses within the College System.

General Repair Workers in other agencies, as well as Mr. C, provide work direction to General Maintenance Workers and laborers as needed or seasonally. These responsibilities do not support a higher classification level. Tasks performed while a supervisor or manager is temporarily absent due to illness, vacation or special work assignments typically do not influence classification because these activities are usually a small percentage of total work time. This assumption is supported by the fact that Mr. C spends five percent of his total work time in this role. Secondly, supervision or lead work must be an ongoing responsibility in order to legitimately be given consideration in the classification decision. In extraordinary situations such as a supervisor's extended absence, an employee may be assigned all of the responsibilities of the higher position. In this situation, a work out of class assignment is appropriate.

While it appears that Mr. C is a valued employee at _____ College, I cannot find sufficient justification to reallocate his position to a higher classification. It remains appropriately classified as a General Repair Worker.

If you have further questions, please call me at _____.

An Appointing Authority or an incumbent of a position affected by a classification decision may appeal in writing, stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relative to the classification of the position. If new information causes a change in decision, the date of receipt of that information is used in determining back pay eligibility under collective bargaining agreements and plans.

Example 11: Explanation of the Distinction between Levels of Classes in a Class Series

This memo explains why the job auditor, though agreeing to reclassify the position, decided not to reclassify to the higher level class requested. It provides an explanation of the distinction between levels of classes in a class series.

Subject: Reclassification of Position Occupied by Judy B to Office Services Supervisor 1

I have completed my review of the position occupied by Judy B which is currently classified as Administrative Secretary Supervisor and have determined that the position should be reallocated to the Office Services Supervisor 1 classification. My review included a field audit and comparisons to several positions throughout state service. I hope the following information will help explain how this decision was made.

I first compared Ms. B's position to two Administrative Secretary positions which provided administrative/secretarial support to the CEO's in comparable institutions. A position at _____ does _____. It does not involve _____. A position at Treatment Center C provides _____ and has responsibility for _____. The position does not _____.

I also compared Ms. B's position to an Administrative Secretary Supervisor at the State Board of _____. That position provides administrative/secretarial support to _____ and overall supervision of three Clerk Typists as well office functions such as _____.

Ms. B's position has a broader range of responsibilities than any of the positions mentioned above. The range of responsibilities and the independent judgment and knowledge of facility policies and regulations required for her position make it more comparable to an Office Services Supervisor 1.

Positions classified as Office Services Supervisor 1 typically fall into one of the following categories:

They are responsible for a distinct program area in addition to the clerical supervisor function and frequently control their own budgets.

They coordinate a variety of related broad clerical functions and/or a large clerical staff which frequently include department-wide or division-wide responsibilities and may also include strong budget involvement. They perform a combination of factors equivalent to those described above.

An Office Services Supervisor 1 position at the _____ state agency is similar to Ms. B's position. Responsibilities include supervision of five clerical employees and support services which includes central mail room, telecommunications, supplies, equipment and office materials ordering and maintenance, forms and records development and retention, receptionist service and word processing. Another example showing good comparison with Ms. B's position is an Office Services Supervisor 1 at _____ treatment center which supervises support services for the _____ department. The position supervises 4.5 FTE Office & Administrative Specialists and an Offset Press Operator and is responsible for providing administrative services to the Assistant Administrator, Quality Assurance Officer, and Facilities Director; recording and tracking all service requests and telephone bills; developing and managing budgets and inventory systems; acting as a liaison with other department heads and coordinating department activities; and establishing and implementing administrative policies and procedures.

In contrast, an Office Services Supervisor 2 is typically responsible for supervising administrative activities and/or program operations for more than one major parallel function and supervising a group(s) of clerical employees who are providing administrative and support services for these functions. An Office Services Supervisor 2 in the Department of V supervises a word processing unit and a consultative examination

scheduling unit. The word processing unit is staffed with six Office & Administrative Specialists. It is responsible for preparing approximately 35,000 notifications per year to claimants throughout the State of Minnesota as well as developmental papers, determinations and hearing summaries which become a permanent part of the agency's files. The examination scheduling unit is staffed with four typists and responsible for statewide selection and scheduling of physicians at colleges and laboratories to perform medical examinations for claimants. The OSS2 must interpret and apply highly technical program requirements, policies and regulations and have knowledge of the various medical examinations, psychological testing, and laboratory procedures.

Another example is an Office Services Supervisor 2 in the Department of Y. That position supervises three sections, one unit and a program area. It also coordinates the production of products from one facility with the needs of the agency. The position directly supervises two Office Services Supervisor 1 positions. It requires knowledge of and ability to interpret laws, policies, and procedures pertaining to pre-program areas.

While Ms. B's position is responsible for several facility-wide functions, it does not involve the complexity or the statewide administrative impact that are typical of an Office Services Supervisor 2 and illustrated by the above examples. Therefore, it is my decision that the proper allocation of Ms. B's position is Office Services Supervisor 1. This is based solely on the duties of the position and in no way reflects negatively on the quality of Ms. B's work.

An Appointing Authority or an incumbent of a position affected by a classification decision may appeal in writing, stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relative to the classification of the position. If new information causes a change in decision, the date of receipt of that information is used in determining back pay eligibility under collective bargaining agreements and plans.

Example 12: Kind of Work –Different Class Series than Proposed.

The following memo deals with a kind of work decision rather than level of work decision as is so frequently the case. In this memo, the job auditor explains why s/he decided to classify the new position in a different class series than that proposed by the requestor.

Subject: Request to Allocate New Position to Information Officer 1 Classification

I have completed my review of the materials provided in support of the above request and have determined that this position is not best placed in the Information Officer 1 classification, but rather should be classified as a Community Services Program Specialist 1. The rest of this memo will explain my decision.

Positions classified as Information Officer 1 are responsible for preparing written material for informational purposes, performing public relations functions, or preparing educational materials for public and internal departmental use. Examples of work responsibilities include: preparing nonrecurring items for the general public as a member of a team, designing and constructing educational exhibits, preparing an internal house publication, and coordinating information from many sources for inclusion in one informational product, such as statistical reports.

