

**INFORMATION
FOR
NEW YORK STATE EMPLOYEES
SEEKING
RECLASSIFICATION/REALLOCATION**



Local 1000, AFSCME, AFL-CIO

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The purpose of this booklet is to give employees who work for the **State of New York** information on how to file for a reclassification and/or reallocation of their position.

This booklet is broken down into three parts. Part One describes the State’s Classification and Allocation process and how titles are graded, Part Two describes the Reclassification Process and Part Three describes the Reallocation Process.

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PART ONE: NYS CLASSIFICATION AND ALLOCATION PROCESS

1.1 Who is responsible for classifying and allocating positions?

Under Civil Service Law, Section 115, it is the policy of New York State to provide equal pay for equal work. This responsibility falls under the Division of Classification and Compensation. Section 118 of the Civil Service Law gives the Director of Classification and Compensation the power to:

- Classify and reclassify all positions in the classified service.
- Allocate and reallocate all positions in the non-competitive, labor and competitive classes.
- To make sure job classifications are established that show the duties and responsibilities of all positions in the classified civil service of the State.
- Investigate all matters affecting the classification and compensation of positions.

Therefore, it is the sole responsibility of the Division of Classification and Compensation to make sure all positions in State service are appropriately classified and allocated to the correct salary grade.

** It is important to understand that classification and allocation matters are non-mandatory subjects of negotiation. This means that a union cannot force the State of New York, as the employer, to negotiate the classification and/or allocation of bargaining unit positions. See Article 5 of the State Bargaining Unit Agreements.*

1.2 How Positions are Classified?

The Division of Classification and Compensation classifies positions by looking at the duties of all the positions in State service (with the help of the State Agencies) and then grouping positions with similar occupational fields and job duties together by job title. This Division then creates classification standards (job descriptions) that show detailed information on the duties and tasks performed by each group of positions.

A classification standard can include as few as one class or as many as seven similar classes in a single standard. Information in a classification standard is grouped into four main areas, which are:

- **Brief description of the class or classes** – This is a short summary of the position or positions, which describes the essence of the occupation.

- **Distinguishing characteristics** – This section describes those duties that are key characteristics of the class as well as any duties that are unique to the class. This can include such information as: level in a series, duties that are specific to the position, complexity of work, supervision exercised, and limitations.
- **Illustrative duties** – This section describes the most commonly performed duties and tasks, which are listed in the order that they are most frequently performed.
- **Minimum qualifications** – This section shows the experience and education needed in order to be appointed to the position.

In addition, the following areas may be included in a classification standard if deemed necessary:

- **Independence of operation** – Includes such information as extent to which incumbents of positions in this class function independently. Includes supervision received, availability of guidelines, manuals, judgment required, consequences of error, etc.
- **Complexity** – Describes the level of difficulty in performing the work as well as the level of responsibility for the completed work (e.g., This is the most routine work, work of moderate difficulty, most difficult, requires constant revision of procedures and policies, requires research, analysis, variety of assignments, etc.).
- **Communication** – Description of personal interaction (oral and written) required. Includes people that are contacted, along with the frequency and purpose of the contacts.
- **Supervision** – Provides the type and scope of supervisory responsibility.
- **Related classes** – Explains a brief description of the duties of positions in similar classes.

** Important: Classification standards contain general descriptions of the duties, responsibilities, tasks and assignments. Classification standards are not intended to cover all of the duties of positions under that class and an individual in that class may not routinely perform all of the duties listed.*

1.3 How Grades are Determined

The State has a Quantitative Job Evaluation System that they have developed so that positions are graded appropriately in relationship to each other.

This system uses eight factors that are looked at to determine the appropriate grade for a title. These factors are: Experience and Education, Managerial Activities, Supervision, Written Communications, Work Complexity, Responsibility, Oral Communications, and Job Demands. Below, please find a description of each of these factors:

Factor I: Experience and Education – This factor measures the amount of experience and education that is required at the entry level of the job as well as the amount of time in the job it takes to learn the fundamentals of the job. This can consist of

the steps, procedures, practices, rules, policies, theories, principles, and concepts that employees must use, along with the skills and education needed to perform these duties.

Factor II: Managerial Activities – This factor measures the nature and extent of involvement in planning and scheduling activities, setting operational practices, authorizing expenditures, preparing budgets, developing State policies and directing organizational units. In lower graded titles, employees are usually only responsible for their own work and therefore have no involvement in managerial activities.

Factor III: Supervision – This factor measures the kind and degree of responsibility that is required for getting work done through others. This includes the independence that an employee has in performing their own work as well as the authority they have over others. Included in this factor are such tasks as priority setting, providing training, performing evaluations, being involved in the recruitment of employees and disciplining employees.

Factor IV: Written Communications – This factor measures the nature and extent of communication, explanation, interpretation, and preparation of written materials required to accomplish the work. In lower graded titles, written communication duties usually consist of copying information, completing existing forms, or writing brief, basic notes or memos. In the mid-level grades written communication duties can include writing letters, memos, studies, reports that involve basic writing skills. In higher-level grades written communications can include writing about subjects of considerable complexity as well as legal, scientific, and technical information. This may include writing studies and position papers.

Factor V: Work Complexity – This factor measures the nature and degree of mental challenge required, including the repetitiveness or routine nature of work, the nature of information required to accomplish work, and the manner in which that information is used or applied. This factor addresses whether the work performed each day is relatively predictable or if the work changes from day to day and requires analysis and evaluation before taking action.

Factor VI: Responsibility – This factor measures the nature and extent of the effect work performed has on other people or on the organization. This includes the responsibility for the prevention and control of supplies and inventory, the responsibility for the safety of employees and clients, as well as the responsibility for the efficient use of time and resources by the department or agency.

