

CITY COUNTERPROPOSAL TO MEF – POSITION REALLOCATION REQUEST PROCESS

City Proposed Language:

ARTICLE XX POSITION REALLOCATION REQUEST PROCESS

XX.1 The parties agree that San Jose Municipal Code 3.04.540 provides that the Director of Human Resources has the authority to determine if a Reallocation Program should be in place at any given time and may establish procedures for allowing an individual employee to request reallocation of their position, if it is determined by the Director of Human Resources that providing a means for individual employees' job classifications to be reviewed and changed, if appropriate, is beneficial to the quality of the City of San Jose's employment systems.

The Director of Human Resources will review any reallocation requests on a case-by-case basis, provided that such request is (1) made directly by the Department Director or the Union, (2) is based on extenuating circumstances, and (3) is supported by the Department Director. Any such requests should be made prior to the submission of the Position Reallocation Request Form.

The Director of Human Resources will analyze relevant job information and approve or deny the Department Director and/or Union's request to review the reallocation. If the review request is approved, the Department may then submit the Position Reallocation Request Form to Human Resources for processing. Approval to review a position reallocation request does not guarantee approval of the request itself.

In the event the reallocation request has been approved for review and was subsequently denied by the Director of Human Resources, the Union may submit the matter to mediation with the California State Mediation and Conciliation Service (SMCS). The mediator shall be provided as determined by SMCS. This mediation process shall be the only resolution process and there shall be no appeal process such as an appeal to the Civil Service Commission. The parties further agree that this Section XX.1 shall not be subject to the Grievance Procedure provided in this Agreement.