In addition, an incumbent of that class should be able to function in any Information Officer 1 position statewide, without previous program knowledge. In contrast, this position requires considerable knowledge of service programs and resources for people with blindness and visual impairment.

After reviewing the position description and completing a field audit of the position, I believe it best fits the Community Services Program Specialist 1 classification. An incumbent of the Community Services Program Specialist 1 class performs advisory and informational work in community services programs, e.g., providing community service organizations with information regarding program services so that the public is aware of the availability of technical assistance, program services and grant money.

A comparable Community Services Program Specialist 1 position is found in the Department of Human Services' Deaf Services Division. That position is responsible for providing outreach, technical assistance, and training on specialized telecommunications devices to eligible communicatively impaired people in Minnesota. Another comparable position is in the Department of Human Services' Aging Program Division. Thirty-five percent of that position's responsibilities involve providing information and technical assistance, developing informational brochures, developing and implementing an outreach plan, and recruiting and training volunteers.

The responsibilities of the position under review, including establishing and implementing the client outreach program; providing information on Communication Center program services, eligibility requirements and adaptive equipment; developing and implementing a volunteer recruitment program; and developing and coordinating the News and Information for the Blind program, are consistent with the Community Services Program Specialist 1 classification.

I would be happy to work with you in developing an examination for this position. Such an examination would focus on both knowledge of service programs, adaptive technology, and resources for people with blindness and visual impairment; and the ability to develop and implement public information/outreach programs. Please let me know how you would like to proceed.

An Appointing Authority or an incumbent of a position affected by a classification decision may appeal in writing, stating reasons for the protest and a rationale for any alternative proposed. To warrant reconsideration, an appeal must include new material and exhibits relative to the classification of the position. If new information causes a change in decision, the date of receipt of that information is used in determining back pay eligibility under collective bargaining agreements and plans.

Example 13: Options

The following letter was written to explain why options had been created with a classification. It also includes an explanation of class distinctions.

Dear _____:

You have inquired about the newly established class options for Building Utilities Mechanic. These three areas of specialization arose from our recent work with DOT on the organization and classification of building maintenance positions in their districts. Therefore, it might be most helpful to first address your last question regarding classification distinctions.

Speaking very generally, we differentiate among trades classes such as Plumber or Electrician, Building Utilities Mechanic and General Repair Worker primarily on the basis of the level and amount of work requiring licensure and the distribution of that work. In choosing among these classes, we would consider what tasks require licensure, the type and level of licensure required, and other positions in the unit to which these duties are assigned, and the percentage of time each position spends performing these duties. A trades class such as Plumber or Electrician would be used only where the primary purpose of the position and virtually all of the job time consists of work requiring the corresponding trade's license.

The building maintenance work in each DOT area includes varying amounts and levels of plumbing, electrical and boiler operation (steam engineering) duties, as well as general repair and maintenance duties such as painting, carpentry, etc. Positions might be assigned duties requiring licensure in a trade's area (or even several areas) but there is often not sufficient work at the appropriate level in a single trade's area to warrant a full-time assignment to that area and allocation to the corresponding licensed trade's class. Typically, these positions perform work in a variety of maintenance trades and have been allocated to the General Repair Worker class. Instead, we will now be using the Building Utilities Mechanic class where the duties requiring a trade's license are a significant portion of the job but licensed tasks in a single trade do not constitute the primary purpose or a sufficient amount of time in the job. Generally, positions will remain in the General Repair Worker class if duties performed in a licensed trades area do not require licensure, are not sufficiently difficult/complex, are a small part of the job, and/or can be performed under the authority or direction of another properly licensed employee, or where the incumbent works only in trades areas not requiring licensure.

I realize that "significant" and "sufficient" are somewhat nebulous terms. However, it may help to understand that we see the likeliest use of this class for positions now allocated to classes such as General Repair Worker and Laborer Trades & Equipment, rather than as a replacement for existing licensed trades classes. In fact, a review of occupied positions reclassified to Building Utilities Mechanic shows that the existing classification had been Laborer Trades & Equipment, Plant Maintenance Engineer Helper, and General Repair Worker.

The three options were created for use by the Department of Transportation. At present, they have no one in the Building Utilities Mechanic class so there are no incumbents to be affected and these are not new licensure requirements being added to existing positions. Further, I am not aware of current incumbents in other agencies who would be immediately impacted by the establishment of these options. A position at Faribault Regional Center and two positions at Military Affairs require the appropriate level Steam Engineer license. All three incumbents had the necessary license at the time of appointment. The remaining positions (two at Oak Terrace Nursing Home and two at Mankato State University) do not presently specialize in a licensed trade's area and have no licensure requirement. As currently structured, these positions would have no option assignment.

I hope that this information is helpful in understanding the basis for establishing these options. If you have further questions, please contact me at _____.

Example 14: Appeal response

This example letter is in response to an appeal of an earlier classification determination. It responds point-by-point to issues raised in the incumbent's appeal.

Dear _____:

Thank you for your letter appealing the decision not to reclassify your position from Engineering Aide, Senior to Engineering Specialist. While your letter helps me understand why you feel your position should be reclassified, it does not provide evidence that your position meets the concepts of the Engineering Specialist class. Although I am denying your appeal, I hope the following explanation will help you gain a better understanding of the decision.

Your letter identified four points or areas of concern you feel were either not addressed or inadequately addressed in my earlier explanation of our classification decision.

Your first point concerned a comparison of your position with the class specifications of your current class and the Engineering Specialist class. In particular, you were concerned with the degree of supervision involved. The purpose of a class specification is to provide a general definition of the concept of a particular class and is not intended to be a comprehensive profile. The level or degree of supervision identified in the class specification is general and the degree of supervision received on any single task or the total mix of tasks found within a specific position may vary with the difficulty and complexity of a given task and the experience and/or competence of the incumbent. Because this is so, the degree of supervision may not have significant impact on the final job classification decision.

The second point you make concerns the comparisons that were made with specific positions at the Engineering Aide, Senior level. In all cases the summaries provided were intended to identify the nature of work, level of complexity, and problem solving inherent in the position. A thorough analysis of your position and comparisons was done. While the entire thought process and every specific comparison was not identified in our earlier memo, the outlines of comparable positions were provided to show the commonality in terms of tasks, responsibilities, complexity and type of work.