Factor VII: Oral Communications – This factor measures the nature and extent of spoken communication required to accomplish work in conjunction with others not in the supervisory chain. This may include teaching, advising, giving directions or providing instructions, leading and planning meetings and workshops, and other work-related contacts with members of the public, other employees, and institutionalized individuals, including patients, clients and inmates.

Factor VIII: Job Demands – This factor measures the degree of decision-making required, the repetitiveness of work, the work pace, the need for special physical efforts to perform work, and other demands placed on the class. Environmental factors such as heat, cold, noise, inclement weather, etc. should be considered here.

The State has assigned a weight to each of these factors. These weights are:

<u>Factor</u>	<u>Relative Weight</u>
Experience and Education -----	30%
Managerial Activities -----	5%
Supervision -----	11%
Written Communications -----	19%
Work Complexity -----	14%
Responsibility -----	5%
Oral Communications -----	7%
Job Demands -----	10%

Please note that the sum of the relative factor weights is 101% due to rounding

When a job is evaluated, each of these factors is looked at and assigned a value. These numbers are then put into a formula to determine the appropriate grade for the job. Therefore, since certain factors have more weight assigned to them than others, a change in some duties could result in a higher grade while a change in other duties might not. It all depends on the total value of all the factors after the weight of each factor is taken into account.

PART TWO: RECLASSIFICATION **PROCESS**

2.1 What is a reclassification?

A reclassification is a change in title with or without a change in salary grade resulting from a significant change in the duties and responsibilities of a position making the former title and/or salary grade allocation no longer appropriate.

The Director of Classification and Compensation will reclassify a position to an existing title if it is determined that the duties that are being performed are most appropriate for a title that currently exists. If the duties do not fall within those of an existing title, a new title is established and allocated to an appropriate salary grade.

Note: The New York State Civil Service Division of Classification and Compensation is somewhat resistant to creating new titles unless sufficient information is given to show that the duties do not fall within those of an existing title.

2.2 How to File for a Reclassification

A reclassification can be initiated either by the employing agency or by the individual employee. This booklet concerns itself exclusively with how an employee can file for a reclassification. When an employee seeks a reclassification of their position, he/she must file a CC-2E Form (see Appendix B) with the Division of Classification and Compensation.

Note: It is always best to get the agency's support when filing an application for reclassification.

Completing the CC-2E Form

The CC-2E Form is a one page form (front and back) that has to be filled out when an employee is requesting to have their position reclassified. On this form, the employee has to fill out information regarding what title they currently hold and what title they believe the position should be reclassified to. Under item number 14 on the CC-2E form, the employee has to provide an accurate, complete and detailed description of his/her duties.

Employees should not just copy the list of duties that are in the job description for the title that they are asking to have their position reclassified to. It is recommended that the duty description be prepared in an activities-task format. The employee should

identify each **activity** that they perform, along with the **tasks** that are involved to get that activity done. Each activity of the job should represent a segment of the work that can be described and evaluated independently of other activities. The tasks involved to get each activity done should be described in detail. The frequency or percent of time devoted to each activity should be noted.

It is a good idea and highly recommended to keep a work log for several weeks so that you can include all of your duties and responsibilities. This will also help you determine the percentage of time that you spend on each duty. Appendix C contains a form you can use to keep track of your duties. Make copies of this form and use a separate form for each day for a three to four week period. This should give you a good idea of the different duties you perform as well as the amount of time you spend on each duty. The time and effort spent on this step could mean the difference between a successful reclassification request and a failed one.

Sometimes the Department of Civil Service will perform a desk audit of your position to see exactly what duties are being performed. A desk audit is not automatic, it is just one tool that the Department of Civil Service can use to clarify any questions they have about the work being done.

Below, please find some helpful suggestions to be used in preparing material for a reclassification to be submitted to the Division of Classification and Compensation.

A. Some questions to be considered in substantiating your request:

- a. Have the duties and responsibilities of your job become more complex or greater since it was established or since the last appeal for a reclassification was submitted?
- b. Does the job specification as promulgated by the Civil Service Department reasonably describe the work done by incumbents in this position? Please keep in mind that the job specifications are only guidelines and employees may be given duties related to the basic specifications.

B. What to do when filling out the CC-2E Form:

- a. Be sure that your points are clearly stated. It may help to outline your arguments.
- b. Define all acronyms. Do the necessary research to find the meaning if you don't know what the acronym stands for.
- c. Give a complete breakdown of the duties and responsibilities of your position. Make sure you provide **specific** details of each task that you perform. Be sure to include:
 - i. The written communications required to perform your work. This can include filling out forms, writing memos, letters, studies, reports, etc.

- ii. The knowledge that is required to accomplish the duties of your position. Describe how you apply this knowledge to perform your work. Indicate all the decisions you need to make before you can accomplish each duty that you perform. Be sure to note if your work changes each day.
- iii. Any supervisory duties you have, such as:
 - 1. Being responsible for the quality and quantity of work produced by employees you supervise.
 - 2. Your ability to select, train, evaluate, counsel and/or discipline employees.
 - 3. Any planning, organizing, assigning, and/or reviewing of work that you do.
 - 4. Any guidance, problem solving and decision-making you give in technical and administrative matters.
 - 5. Establishing and adjusting work schedules and reviewing attendance records.
 - 6. Coordinating the work your unit does with other units.
 - 7. Informing staff of management policies.
 - 8. Preparing workload statistics and related reports.
- d. Indicate the amount of independent judgment exercised by you in the performance of your duties. Also, indicate the amount of direct or indirect supervision exercised by your immediate supervisor in the distribution of work to you and the checking of your work.
- e. Draw a definite conclusion from the line of reasoning you follow. The Division of Classification and Compensation may not get the point if you don't.
- f. Be specific in the title that you have requested.
- g. Whenever practicable, attach copies of letters and other supporting data you may have obtained which factually support your case.
- h. Keep a copy of everything you submit.
- i. **Be accurate. Be truthful.** The Division of Classification and Compensation will ask your employer to comment on your request.

