

67-19-31 Position classification grievances -- Scope -- Procedure.

- (1)
 - (a) For the purpose of position classification grievances, the process that culminates in assigning a career service position to an appropriate class specification is a matter of position classification and may be grieved.
 - (b) The process that culminates in assigning a salary range to the class specification is not a position classification and may not be grieved as a classification grievance.
- (2)
 - (a) Upon receipt of a position classification grievance, the executive director shall refer the grievance to a classification panel of three or more impartial persons trained in state classification procedures.
 - (b) The classification panel shall determine whether or not the classification assignment for career service positions was appropriate by applying the statutes, rules, and procedures adopted by the department that were in effect at the time of the classification change.
 - (c) The classification panel may:
 - (i) obtain access to previous audits, classification decisions, and reports;
 - (ii) request new or additional audits by human resource analysts; and
 - (iii) consider new or additional information.
 - (d) The classification panel may sustain or modify the original decision and, if applicable, recommend a new classification.
 - (e) The classification panel shall report its recommendation to the executive director, who shall make the classification decision and notify the grievant.
- (3)
 - (a) Either party may appeal the executive director's decision to an impartial hearing officer trained in state classification procedures selected through a public bid process by a panel consisting of the following members:
 - (i) the executive director of the Department of Human Resource Management;
 - (ii) two department executive directors;
 - (iii) a private sector human resources executive appointed by the governor; and
 - (iv) a representative of the Utah Public Employees Association.
 - (b) The successful bid shall serve under contract for no more than three years. At the end of that time, the Department of Human Resource Management shall reissue the bid.
 - (c) The hearing officer shall review the classification and make the final decision. The final decision is subject to judicial review pursuant to the provisions of Section 63G-4-402.

Amended by Chapter 382, 2008 General Session