The third point you made refers to the comparison made with the Engineering Specialist position in X Department occupied by _____. This comparison was included to show that, while one aspect of the X Department position was subsequently delegated to your position, the classification of that position was based on a broader view of the position which included supervisory responsibility for a number of positions in several program areas. The comparison was provided to show the difference in scope between a position in the Engineering Specialist classification and your position.

Your fourth point refers to the additional assignment of representing the Y Division Data Task Force. Assignments on task forces or special projects alone are not sufficient to warrant a higher classification. Typically, those assignments are of limited duration.

Finally, the Hay evaluation system is designed to provide guidance in classification and compensation areas. It does not identify the proper classification. Not all positions are Hay evaluated and the decision to evaluate a position results from the thorough analysis of the job. In this case, the analysis which was conducted was, and is, deemed sufficient to support the decision without use of a Hay evaluation.

Although I am unable to grant your appeal, I hope the information contained in this letter helps you to understand why that is the case.

APPENDIX C – BARGAINING UNIT CHANGES

The following material includes documents, procedures and forms for use in moving positions between bargaining units.

Our thanks to Joanie Pream, MMB Labor Relations, who assembled, improved, and updated these materials.

C.1 ADMINISTRATIVE PROCEDURE 6 – Bargaining Unit Changes

PAGE NO 1 OF 6

DEPARTMENT OF EMPLOYEE RELATIONS
ADMINISTRATIVE PROCEDURE 6

STATUTORY
REFERENCE 43A.06

EFF. DATE 12-23-82
REV. DATE 10-01-98

COMMISSIONER'S SIGNATURE

Harold S. Carpenter

BARGAINING UNIT CHANGES

Description and Scope - This Administrative Procedure sets forth the responsibilities of and the procedures to be followed by Appointing Authorities and the Department of Employee Relations when processing bargaining unit assignments and changes.

This Administrative Procedure applies to all classified and unclassified positions except those in Unit 9, State University Instructional; Unit 10, Community College Instructional; Unit 11, Technical College Instructional; and Unit 12, State University Administrative.

Objective - To ensure that job classifications, positions and employees are properly placed in or excluded from bargaining units pursuant to the Minnesota Public Employment Labor Relations Act (PELRA) and determinations of the Bureau of Mediation Services.

Responsibilities -

A. Appointing Authorities:

- Review bargaining unit status of agency employees.
- Review the number of days and hours worked by agency employees whose employment condition is less than full-time unlimited to determine whether they are in a bargaining unit or excluded because of insufficient work time.
- Document the basis for bargaining unit changes and, where required by this procedure, submit requests to DOER.
- Enter or modify human resource information system (HRIS) records for positions and employees to reflect approved changes in bargaining unit status (e.g., moves to supervisory unit or confidential status) and changes which require no approval outside the agency (e.g., moves between non-supervisory units).

B. Department of Employee Relations:

- Apply State Law and Bureau of Mediation Services rules, policies and determinations on bargaining unit status.
- Assign newly created job classes to the appropriate bargaining unit; notify exclusive representatives and the Bureau of Mediation Services of the temporary unit assignment.
- Petition BMS for reassignment of an existing class to another unit.
- Approve proposals for changes in bargaining unit assignments of positions.

- Represent the State in dealings on bargaining unit change with exclusive representatives.
- File appropriate petitions with, and represent the State before, the Bureau of Mediation Services.
- Maintain accurate bargaining unit status computer coding in the human resource information system.
- Notify Appointing Authorities when a bargaining unit change is made by DOER or BMS.
- Provide HRIS data to notify appropriate exclusive representatives of changes in bargaining unit status of employees.

Provisions

A. Reassignment of an Existing Job Class

An existing job class may be reassigned to another bargaining unit only if the class has been "significantly modified in occupational content" since the initial assignment (M.S. §179A.10, Subd. 4). If reassignment appears warranted, DOER Labor Relations will petition the Bureau of Mediation Services for a hearing. The change in the bargaining unit of the class (and any positions and employees) cannot be implemented prior to the Bureau's decision.

B. Changes in Duties of a Position; Creation of a New Position

1. Movement of a position from a non-supervisory bargaining unit to a supervisory unit and from a supervisory unit to a non-supervisory unit. Since supervisory and non-supervisory positions cannot be in the same class, all requests for changes in supervisory designation necessitate a class change.

a. Movement to supervisory bargaining unit (including moves from manager)

Appointing Authority:	Document the supervisory nature of the position, including a position description, a supervisory questionnaire and an organization chart. If the agency has delegated authority for proposed supervisory class, allocate position and forward completed audit to DOER Labor Relations Bureau. If not, submit request to DOER Staffing Division.
Staffing Division:	If determined that the position should be allocated to a class in the supervisory bargaining unit, forward request to Labor Relations Bureau for a review of position's supervisory authorities.

Labor
Relations
Bureau:

Determine whether the position is supervisory pursuant to PELRA supervisory definition. If not, discuss with agency.

If supervisory and the transaction is a change in allocation or unclassified conversion of an occupied position, reclassification of a vacant position, or allocation of a new position: Return completed audit to delegated agency or Staffing Division. Notify the Bureau of Mediation Services that the position has been temporarily placed in the supervisory unit. Changes in position classification and bargaining unit and appointment to the position may be effective on or after the date of the notice to BMS.

If supervisory and the transaction is a reallocation of an occupied position: File a petition with the Bureau of Mediation Services to assign the position to the appropriate supervisory bargaining unit. Changes in position classification and bargaining unit and appointment to the position cannot be implemented prior to final determination by BMS.

If supervisory designation is challenged, meet with the appropriate exclusive representatives to secure agreement and represent employer at the hearing. Notify delegated agency or Staffing Division of outcome.

NOTE: If BMS determines that the job is not supervisory, the delegated agency or DOER Staffing must determine the appropriate non-supervisory classification and bargaining unit. If the position and employee were placed in the supervisory class and unit, changes to a non-supervisory class and unit must be effective on the date of the BMS decision.