C. What not to do when filling out the CC-2E Form:

- a. Don't indicate how well you do the job. The Division of Classification and Compensation is interested in the position, not the person filling it, nor his or her individual ability.
- b. Don't argue that you do twice as much work as someone else. This is true whether they are in the same job or in a different job than you. Once again, individual performance is not the criterion in classification, but rather the requirements of the position.
- c. Keep your arguments factual and logical. An emotional appeal will not help you with the technicians.

- d. Don't argue that personal qualifications of people holding the job warrant upgrading, unless these qualifications are a **requirement** of the position. A surgeon can do the work of a registered nurse, but it is not a requirement for the position of the nurse. The State will not pay surgeon's wages for nurse's work.
- e. Your personal need for more money is not a good argument.
- f. Don't copy the classification standards for your position. The job description gives only guidelines to employees concerning the duties and responsibilities of the title as it is now classified and allocated. Hence, copying the classification standards will not get you an upward reclassification.
- g. Many years of service in your job is not a good argument for a reclassification to a higher graded title.
- h. Special temporary assignments that are not essential to your job will not win your case.
- i. Don't include duties that have not been added to your job yet. If you believe the duties of your job will be changing, you will have to wait until these duties are actually given to you before you can include them on your CC-2E Form.
- j. Don't downgrade the value of your fellow worker's job either directly or indirectly. This is important. Too often this is done, even though unwittingly. Remember that you are probably comparing your job to one, which pays more money. Be sure to avoid proving that the other job should be downgraded.
- k. Don't deliberately deceive by half-truths. The Department of Classification and Compensation will check with the Agency to see what duties are being performed.
- l. Avoid overly general terminology. Stating that you have a lot of responsibility without stating what you are responsible for is not helpful. Be specific.

2.3 What Happens If the Director of Classification and Compensation Approves Your Application for Reclassification

If the Director of Classification and Compensation approves an original application, it is then sent to the Division of the Budget for final approval. The Director of the Budget has final determination and may either approve or disapprove what has been sent to him/her from the Director of Classification and Compensation. If the Director of the Budget approves the reclassification, then he/she may either indicate an effective date for the reclassification or in instances where an effective date is not determined by him/her, the action becomes effective during the first payroll period of the next succeeding state fiscal year (Section 121 Civil Service Law). If the Division of Budget does not take any action on the request for reclassification within 180 days, then the Department of Civil Service

withdraws this request and marks it “sunsetting”. In order to have the reclassification submitted to the Division of Budget again, you would have to send a copy of your CC-2E form back to Civil Service asking them to resubmit it to the Division of Budget for their reconsideration.

Important note for individuals seeking to have their position **reclassified**. **Just because your position is reclassified, it doesn’t necessarily mean that you will be the person who gets the new position.** It depends if you meet the minimum requirements of the new position, are able to perform the duties of the position, what your collective bargaining agreement requires for posting and bidding of positions, and if the employer wants to appoint you to the position. In addition, for competitive class positions, you must be reachable on an eligible list or eligible for a transfer (under Section 70.1 or 70.4 of Civil Service Law) in order to be permanently appointed to the position. Below, please find what requirements have to be met in order for you to be appointed to a reclassified position:

Reclassification to a Labor Class Position – You would have to meet the minimum requirements of the position (such as being able to lift a certain amount of weight and be able to perform the physical activities that are required) and the employer willing to appoint you to the position. In addition, if the posting and bidding procedure in your contract gives preference to the most senior person, than you would have to be the most senior in order to be placed in the job.

Reclassification to a Non-competitive Class Position - You would have to meet the minimum requirements of the position (such as education requirements, certification, experience) and the employer willing to appoint you to the position. In addition, if the posting and bidding procedure in your contract gives preference to the most senior person, than you would have to be the most senior in order to be placed in the job.

Reclassification to a Competitive Class Position - If your position is approved for reclassification to a competitive class title, it does not mean that you will automatically acquire permanent status in that title, unless you are reachable on the eligible list or are eligible for a transfer (under Section 70.1 or 70.4 of the Civil Service Law) to the reclassified title and the Department is willing to make the appointment. Rule 4.2 of the Civil Service Law provides that an eligible list will not be certified for filling a permanent vacancy created by the upward reclassification of a permanently encumbered position where appointment from such list would require the layoff of a permanent employee or the reassignment of a permanent employee to a different geographical location (county). This means that if you are not eligible for permanent appointment and a vacancy exists in your same job title in your agency and within the same geographic location (county), you will be moved to the vacancy and the eligible list will be used to fill the newly created position. If you are not eligible for permanent appointment and no vacancy exists in your same job title and within the same geographic location (county), you will be able to be placed in the reclassified position on a *provisional* basis. However, if a vacancy in your former job title opens up, you will be placed in that position and someone who is reachable on the eligible list will be appointed to the reclassified

position. If no vacancy in your former title opens up, you will have up to two times to pass the exam and be reachable for permanent appointment. If you are still not reachable after the exam has been held two times, then you will not be able to remain in the reclassified position. (Refer to Question #17 on the CC-2E Form).

2.4 What are Your Options if Your Reclassification is Not Approved?

If your application for reclassification is approved by the Director of Classification and Compensation but not approved by the Director of the Budget, *there is no appeal* from this decision and the case is closed.

If your application for reclassification is denied by the Division of Classification and Compensation, the Director must give reasons for the denial in writing. Then you can submit an appeal to the State Civil Service Commission, who will examine and review the case and can either affirm, deny or alter the decision of the Director of Classification and Compensation. Such an appeal must be submitted in writing to the State Civil Service Commission within 60 days of receipt of the determination of the Director of Classification and Compensation. Appendix D contains a form that can be used for filing an appeal.