Staffing
Division:

Notify agency of decision.

Appointing
Authority:

Determine appropriate appointment method and process HRIS changes to employee and position.

b. Movement from supervisory to non-supervisory bargaining unit

Appointing
Authority:

Prepare job audit moving existing vacant or occupied position from supervisory to non-supervisory class. If the agency has delegated authority for proposed non-supervisory class, allocate position and forward completed audit to DOER Labor Relations Bureau. If not, submit request to DOER Staffing Division.

Staffing
Division:

If determined that the position should be moved to a non-supervisory class, forward request to Labor Relations Bureau for review.

Labor Relations Bureau:	<p>Determine whether the position is now non-supervisory. If not, discuss with agency.</p> <p>If non-supervisory, send copy of audit (coversheet, position description and, if available, organization chart) to exclusive representative of supervisory bargaining unit. Return completed audit to delegated agency or Staffing Division. Changes in position classification and bargaining unit and appointment to the position may be effective on or after the date of sign-off by the Labor Relations Bureau.</p> <p>If non-supervisory designation is challenged, meet with the appropriate exclusive representatives to secure agreement and represent employer at the hearing. Notify delegated agency or Staffing Division of outcome.</p> <p>NOTE: If BMS determines that the job is supervisory, the delegated agency or DOER Staffing must determine the appropriate classification. If the position and employee were placed in a non-supervisory class and unit, changes to a supervisory class and unit must be effective on the date of the BMS decision.</p>
Staffing Division:	Notify agency of decision.
Appointing Authority:	Determine appropriate appointment method and process HRIS changes to employee and position.

2. Movement of an existing position from a bargaining unit to managerial status. Since bargaining unit and managerial positions cannot be in the same class, all requests for changes in managerial designation necessitate a class change.

Appointing Authority:	If agency has delegated authority for proposed managerial class, allocate position and, if the position is moving from the supervisory bargaining unit, notify DOER Staffing. If the agency does not have delegated authority, submit request to DOER Staffing Division.
-----------------------	--

Staffing Division:	Reclassify position and notify agency of determination. If position is moving from the supervisory bargaining unit to a managerial class, provide advance notice to exclusive representative of supervisory unit, as required by collective bargaining agreement.
--------------------	---

Appointing Authority:	Determine appropriate appointment method and process HRIS changes to employee and position.
-----------------------	---

3. Movement of positions to and from confidential status. Since bargaining unit and confidential positions may be in the same class, requests for changes in confidential designation of existing positions may or may not involve a class change. The following procedures apply to the creation of new confidential positions and to changes in existing vacant and occupied positions in the same or a different class.

a. Movement to confidential status

Appointing Authority: Document the confidential nature of the position (i.e., how it satisfies PELRA definition).

If no job class change is required, send request and current position description directly to DOER Labor Relations Bureau.

If class change is required and agency has delegated authority, determine new class and forward completed audit directly to Labor Relations Bureau.

If class change is required and agency does not have delegated authority, forward audit request to DOER Staffing Division which will determine the proper classification and forward completed audit to Labor Relations Bureau.

Labor Relations Bureau: Determine whether position is confidential pursuant to PELRA definition. If not, discuss with agency.

If the position is determined to be confidential, notify the Bureau of Mediation Services that the position has been temporarily designated as confidential. Changes in position classification (if any) and bargaining unit and appointment to the position may be effective on or after the date of the notice to BMS.

If confidential designation is challenged, meet with the appropriate exclusive representative to secure agreement and represent employer at hearing. Notify delegated agency or Staffing Division of outcome.

NOTE: If BMS determines that the job is not confidential, the delegated agency or DOER Staffing must determine if a job class change is required. If the position and employee were designated as confidential, changes to the bargaining unit (and class, if necessary) must be effective on the date of the BMS decision.

Appointing Authority: If job class changed, determine appropriate appointment method. Process HRIS changes to employee and position.

b. Movement of existing position from confidential status

Appointing Authority: If a class change is required, prepare job audit and allocate to job class for which the agency has delegated authority or forward to DOER Staffing Division for allocation. Once the position has been allocated, determine appropriate appointment method and process HRIS changes to employee and position.

If no class change is required, enter HRIS changes to employee and position.

Other Relevant Laws, Personnel Rules, Contracts and Administrative Procedures

The following items have an impact on material contained in this procedure. Review of these items is essential for a total understanding of the subject.

- A. Minnesota Statutes Chapter 179A.03 - .051 and 179A.10
- B. Minnesota Statutes Chapter 43A.01 - .08
- C. Bureau of Mediation Services Policies and Procedures IV.07, Representation - Appropriate State Bargaining Units
- D. Collective Bargaining Agreements
- E. Administrative Procedure 7 - Maintenance of the Classification Plan
- F. Administrative Procedure 8 - Designation of Unclassified Positions and Establishment of Salary Rates and Ranges for Such Positions

C.2 DELEGATED AUDIT INSTRUCTIONS

Labor Relations

If an agency has delegated authority for a SUPERVISORY class or a position to be determined CONFIDENTIAL, MMB Labor Relations has to approve the bargaining unit and sends it to the Bureau of Mediation Services, hereinafter (BMS) for an Order. The audit request should consist of:

Job Audit Coversheet (name of Rep/Phone Number)

Position Description

Organization chart

Supervisory Questionnaire

Responsible party	
AGENCY	1. Send complete job audit packet to MMB Labor Relations. It is imperative that you write and check off in the box marked Delegated on the Job Audit Coversheet to ensure proper routing.
MMB LABOR RELATIONS	2. Labor Relations will approve the designation of the bargaining unit. If the determination is a CHANGE IN ALLOCATION or an INITIAL ALLOCATION, a Temporary Unit Assignment form (see page 69) is sent by Labor Relations to BMS, exclusive representative(s) and the Agency Labor Relations Liaison.
AGENCY	3. Attach the Notice of Temporary Unit Assignment to the Classification Notice. The date on the Classification Notice must coincide with the date of the Notice of Temporary Unit Assignment. <u>You can appoint the person in the position and classification effective the date of the Notice of Temporary Unit Assignment.</u>
MMB LABOR RELATIONS	4. If the determination is a REALLOCATION, a PETITION (see page 70) is sent by Labor Relations to BMS, exclusive representative(s) and the Agency Labor Relations Liaison. When Labor Relations receives the BMS UNIT CLARIFICATION ORDER, they will send a copy of the ORDER to the Agency Labor Relations Liaison.
AGENCY	5. <u>The position and the person CANNOT be moved to the reallocated class until the DATE OF THE BMS ORDER (see Attachment E for an example).</u>
MMB LABOR RELATIONS	6. Any movement from Middle Management to the Managers Plan does not require BMS approval but MMB Labor Relations is required to notify MMA of this movement.
MMB LABOR RELATIONS	7. Send completed audit package and BMS Posting Copy of the Order to MMB Human Resource Management.
AGENCY	8. Post the Posting Copy of the BMS Order.

Audit processing for bargaining unit changes

	<u>Action</u>	<u>Route to LRB?</u>	<u>Union Notice*</u>
INTO 216**	Change in allocation into 216	Yes	Temp
	Reallocation or Recomparison into 216	Yes	Petition
	Unclassified conversion into 216	Yes	Temp
	New position created in 216	Yes	Temp
	Reclassification of vacancy into 216	Yes	Temp
INTO 217	Change in allocation <u>or</u> reallocation into 217	Yes	Temp
	Move occupied position into – no class change	Yes	Temp
	Unclassified conversion into 217	Yes	Temp
	New position created in 217	Yes	Temp
	Reclassification of vacancy into 217	Yes	Temp
WITHIN 216	Change in allocation <u>or</u> reallocation within 216	No	None
	Unclassified conversion within 216	No	None
	Reclassification of vacancy within 216	No	None
WITHIN 217	Change in allocation <u>or</u> reallocation within 217	No	None
	Unclassified conversion within 217	No	None
	Reclassification of vacancy within 217	No	None
OUT OF 216	Change in allocation <u>or</u> reallocation out of 216	Yes	By LRB
	Unclassified conversion out of 216	Yes	By LRB
	Reclassification of vacancy out of 216	Yes	By LRB
OUT OF 217	Change in allocation <u>or</u> reallocation out of 217	No	None
	Move occupied position out of 217 – no class change	No	None
	Unclassified conversion out of 217	No	None
	Reclassification of vacancy out of 217	No	None

* **Temp** (Temporary Unit Assignment): Date of temporary notice is the earliest effective date for changing class & unit of position; appointment to position may be effective on or after same date.
Note: Exclusive representatives now have 20 (rather than 10) days to object.

Petition (BMS Petition): Date of BMS Order in response to petition is the earliest effective date for changing class & unit of position; appointment to position may be effective on or after same date.

By LRB: MMB Labor Relations Bureau will send MMA a copy of the audit coversheet, position description and organization chart (if available) for occupied or vacant positions moving from 216 to 220. Date of sign-off by Labor Relations is the earliest effective date for changing class & unit of position; appointment to position may be effective on or after same date.

Note: Appointment effective dates described above do not affect reallocation back pay eligibility.

** Including positions & employees moving into 216 from 220 (Managerial Plan).

January 2010

C.3 NOTICE OF TEMPORARY UNIT ASSIGNMENT

STATE OF MINNESOTA - DEPARTMENT OF MMB, ST. PAUL, MN

Date: _____

Notice of Temporary Unit Assignment

1. Type of Assignment: ☐ Newly-Created ☐ Change in Previous Assignment
2. The Assignment Involves: ☐ Classification ☐ Position
3. Class Title: _____
Incumbent: _____
Department: _____
Location: _____
Number of Positions: _____ (Identify additional incumbents, departments, or locations as necessary)
4. Assignment made to unit: _____
5. Unit previously assigned to: _____
6. Class previously assigned to: _____
7. If this is a classification assignment to a supervisory unit, the residual unit assignment is:

8. Is the ☐ job spec., ☐ position description, ☐ organization chart, or ☐ other documentation attached? Yes ☐ No ☐
9. Date notice of temporary assignment mailed to exclusive representatives of State bargaining units:

Notice of Exclusive Representatives

In accordance with BMS Policy No. 82-14-A, interested exclusive representatives may object to this temporary unit assignment within twenty (20) calendar days from the date indicated in Section No. 9 above.

If no objections are received within the twenty day time period provided, the Bureau of Mediation Services will issue an order approving the unit assignment.

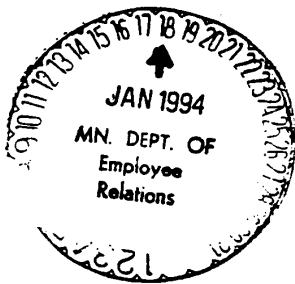
If objections are received, the Bureau will schedule a hearing to be held during the following month. A detailed Notice of Hearing will be issued by the Bureau at least two weeks prior to the hearing date.