2.5 Filing an Appeal with the NYS Civil Service Commission

As mentioned above, you have 60 days from the time you receive written notification from the Director of Classification and Compensation that your application has been denied to file an appeal with the State Civil Service Commission. Your appeal must be based on the facts that refute the reasons for the denial by the Director of Classification and Compensation. If you don't have any reason to dispute the denial of the Director of Classification and Compensation, then you should not file an appeal. This will just waste your time. In addition, if you have new facts or circumstances regarding your position, you should not submit an appeal to the Commission but instead send the new information to the Director of Classification and Compensation and request that your original application be *reconsidered*.

If your position is reclassified to another title, you are not automatically placed in the newly reclassified position. Refer to Section 2.3 above.

The Civil Service Commission will hold a hearing on an appeal submitted by the appellant. When the hearing is scheduled, the appellant or appellants will be notified to this effect. The appellant or appellants will be allowed to orally present reasons in justification of their request for reclassification. It is usual for the appellant to appear personally at such a hearing and to consult with the CSEA Research Staff prior to the scheduled hearing.

Hearings are scheduled during working hours and therefore it becomes necessary for those planning to attend to make their own arrangements with their personnel office for the necessary time off. *You are also responsible for all expenses for transportation, lodging and meals.*

All hearings conducted by the State Civil Service Commission are held at the State Civil Service Department in Albany.

2.6 Conclusion

As indicated in this booklet, the Division of Classification and Compensation is responsible to make sure all positions in State service are classified correctly. In order to determine this, the actual duties that are performed have to be reviewed for each title and then compared to each other. The Division of Classification and Compensation then determines grade levels by using a Quantitative Job Evaluation System that uses eight factors to determine the appropriate value for each title.

When an application for reclassification is received, the Division of Classification and Compensation reviews the information submitted and checks to make sure that the duties indicated are actually being performed. Then they determine if these duties are in fact more appropriate for another title.

Careful consideration should be taken before you file for a reclassification of your position. You should make sure that you will be eligible for permanent appointment to the position if it is reclassified. In order to be permanently appointed, your department head will have to be willing to appoint you to the position and you will have to meet the minimum requirements for the position, and, in some cases, be reachable on the eligible list for this title. Otherwise, you could go through all the work to have your position reclassified just to have someone else who meets these requirements appointed to the position.

PART THREE: REALLOCATION **PROCESS**

3.1 What is a Reallocation?

A reallocation is a change in salary grade allocation resulting from a reevaluation of an existing position, group of positions, or class where there is no significant change in the duties and responsibilities performed. A reallocation affects **all** employees holding the title under consideration, on a statewide basis. For example, the position of Keyboard Specialist 2 is currently allocated to grade 9. A reallocation of the position of Keyboard Specialist 2 would involve assigning this title to some other salary grade such as a grade 10. Such a change would be considered an upward reallocation and would apply to **all** positions in State service classified under the title of Keyboard Specialist 2.

The Director of Classification and Compensation will reallocate a position to another grade if it is determined that the duties that are being performed are similar to other positions that have a different grade level.

3.2 How to File for a Reallocation

A reallocation can be initiated either by the employing agency or by the individual employee. This booklet concerns itself exclusively with how an employee can file for a reallocation. When an employee seeks a reallocation of their position, he/she must file a CC-2E Form (see Appendix B) with the Division of Classification and Compensation. Please note that if the reallocation is approved, this will affect **all** positions in the State that have this title. Therefore, it is a good idea to coordinate your efforts with other employees across the State that have the same title. Contacting other employees/members can be achieved through contacting the various CSEA locals that cover the title in question. This way, the Division of Classification and Compensation can see that the duties being performed are common for the title. CSEA can assist you in coordinating this effort.

Completing the CC-2E Form

The CC-2E Form is a one page form (front and back) that has to be filled out when an employee is requesting to have their position reallocated. On this form, the employee has to fill out information regarding what title they currently hold and what grade they believe their position should be reallocated to. Under item number 14 on the CC-2E form, the employee has to provide an accurate, complete and detailed description of his/her duties.

Employees should not just copy the list of duties that are in their job description. It is recommended that the duty description be prepared in an activities-task format. The employee should identify each activity that they perform, along with the tasks that are involved to get that activity done. Each activity of the job should represent a segment of the work that can be described and evaluated independently of other activities. The tasks involved to get each activity done should be described in detail. The frequency or percent of time devoted to each activity should be noted.

It is a good idea to keep a work log for several weeks so that you can include all of your duties and responsibilities. This will also help you determine the percentage of time that you spend on each duty. Appendix C contains a form you can use to keep track of your duties. Make copies of this form and use a separate form for each day for a three to four week period. This should give you a good idea of the different duties you perform as well as the amount of time you spend on each duty. The time and effort spent here could mean the difference between success and failure.

Below, please find some helpful suggestions to be used in preparing material for a reallocation to be submitted to the Division of Classification and Compensation.

- A. Some questions to be considered in substantiating your reallocation request:
 - a. Have the duties and responsibilities of your job become more complex or greater since it was established or since the last appeal for reallocation was submitted?
 - b. Is your pay in proper relationship to other jobs (specifically, similar jobs) in State service?
 - c. Is there any evidence of a recruitment problem or an unusually high turnover rate in your job title?
 - d. Are there excessive vacancies in your job title compared to the total number of positions under this title?
 - e. How does the salary range of the State title compare with other governmental and private sector employers?