STATE OF MINNESOTA
DEPARTMENT OF MMB

Sent to: Bureau of Mediation Services
File

C.4 PETITION TO BMS

STATE OF MINNESOTA • BUREAU OF MEDIATION SERVICES • 1380 ENERGY LANE, #2, ST. PAUL, MN 55018							
		BMS Case No. _____					
		File No. _____					
PETITION FOR CLARIFICATION OR AMENDMENT OF APPROPRIATE UNIT							
A question concerning the description or composition of the appropriate unit has arisen between the parties listed herein. The undersigned petitioner(s) request that the Bureau of Mediation Services investigate the above referenced matter(s) and resolve such in accordance with applicable state law (M.S. 179 and 179A).							
Name of Union: _____		Phone: () _____					
Address: _____							
Name of Representative: _____		Phone: () _____					
Address: _____							
Name of Employer: _____		Phone: () _____					
Address: _____							
Name of Representative: _____		Phone: () _____					
Address: _____							
Names, addresses, and phone number of all other employee organizations having an interest in or claiming to represent any of the employees affected by this petition: _____							
<table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top; width: 25%;">Nature of Employing Enterprise:</td> <td style="vertical-align: top; width: 25%;"> <input type="checkbox"/> County <input type="checkbox"/> Municipality <input type="checkbox"/> School District <input type="checkbox"/> Special Board/Comm. <input type="checkbox"/> State of Minnesota <input type="checkbox"/> U of M <input type="checkbox"/> Other public </td> <td style="vertical-align: top; width: 25%;"> <input type="checkbox"/> Hospital <input type="checkbox"/> Nursing Home <input type="checkbox"/> Manufacturing <input type="checkbox"/> Transportation <input type="checkbox"/> Auto Repair <input type="checkbox"/> Other Private sector business </td> <td style="vertical-align: top; width: 25%;"> <input type="checkbox"/> Retail Food/Groceries <input type="checkbox"/> Meat Processing <input type="checkbox"/> Dairy Industry <input type="checkbox"/> Hotel, Bar, Restaurant <input type="checkbox"/> Construction </td> </tr> </table>				Nature of Employing Enterprise:	<input type="checkbox"/> County <input type="checkbox"/> Municipality <input type="checkbox"/> School District <input type="checkbox"/> Special Board/Comm. <input type="checkbox"/> State of Minnesota <input type="checkbox"/> U of M <input type="checkbox"/> Other public	<input type="checkbox"/> Hospital <input type="checkbox"/> Nursing Home <input type="checkbox"/> Manufacturing <input type="checkbox"/> Transportation <input type="checkbox"/> Auto Repair <input type="checkbox"/> Other Private sector business	<input type="checkbox"/> Retail Food/Groceries <input type="checkbox"/> Meat Processing <input type="checkbox"/> Dairy Industry <input type="checkbox"/> Hotel, Bar, Restaurant <input type="checkbox"/> Construction
Nature of Employing Enterprise:	<input type="checkbox"/> County <input type="checkbox"/> Municipality <input type="checkbox"/> School District <input type="checkbox"/> Special Board/Comm. <input type="checkbox"/> State of Minnesota <input type="checkbox"/> U of M <input type="checkbox"/> Other public	<input type="checkbox"/> Hospital <input type="checkbox"/> Nursing Home <input type="checkbox"/> Manufacturing <input type="checkbox"/> Transportation <input type="checkbox"/> Auto Repair <input type="checkbox"/> Other Private sector business	<input type="checkbox"/> Retail Food/Groceries <input type="checkbox"/> Meat Processing <input type="checkbox"/> Dairy Industry <input type="checkbox"/> Hotel, Bar, Restaurant <input type="checkbox"/> Construction				
Is there a labor agreement presently in effect covering any of the employees affected by this request?							
<input type="checkbox"/> Yes <input type="checkbox"/> No (Expiration Date, if "yes": _____)							
Number of employees covered by this request: _____							
Description of EXISTING Unit: _____							
Define Clarification or Amendment requested: _____							
Signature: X _____		Signature: X _____					
Name (Print or type) _____		Name (Print or type) _____					
Title: _____		Title: _____					



BMS

BUREAU OF MEDIATION SERVICES

State of Minnesota

POSTING COPY

**IN THE MATTER OF A PETITION FOR
CLARIFICATION OF AN APPROPRIATE
UNIT**

January 14, 1994

State of Minnesota, Department of Employee Relations, St. Paul,
Minnesota

- and -

Minnesota Association of Professional Employees, St. Paul,
Minnesota

- and -

Middle Management Association, St. Paul Minnesota

BMS Case No. 94-PCL-531

PREPARED BY: Janet L. Johnson,
Representation Specialist

UNIT CLARIFICATION ORDER

INTRODUCTION

On October 14, 1993, the State of Minnesota, Bureau of Mediation Services (Bureau), received a petition filed by the State of Minnesota, Department of Employee Relations, St. Paul, Minnesota (DOER). The petition requested clarification of the supervisory status of David Johnson, Department of Corrections.

STIPULATION OF AGREEMENT

On January 7, 1994, the Bureau received a Stipulation signed by Ms. Randi Swendsen, Labor Relations Representative, on behalf of DOER; Mr. Robin PanLener, President, on behalf of the Minnesota Association of Professional Employees (MAPE); and Mr. Gary Denault, Executive Director, on behalf of the Middle Management Association (MMA). As evidenced by the signing of the Stipulation, the parties agree that David Johnson, Corrections Specialist, Department of Corrections, is supervisory within the meaning of Minn. Stat. 179A.03, subd. 17.

(612) 649-5421 FAX (612) 649-3013
1380 Energy Lane • Suite #2 • St. Paul, MN 55108-5253
An Equal Opportunity Employer

5-80

Unit Clarification Order
BMS Case No. 94-PCL-531
Page 2...January 14, 1994

POSTING COPY

ISSUE

Is the stipulation of the parties appropriate?

FINDING AND ORDERS

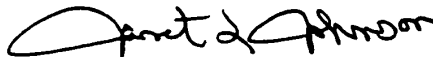
1. The stipulation of the parties is appropriate.
2. The following position is supervisory within the meaning of Minn. Stat. 179A.03, subd. 17, and is excluded from Unit No. 14, Professional Employees; and is included within Unit No. 16, Supervisory Employees:

David Johnson
Corrections Specialist
Department of Corrections

3. The Employer shall post this Order at the work locations of all employees involved.

STATE OF MINNESOTA
Bureau of Mediation Services

PETER E. OBERMEYER,
Commissioner



JANET L. JOHNSON,
Representation Specialist

JLJ

cc: Nancy McClure (2)
(Includes Posting Copy)
Robin PanLener
Gary Denault

APPENDIX D - REFERENCES

The following materials are official documents defining or explaining procedures which are important to the job audit process.

D.1 MERIT SYSTEM PRINCIPLES

Code of Federal Regulations (CFR), 5CFR900.603, applies to “State and local governments that are **required** to operate **merit personnel systems** as a condition of eligibility for Federal assistance or participation in an intergovernmental program... *a reasonable number of positions, however, may be **exempted** from merit personnel system coverage.”

*(*The State of Minnesota’s merit system applies to the hiring of **unlimited classified** employees. Unclassified and limited classified positions are exempt from merit system hiring requirements.)*

“The quality of public service can be improved by the development of systems of personnel administration consistent with such merit principles as...

1. Recruiting, selecting and advancing employees on the basis of their relative ability, knowledge and skills, including open consideration of qualified applicants for initial appointment.
2. Providing equitable and adequate compensation.
3. Training employees, as needed, to assure high quality performance.
4. Retaining employees on the basis of adequacy of their performance, correcting inadequate performance and separating employees whose inadequate performance cannot be corrected.
5. Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, gender, religious creed, age or disability, and with proper regard for their privacy and constitutional rights as citizens. This ‘fair treatment’ principle includes compliance with the Federal equal employment opportunity and nondiscrimination laws
6. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.”

D.2 M.S. 43A.07 – CLASSIFIED SERVICE

43A.07 CLASSIFIED SERVICE.

Subdivision 1. Classification plan. The commissioner shall maintain, revise and administer a classification plan.

Subd. 2. Job classes and titles. An appointing authority shall notify the commissioner when a new position is to be established in the classified service. The commissioner shall allocate the position to an appropriate class in the classification plan or if the position cannot be allocated to an existing class, establish a new class. The commissioner shall assign an appropriate salary rate or range to the class. If the class is in a bargaining unit under the provisions of section 179A.10, and there is an applicable provision in the collective bargaining agreement the commissioner shall establish the salary rate or range pursuant to the agreement.

The commissioner may independently conduct classification studies or, upon request of a permanent employee, may investigate the duties of a classified position. If a request is denied, the employee must be given a written explanation. The commissioner shall investigate the duties of a classified position upon request of an appointing authority. The commissioner may reclassify the position, change the title of the position or establish a new class. The commissioner shall assign an appropriate salary rate or range to the class. If the class is in a collective bargaining unit under the provisions of section 179A.10, and there is an applicable provision in the collective bargaining agreement, the commissioner shall establish the salary rate or range pursuant to the agreement.

Subd. 3. Protested allocation or reclassification. An appointing authority who is affected by a position allocation or reclassification or an employee who is affected by a position reclassification may protest the allocation or reclassification in writing to the commissioner. The commissioner shall review the allocation or reclassification and may change the allocation or reclassification decision. This procedure shall not be subject to contested case provisions of the administrative procedure act.

Subd. 4. Effect of reclassification. Except as provided in section 43A.17, subdivision 5, the incumbent of a position which has been reclassified shall continue in the position only if the employee is eligible for and is appointed to the position of the new class in accordance with the provisions of this chapter and the rules,

administrative procedures or a collective bargaining agreement entered into under sections 179A.01 to 179A.25 governing reallocation or change in allocation of positions, promotion, transfer, and demotion. If the incumbent is ineligible to continue in the position and is not transferred, promoted or demoted, the layoff provisions of this chapter and plans pursuant to section 43A.18 or a collective bargaining agreement entered into under sections 179A.01 to 179A.25 shall apply. Personnel changes required by the reclassification of positions shall be completed within a reasonable period of time, as prescribed by the commissioner, following the reclassification notice to an appointing authority. Any employee with permanent or probationary status whose position is reallocated shall be considered eligible to compete in any examination held to fill the reallocation position, as provided in the rules or administrative procedures.

Subd. 5. Leaves to accept unclassified appointments. An employee who is granted a leave of absence from a position in the classified service to accept a position in the unclassified service shall retain an inactive classified service status. Upon request, during the unclassified appointment or within 60 days of the end of the unclassified appointment, the employee shall be reappointed in the agency from which the employee was granted the leave, to a classified position comparable to that held immediately prior to being appointed to the unclassified position.

Subd. 6. Rights of incumbents of declassified positions. Except for just cause, an employee with permanent status shall not be removed from a position which is declassified for a period of one year following the declassification. An appointing authority may remove an incumbent of a declassified position after one year with 30 days prior notice. At any time after the declassification, and prior to the end of the 30-day notice period, if so requested, the employee shall be appointed within the same agency to a classified position comparable to the position that was declassified or, if a comparable position is unavailable, to a position in that agency comparable to that held immediately prior to being appointed to the declassified position.

D.3 M.S. 43A.08 – UNCLASSIFIED SERVICE

43A.08 UNCLASSIFIED SERVICE.

Subdivision 1. **Unclassified positions** . Unclassified positions are held by employees who are:

- (1) chosen by election or appointed to fill an **elective office**;
- (2) **heads of agencies** required by law to be appointed by the governor or other elective officers, and the executive or administrative heads of departments, bureaus, divisions, and institutions specifically established by law in the unclassified service;
- (3) **deputy and assistant agency heads** and one confidential secretary in the agencies listed in subdivision 1a and in the **Office of Strategic and Long-Range Planning**;
- (4) the **confidential secretary** to each of the elective officers of this state and, for the secretary of state and state auditor, an additional deputy, clerk, or employee;
- (5) **intermittent help** employed by the commissioner of public safety to assist in the issuance of vehicle licenses;
- (6) employees in the offices of the **governor** and of the lieutenant governor and one confidential employee for the governor in the Office of the Adjutant General;
- (7) employees of the Washington, D.C., office of the state of Minnesota;
- (8) employees of the **legislature** and of legislative committees or commissions; provided that employees of the **Legislative Audit Commission**, except for the legislative auditor, the deputy legislative auditors, and their confidential secretaries, shall be employees in the classified service;
- (9) presidents, vice-presidents, deans, other managers and professionals in **academic** and academic support programs, administrative or service faculty, teachers, research assistants, and student employees eligible under terms of the federal Economic Opportunity Act work study program in the Perpich Center for Arts Education and the Minnesota State Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any professional or managerial employee performing duties in connection with the business administration of these institutions;
- (10) officers and enlisted persons in the **National Guard**;
- (11) attorneys, legal assistants, and three confidential employees appointed by the **attorney general** or employed with the attorney general's authorization;

- (12) judges and all employees of the **judicial branch**, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the Department of Labor and Industry;
- (13) members of the **State Patrol**; provided that selection and appointment of State Patrol troopers must be made in accordance with applicable laws governing the classified service;
- (14) **examination monitors** and intermittent training instructors employed by the Departments of Management and Budget and Commerce and by professional examining boards and intermittent staff employed by the technical colleges for the administration of practical skills tests and for the staging of instructional demonstrations;
- (15) **student workers**;
- (16) **executive directors** or **executive secretaries** appointed by and reporting to any policy-making board or commission established by statute;
- (17) employees unclassified pursuant to other statutory authority;
- (18) intermittent help employed by the commissioner of agriculture to perform duties relating to pesticides, fertilizer, and seed regulation;
- (19) the administrators and the deputy administrators at the **State Academies for the Deaf and the Blind**; and
- (20) chief executive officers in the **Department of Human Services**.