- B. What to do when filling out the CC-2E Form:
 - a. Be sure that your points are clearly stated. It may help to outline your arguments.
 - b. Define all acronyms. Do the necessary research to find their meaning if you don't know what the acronym stands for.
 - c. Give a complete breakdown of the duties and responsibilities of your position. Make sure you provide **specific** details of each task that you perform. Be sure to include:

- i. The written communications required to perform your work. This can include filling out forms, writing memos, letters, studies, reports, etc.
- ii. The knowledge that is required to accomplish the duties of your position. Describe how you apply this knowledge to perform your work. Indicate all the decisions you need to make before you can accomplish each duty that you perform. Be sure to note if your work changes each day.
- iii. Any supervisory duties you have, such as:
 - 1. Being responsible for the quality and quantity of work produced by employees you supervise.
 - 2. Your ability to select, train evaluate, counsel and/or discipline employees.
 - 3. Any planning, organizing, assigning, and/or reviewing of work that you do.
 - 4. Any guidance, problem solving and decision-making you give in technical and administrative matters.
 - 5. Establishing and adjusting work schedules and reviewing attendance records.
 - 6. Coordinating the work your unit does with other units.
 - 7. Informing staff of management policies.
 - 8. Preparing workload statistics and related reports.
- d. Indicate the amount of independent judgment exercised by you in the performance of your duties. Also, indicate the amount of direct or indirect supervision exercised by your immediate supervisor in the distribution of work to you and the checking of your work.
- e. Draw a definite conclusion from the line of reasoning you follow. The Division of Classification and Compensation may not get the point if you don't.
- f. Be specific in the grade that you have requested.
- g. Whenever practicable, attach copies of letters and other supporting data you may have obtained which factually support your case.
- h. Keep a copy of everything you submit.
- i. **Be accurate. Be truthful.** The Division of Classification and Compensation will investigate to see what duties are actually being performed.

C. What not to do when filling out the CC-2E Form

- a. Don't indicate how well you do the job. The Division of Classification and Compensation is interested in the position, not the person filling it, nor his or her individual ability.
- b. The fact that other titles have been reallocated in the recent past while yours has not, in itself, is not a reason for reallocating your title. Don't base your argument solely on the fact that other titles have received reallocations.

- c. Don't use the "cost of living" argument. You are then arguing about the general wage level. The general wage level is determined through collective negotiations.
- d. Keep your arguments factual and logical. An emotional appeal will not help you with the technicians.
- e. Don't argue that you do twice as much work as someone else. This is true whether they are in the same job or in a different job than you. Once again, individual performance is not the criterion in allocation, but rather the requirements of the position.
- f. Don't argue that personal qualifications of people holding the job warrant upgrading, unless these qualifications are a **requirement** of the position. A surgeon can do the work of a registered nurse, but it is not a requirement for the position of the nurse. The State will not pay surgeon's wages for nurse's work.
- g. Your personal need for more money is not a good argument.
- h. Don't copy the classification standards for your position. The job description gives only guidelines to employees concerning the duties and responsibilities of the title as it is now classified and allocated. Hence, copying the classification standards will not get you an upward reallocation.
- i. Don't include duties that have not been added to your job yet. If you believe the duties of your job will be changing, you will have to wait until these duties are actually given to you before you can include them on your CC-2E Form.
- j. Many years of service in your job is not a good argument for higher allocation.
- k. Special temporary assignments that are not essential to your job will not win your case.
- l. Don't downgrade the value of your fellow worker's job either directly or indirectly. This is important. Too often this is done, even though unwittingly. Remember that you are probably comparing your job to one, which pays more money. Be sure to avoid proving that the other job should be downgraded.
- m. Don't deliberately deceive by half-truths. The Division of Classification and Compensation will check to see what duties are being performed.

3.3 What Happens If the Director of Classification and Compensation Approves Your Application for Reallocation

If the Director of Classification and Compensation approves an original application, it is then sent to the Division of the Budget for final approval. The Director of the Budget has final determination and may either approve or disapprove what has been sent to him/her from the Director of Classification and Compensation. If the Director of the Budget approves the reallocation, then he/she may either indicate an effective date for the

reallocation or in instances where an effective date is not determined by him/her, the action becomes effective during the first payroll period of the next succeeding state fiscal year (Section 131 Civil Service Law). If the Division of Budget does not take any action on the request for reallocation within 180 days, then the Department of Civil Service withdraws this request and marks it “sunsetting”. In order to have the reallocation submitted to the Division of Budget again, you would have to send a copy of your CC-2E form back to Civil Service asking them to resubmit it to the Division of Budget for their reconsideration.

3.4 What are Your Options if Your Reallocation is Not Approved?

If your application for reallocation is approved by the Director of Classification and Compensation but not approved by the Director of the Budget, *there is no appeal* from this decision and the case is closed.

If your application for reallocation is denied by the Division of Classification and Compensation, the Director must give reasons for the denial in writing. Then you can submit an appeal to the State Civil Service Commission, who will examine and review the case and can either affirm, deny or alter the decision of the Director of Classification and Compensation. Such an appeal must be submitted in writing to the State Civil Service Commission within 60 days of receipt of the determination of the Director of Classification and Compensation. Appendix D contains a form that can be used for filing an appeal

3.5 Filing an Appeal with the NYS Civil Service Commission

As mentioned above, you have 60 days from the time you receive written notification from the Director of Classification and Compensation that your application has been denied to file an appeal with the State Civil Service Commission. Your appeal must be based on the facts that refute the reasons for the denial by the Director of Classification and Compensation. If you don't have any reason to dispute the denial of the Director of Classification and Compensation, then you should not file an appeal. This will just waste your time. In addition, if you have new facts or circumstances regarding your position, you should not submit an appeal to the Commission but instead send the new information to the Director of Classification and Compensation and request that your original application be *reconsidered*.

The Civil Service Commission, upon review of the facts presented in the appeal, can take action in a form other than that requested in the original application.

The Civil Service Commission will hold a hearing on an appeal submitted by the appellants. When a hearing is scheduled, the appellant or appellants will be notified to this effect. The appellant or appellants will be allowed to orally present reasons in

justification of their request for reallocation. It is usual for the appellant to appear personally at such a hearing and to consult with the CSEA Research Staff prior to the scheduled hearing.