Subd. 1a. **Additional unclassified positions.** Appointing authorities for the following agencies may designate additional unclassified positions according to this subdivision: the Departments of Administration; Agriculture; Commerce; Corrections; Education; Employment and Economic Development; Explore Minnesota Tourism; Management and Budget; Health; Human Rights; Labor and Industry; Natural Resources; Public Safety; Human Services; Revenue; Transportation; and Veterans Affairs; the Housing Finance and Pollution Control Agencies; the State Lottery; the state Board of Investment; the Office of Administrative Hearings; the Office of Environmental Assistance; the Offices of the Attorney General, Secretary of State, and State Auditor; the Minnesota State Colleges and Universities; the Higher Education Services Office; the Perpich Center for Arts Education; and the Minnesota Zoological Board.

A position designated by an appointing authority according to this subdivision must meet the following standards and criteria:

- (1) the designation of the position would not be contrary to other law relating specifically to that agency;
- (2) the person occupying the position would report directly to the agency head or deputy agency head and would be designated as part of the agency head's management team;
- (3) the duties of the position would involve significant discretion and substantial involvement in the development, interpretation, and implementation of agency policy;
- (4) the duties of the position would not require primarily personnel, accounting, or other technical expertise where continuity in the position would be important;
- (5) there would be a need for the person occupying the position to be accountable to, loyal to, and compatible with, the governor and the agency head, the employing statutory board or commission, or the employing constitutional officer;
- (6) the position would be at the level of division or bureau director or assistant to the agency head; and
- (7) the commissioner has approved the designation as being consistent with the standards and criteria in this subdivision.

D.4 ADMINISTRATIVE PROCEDURE 7 – Maintenance of the Classification Plan

PAGE NO 1 OF 3

DEPARTMENT OF EMPLOYEE RELATIONS
ADMINISTRATIVE PROCEDURE 7

STATUTORY EFF. DATE 12-06-82
REFERENCE 43A.07 REV. DATE _____

COMMISSIONER'S SIGNATURE *Uma B. Thichild*

MAINTENANCE OF THE CLASSIFICATION PLAN

Description and Scope - The Classification Plan is an official listing of classes established by DOER which are currently in the classified service. The Commissioner of DOER may establish, abolish, merge or change the title of classes and shall assign individual positions in the classified service to classes based upon the duties, responsibilities and qualifications required.

Objective - To ensure that positions are classified in an objective manner so that other personnel and administrative functions are based upon accurate information about the positions.

Definitions - Key Terms -

"Class merger" means the combining of two or more classes into a single class under the title of one of the classes or under a new title.

"Class title change" means a change in the official title of a class to more clearly identify a position or group of positions allocated to that class where the purpose, major functions and required qualifications remain essentially unchanged.

Responsibilities -

A. Appointing Authorities:

- Design individual positions.
- Report changes in organizational structure or job duties which might affect the classification of positions to the DOER Staffing Division.
- Recommend changes in classification to DOER when significant changes in duties and responsibilities have occurred.
- Maintain an individual position description for each employee that reflects the nature, purpose, duties and responsibilities of his/her position. Preparing position descriptions is prescribed in Administrative Procedure 20.
- Notify appropriate supervisor and incumbent of classification decisions.

B. Department of Employee Relations:

- At the request of agencies, employees, or on its own initiative review positions to determine the proper classifications.

- Provide written notice of the final determination to the requesting party.
- Advise agencies on classification matters.
- Establish, modify, abolish or merge classes to meet changing needs.
- Provide classification and job evaluation training to agencies.
- Maintain official roster of classes.

C. Employees:

- Inform their immediate supervisor, manager and/or personnel director when they think their duties or positions have significantly changed.

Provisions -

- A. Requests from appointing authorities to DOER for initial allocation or reclassification of positions shall include:
1. A completed position description signed by the appropriate party/parties.
 2. A current organization chart or description of the unit identifying the positions above, below, and the position to be studied.
 3. For existing positions, a cover memo which states the changes in the position and how those changes occurred.
 4. For non-managerial positions which provide supervision or lead work direction to employees, a completed "Supervisory Status Questionnaire."
- B. Employees may submit requests to have their positions evaluated directly to DOER. An employee may include the documentation listed in A 1 thru 4 above if the employee has such information available. If not, DOER will request the documentation from the agency. Eligibility for back pay upon reallocation does not begin until a properly documented request is received in DOER.
- C. The date of the request and subsequent date for eligibility for back pay is the date the properly documented request is received in DOER, or in the case of delegated authority, the date received in the personnel office of that agency.
- D. When classes are merged, incumbents are automatically placed into the new class with no probationary period, and incumbents maintain or continue classification seniority.
- E. When a class title is changed, the incumbents maintain classification seniority.

Appeals -

An appointing authority who is affected by a position allocation or reclassification or an employee who is affected by a position reclassification may appeal the decision to the commissioner. An appeal by the appointing authority must be submitted in writing within 30 calendar days of the date of receipt of the notice of allocation. An employee may appeal within 30 calendar days from the date the employee is notified of the decision by the appointing authority. To warrant reconsideration, an appeal must include material and exhibits relevant to the allocation of the position.

Other Relevant Laws, Personnel Rules, Contracts and Administrative Procedures

The following items have an impact on material contained in this procedure. Review of these items is essential for a total understanding of the subject.

- A. Administrative Procedure 8 - Designation of unclassified positions and establishment of salary rates and ranges for such positions.
- B. Administrative Procedure 20 - Job clarification/performance appraisal.
- C. Collective bargaining agreements.

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