Hearings are scheduled during working hours and therefore, it becomes necessary for those planning to attend to make their own arrangements with their personnel office for the necessary time off. ***You are also responsible for all expenses for transportation, lodging and meals.***

All hearings conducted by the State Civil Service Commission are held at the State Civil Service Department in Albany.

3.6 Conclusion

As indicated in this booklet, the Division of Classification and Compensation is responsible to make sure all positions in State service are allocated correctly. In order to determine this, the actual duties that are performed have to be reviewed for each title and then compared to each other. The Division of Classification and Compensation then determines grade levels by using a Quantitative Job Evaluation System that uses eight factors to determine the appropriate value for each title.

When an application for reallocation is submitted, the Division of Classification and Compensation reviews the information submitted and checks to see if the duties that are being performed by all employees in that title are similar to other titles that have a different grade level. In a reallocation, the grade will change for ***all*** employees who hold that title.

APPENDIX A:

GLOSSARY

OF

TERMS

APPENDIX A
GLOSSARY OF TERMS
(SOURCE: N.Y.S. DEPARTMENT OF CIVIL SERVICE)

ALLOCATE – To assign a class to a grade in the salary schedule based on an evaluation of its relative worth. To reallocate is to change the existing allocation of a class to a different salary grade in the schedule.

APPEAL – Application to the Civil Service Commission to review a determination of the Director of Classification and Compensation.

APPLICATION – A request to the Director of Classification and Compensation by an employee or appointing officer for a change in title and/or salary.

CLASS OR CLASS OF POSITIONS – Positions sufficiently similar in respect to duties and responsibilities that the same title may be used to designate each position in the group, the same salary may be equitably applied, the same qualifications required, and the same examination used to select qualified employees.

CLASSIFICATION STANDARD – A detailed statement of the criteria for classifying positions under a title, basic duties and illustrative tasks, supervision received and exercised, skill and ability, and occupational requirements.

CLASSIFIED SERVICE – Those positions in the Civil Service that are not in the unclassified service. The classified service is divided into four jurisdictional classes: competitive, non-competitive, exempt, and labor.

CLASSIFY – To group positions according to similarity of their duties and responsibilities and assign a class title; to determine the appropriate classification of a new position.

COMPETITIVE CLASS – That jurisdictional class composed of positions for which it is practicable to determine the merit and fitness of applicants by competitive examination. Positions are in the competitive class unless the Civil Service Commission specifically places them in a different jurisdictional class. (See Section 44 of the Civil Service Law)

DESK AUDIT, WORK AUDIT, OR JOB AUDIT – An interview of an incumbent conducted at the incumbent's desk or other regular work place to obtain information about duties and responsibilities.

DECENTRALIZED AUTHORITY – Authority granted to an agency by the Director of Classification and Compensation to classify and reclassify positions under and to titles for which the short-form (CC-1A and CC-2A) procedure has been approved and, as well, all titles for which a tentative or final classification standard has been issued. The agency maintains a reviewable record of duties and of the explanation of the grounds for the

determination. Determinations are subject to post-audit by the Division of Classification and Compensation.

EARMARK – The term used when a position has been designated for restudy before refilling to determine its proper classification. An earmark may be placed for other purposes by the Civil Service Commission or the Division of Budget.

EXEMPT – The jurisdictional class of positions deemed impracticable to fill by tests of any kind. No minimum training and experience requirements are established for exempt positions. (See Section 41 of the Civil Service Law)

GROUP OF CLASSES – Two or more closely related classes having a common basis of duties, responsibilities, and qualifications but differing in some particular, such as the nature of specialization, that requires that each class in the group be treated individually. Such classes have the same basic title but are distinguished by a parenthetic.

LABOR CLASS – The jurisdictional classification designated for positions for which competitive tests are impracticable because of the unskilled nature of the duties. Minimum qualifications for Labor Class positions other than the physical ability to perform the duties of the position are generally not established. (See Section 43 of the Civil Law)

MINIMUM QUALIFICATION OR “QUALS” – Education, training, and/or experience requirements denoting the minimum standards that all candidates are required to possess to give reasonable assurance that they can perform satisfactorily.

NON-COMPETITIVE CLASS – The jurisdictional classification designating positions not in the exempt or labor classes and for which it is found by the Civil Service Commission to be not practicable to ascertain the merit and fitness of applicants by competitive examination. An agency may appoint a person who meets the minimum qualifications of training and experience. (See Section 42 of the Civil Service Law)

OCCUPATIONAL STUDY – A study of all positions in a given class, series of classes, or occupational group in whatever departments or agencies they may be located.

OFFICE TITLE- A title, which differs from the classified title, assigned to a job and which is used to describe a particular position for other than payroll, budget, or other official purposes; for example, a Head Clerk position might have an “office” title of Office Supervisor.

ORGANIZATIONAL SURVEY – A study of all positions in a particular organizational unit such as a division, a bureau, or an entire department, regardless of class or type.

“OUT-OF-TITLE” WORK – Duties performed by an incumbent of a position, which are not appropriate to the class to which the position has been assigned.

PARENTHETIC- A descriptive designation in parentheses following a common base title to distinguish a specialty within a given field; e.g., Clerk 1 (Spanish Language).

POSITION – An assigned group of duties and responsibilities, temporary or permanent, which can be performed by one person. A position may be occupied or vacant.

QUANTITATIVE JOB EVALUATION SYSTEM – A system used for salary grade allocation based on qualified analysis of incumbent responses to a closed-ended job-content questionnaire.

REALLOCATE - To change the salary grade of a class with no change in title.

RECLASSIFY – To change the title of an existing position.

SALARY SURVEY – A study of salaries paid by other employers for work comparable to that of selected classes.

SECTION 55.b – A section of the Civil Service Law, which provides for hiring qualified handicapped individuals into positions normally filled on a competitive basis. The position is reclassified from the competitive class to the non-competitive class and designated with the parenthetical (55).

SECTION 55.c – A section of the Civil Service Law, which provides for hiring qualified handicapped veterans into positions normally filled on a competitive basis. The position is reclassified from the competitive class to the non-competitive class and designated with a parenthetical (55).

SERIES SPECIFICATION – A specification describing all classes which are closely related to each other in kind of work, regardless of dissimilarity in location, titles, or jurisdictional classification.

SPECIFICATION OR CLASS SPECIFICATION – A written description of a class covering duties, responsibilities, minimum qualification requirements, and other distinguishing features.

TITLE OR CLASS TITLE – The “label” used to officially designate a class. It is descriptive of the work performed and its relative level.

TITLE CONSOLIDATION – Combining of existing titles or the avoidance of establishing new titles when differentiation does not serve an identifiable personnel administration purpose.

TITLE STRUCTURE CHANGE – The change of one or more classes to a new title for the purpose of improving State title structure, involving no significant change in duties or responsibilities.

TRAINEE PLAN – A formal plan approved by the Department of Civil Service and the Division of Budget governing the appointment and advancement of employees holding a trainee title.

UNCLASSIFIED SERVICE – Positions specified in Section 35 of the Civil Service Law and not under the jurisdiction of the Civil Service Department. Examples are: elected officers, appointees of the Governor or Legislature, including heads of departments and legislative employees, and employees in professional positions in certain colleges and all those persons whose principal functions are teaching or supervision of teaching in a public school, academy or college, or in the State University.

APPENDIX B:

CC-2E FORM FOR

FILING A RECLASSIFICATION

AND/OR REALLOCATION APPLICATION

**INFORMATION FOR NEW YORK STATE EMPLOYEES SEEKING
RECLASSIFICATION/ REALLOCATION**

**CC-2E FORM - EMPLOYEE APPLICATION FOR CHANGE IN TITLE OR
SALARY**

*** Completed CC-2E Forms, including any attachments, should be mailed to:**

**Classification and Compensation Division
State of New York
Department of Civil Service
Albany, New York 12239**

*** Please keep one (1) photocopy of your CC-2E Form (front and back) as well as one (1) photocopy of any attachments that you send to the New York State Division of Classification and Compensation.**



Department of Civil Service | **Classification and Compensation Division**
Albany, NY 12239

EMPLOYEE-APPLICATION FOR CHANGE IN TITLE OR SALARY
CC-2E (9/15)

This form is used for requesting changes in present job titles, salary grades, or both. Follow instructions carefully and answer all questions. IMPROPERLY PREPARED FORMS WILL BE RETURNED FOR REVISION. Attach additional sheets as needed. Submit the completed form to the address above.

1. Last Name	First Name	Initial	2. Status <input type="checkbox"/> Permanent <input type="checkbox"/> Provisional <input type="checkbox"/> Temporary	3. Item Number
4. Department/Agency/Institution		5. Division/Bureau		
6. Section/Unit		7. Work Address (Include Building and Room)		
8. Present Title and Salary Grade				9. Jurisdictional Class <input type="checkbox"/> Comp <input type="checkbox"/> Non-Comp <input type="checkbox"/> Exempt <input checked="" type="checkbox"/> Labor
10. Requested Title and/or Salary Grade				
11. Name and official title and grade of your immediate supervisor				
12. Supervision over others. Give the following information about each position over which you exercise direct supervision. Attach additional sheets if needed. If available, attach an organization chart showing the position(s) in relation to the other positions and units.				
Position Title and Grade	Item No.	Name of Incumbent	Section/Unit	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	
13. If this is a request by a group of employees, name the individual who will represent the group in contacts with the Division.				
Name	Title	Department	Address	
14. Home Mailing Address				

PERSONAL PRIVACY PROTECTION LAW NOTIFICATION

The information you provide on this application is being requested in accordance with sections 118(2)(b) and 120 of the Civil Service law for the principal purpose of evaluating your request for a change in title or salary. The information will be used in accordance with section 96(1) of the Personal Privacy Protection law, particularly subdivision (b), (e) and (f). Failure to provide the information requested may result in the disapproval of your application. This information will be maintained by the Director, Classification and Compensation Division, New York State Department of Civil Service, Albany, NY 12239. For information concerning the Personal Privacy Protection Law, call (518) 457-9375. If you have questions concerning this form, call the Classification and Compensation Division at (518) 474-1011.

15. Description of duties:

Describe your work fully in your own words. Give sufficient detail so that there will be a clear picture of your duties. Use a separate paragraph for each kind of work and describe the most important or time-consuming duties first. In the left column, estimate how the total working time is divided. Attach additional sheets as needed.

Percent of Total Time

--	--

16. How long have the duties been substantially as stated in question 15? _____ years _____ months.

17. Give specific reasons for believing that the requested title and/or salary grade is more appropriate and list other specific positions or titles with which your position should be compared. Attach additional sheets as needed.

18. If the title you request is in the competitive class, you will not automatically acquire permanent status in that title if your request is granted. The reclassified position will be filled from an existing appropriate eligible list. If no such list exists, a new examination will be held to establish one for filling it. The fact that you are on a Civil Service list does not automatically give you that title unless you are reachable on the list, and the department head is willing to make the appointment when the change in title takes place. If you are on an eligible list, please give details. Information should include the title, examination number, if known, and the date the examination was held. If necessary, please attach additional sheets.

19. I certify that the information supplied in this request is correct and complete to the best of my knowledge. If this is a request for change in title, I also certify that I understand the information in item 18 and am willing to compete in an examination for the reclassified title if my request is granted.

DATE:

SIGNATURE:

APPENDIX C:

WORK LOG FORM

TO BE USED TO HELP

FILL OUT QUESTION #14 OF CC-2E

APPENDIX D:

FORM THAT CAN BE USED

FOR FILING AN APPEAL WITH

THE CIVIL SERVICE COMMISSION

**Information for New York State Employees for Filing an Appeal With the
New York State Civil Service Commission**

**APPEAL FROM A DETERMINATION OF
THE DIRECTOR OF CLASSIFICATION AND COMPENSATION**

*** A Written Appeal, including any attachments, should be mailed to:**

**State of New York
Civil Service Commission
Agency Building One
Albany, New York 12239**

*** Please keep copies of your appeal including any attachments for your records.**

ADM-740 FORM

INSTRUCTIONS TO APPELLANT:

Use this form to appeal a determination of the Director of Classification and Compensation. The appeal must be made according to law within 60 days after receipt of notice of determination, in either a job title or salary grade, or both. Complete forms carefully since it will be necessary to return improperly prepared forms for revision. Attach additional sheets whenever space on form is inadequate. Submit original copy to the State Civil Service Commission. Please indicate "Classification Appeal" on envelope.

TO BE COMPLETED BY ALL APPELLANTS

1. Name (Last) (First) (Initial)	2. This is an () employee's appeal () appointing officer's appeal () _____
3. Location of Position (Give department, division, unit, city and building)	4. Work Telephone Number Area Code: Phone:

5. Present Title and Salary Grade

6. This is an appeal to change a determination

Title: From _____ To _____

Salary Grade: From _____ To _____

7. If this is a request by a group of employees, indicate the individual who will represent the group in its contacts with the Commission.

Name	Title	Department	Address
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8. Indicate specifically your disagreement with the determination of the Director of Classification and Compensation (do not submit duties statement).

9. I certify that the information supplied in this request is correct and complete to the best of my knowledge

Date: _____ Signature: _____

APPENDIX E:

FREQUENTLY ASKED

QUESTIONS REGARDING

RECLASSIFICATION AND REALLOCATION

Appendix E: Most Frequently Asked Questions Regarding Reclassification and Reallocation

1. How long will it take to process my application for reclassification or reallocation?

It is a very long process and can take anywhere from six months to three years.

2. If my position is reclassified, will I automatically be placed in that position?

No, just because your position is reclassified, it doesn't necessarily mean that you will be the person who gets the new position. It depends if you meet the minimum requirements of the new position, are able to perform the duties of the position, what your collective bargaining agreement requires for posting and bidding of positions, and if the employer wants to appoint you to the position. In addition, for competitive class positions, you must be reachable on an eligible list or eligible for transfer in order to be given a permanent appointment. Refer to Section 2.3 of this booklet for more information.

3. What is the Department of Civil Service's web site address?

<http://www.cs.ny.gov/>

4. Is the CC-2E form available on the Department of Civil Service's web site?

Yes, at web address: <http://www.cs.ny.gov/> Put CC-2E in the search box and you will be directed to a link to this form.

5. Where do I send the CC-2-E form?

Send to: Classification and Compensation Division
 State of New York
 Department of Civil Service
 Albany, New York 12239

6. When is it appropriate to submit an appeal?

You should submit an appeal when you have facts that disagree with the reasons the Director of Classification and Compensation gave for denying your application. You should not file an appeal if the reasons the Director of Classification and Compensation gave are valid.

If you have new facts or circumstances regarding your position, you should not submit an appeal to the Commission but instead send the new information to the Director of Classification and Compensation and request that your original application be *reconsidered*.

7. I am performing higher-level duties. Am I eligible for a reclassification?

Your position might be eligible to be reclassified. It depends on whether you are being required to perform these higher-level duties or are taking them on yourself. If you are being required to perform the higher-level duties and the duties being performed rise to that of another title, then it is quite possible that your position should be reclassified. It depends on the amount of time that is spent on these duties as well as the specific duties that are performed.

8. When should I file an out-of-title work grievance instead of a reclassification?

If you are being required to perform work that is outside your job description and this work is only going to be required for a short period of time, then you would not be eligible to have your position reclassified. However, you might have an out-of-title work grievance. In addition, if the work you are performing falls outside your job description and you no longer wish to perform this work, then an out-of-title work grievance is a way to have these additional duties removed.

9. How do I file an out-of-title work grievance?

You should contact your local union representative who will be able to initiate the paperwork. Before doing so, they will discuss this matter with you to see if it is appropriate for an out-of-title work grievance to be filed.

10. Is it possible to file both an out-of-title work grievance and a request for a reclassification?

It is possible to submit both an out-of-title work grievance and a request for a reclassification. However, there are several things you need to be aware of.

If the out-of-title work grievance is won you will receive retroactive pay back to the time the grievance was filed (it could be retroactive back to 15 days prior to the date the grievance was filed). In addition, the Director of the Governor's Office of Employee Relations will direct the employer to discontinue the out-of-title assigned duties. Therefore, an out-of-title work grievance could result in the higher level duties being taken away. However, if the employer still wants and/or needs those duties to be performed they could request that the Department of Civil Service reclassify the position.

Please note that when an out-of-title work grievance is filed at the same time as a reclassification request, the Department of Civil Service retains the right to place the reclassification request on hold pending the result of the grievance. Also, any information that is included in the reclassification request can be used to determine the out-of-title work grievance.

Since a reclassification of a position does not take effect until it is approved by the Department and Civil Service and the Division of Budget, filing an out-of-title work grievance at the same time will result in you getting the higher level pay retroactively. This can be beneficial because it can take a long time to go through the reclassification process.

11. If my reclassification request is approved when will it become effective?

The Director of the Budget will indicate the effective date for the reclassification. If the Director of the Budget does not indicate an effective date then the reclassification becomes effective on the first day of the fiscal year following approval.