

Rule 409

Position Classification and Related Rules

Applicability: Rule 409 shall apply to all Service-Critical Classes of the Municipal Transportation Agency (MTA).

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Article I: Authority

Applicability: Rule 409 shall apply to all Service-Critical Classes of the Municipal Transportation Agency (MTA).

Sec. 409.1 Authority

- 409.1.1** As provided under the Charter Section 8A.104 of the City and County of San Francisco, the MTA Director of Transportation/Designee shall have the duty and authority to establish a system of job classification and to allocate each position to a job class.
- 409.1.2** The MTA Director of Transportation/Designee shall have the responsibility and authority to allocate new positions to a class based on the level and type of assigned duties as applicable under this Rule. Groups of positions form a class when it is determined by the MTA Director of Transportation/Designee the duties are at the same level of responsibility and authority.
- 409.1.3** The MTA Director of Transportation/Designee, when notified of a significant change in duties, shall analyze positions. If it is determined, by the MTA Director of Transportation/Designee, through a job analysis that the level and/or function of the assigned responsibilities have changed significantly and are no longer consistent with the existing class, the position will be reclassified.
- 409.1.4** When appropriate to the Classification Plan, the MTA Director of Transportation/Designee has the authority to change the title and/or number of a class without affecting the classification of the position or the status of incumbents.
- 409.1.5** The MTA Director of Transportation/Designee has the authority to amend class specifications as necessary to reflect the major duties of positions within the class and the job related knowledge, skills and abilities necessary to perform the functions of the class.

Sec. 409.1 **Authority (cont.)**

- 409.1.6** The MTA Director of Transportation/Designee has the authority to make changes to the Classification Plan including creating new classes, abolishing, consolidating or amending classes consistent with the Classification Plan.
- 409.1.7** The decision of the MTA Director of Transportation/Designee regarding classification matters including the authority to determine the status of an employee, shall be final unless appealed to the Civil Service Commission.

Sec 409.2 **Notice and Appeals**

- 409.2.1** Any employee and/or employee representative affected by a classification action or status grant under this Rule may appeal the action to the Civil Service Commission. The appeal shall be in writing, stating the basis on which the appeal is based and shall be in accordance with the procedures established by the Executive Officer of the Civil Service Commission.
- 409.2.2** Proposed changes in classification and/or status of permanent civil service incumbents with existing status rights shall be posted for seven (7) calendar days. A day the MTA Human Resources office or Department of Human Resources is closed shall not be counted as the seventh (7th) calendar day. Proposed changes will become effective on the eighth (8th) calendar day following the posting date, with the following exception:
- 409.2.3** Protests shall be submitted to the MTA Director of Transportation/Designee prior to the end of the posting period.
- 409.2.4** The decision of the MTA Director of Transportation/Designee is appealable to the Civil Service Commission. The decision of the Civil Service Commission shall be final and not subject to reconsideration.

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Position Classification and Related Rules

Article II: Definitions

Applicability: Rule 409 shall apply to all Service-Critical Classes of the Municipal Transportation Agency (MTA).

Sec. 409.3 Definitions

409.3.1 Job Code

The term “job code” is used within the Human Resources classification system interchangeably with the Civil Service/Charter term “class” or “classification.”

409.3.2 Position

The duties and responsibilities assigned by an appointing officer to be performed by an employee.

409.3.3 Classification System

A method of organizing positions into classes and groups of classes based on an analysis of types and levels of work performed.

409.3.4 Classification Plan

The overall system or plan that encompasses all classes.

409.3.5 Class

A group of positions having common functions, levels of responsibility and requiring related knowledge, abilities and skills.

409.3.6 Class Series

Directly related classes within a job group that vary in level and scope of responsibility.

Sec. 409.3 Definitions (cont.)**409.3.7 Position Description**

A position description generally describes the functions of a position but may not be all inclusive or specific to a particular position.

409.3.8 Class Specifications

A written delineation of the levels of duties and essential functions of a class.

409.3.9 Allocation/Classification

Designating new positions to an appropriate class.

409.3.10 Reallocation/Reclassification

Designating existing positions to a different class.

409.3.11 Consolidation

The combining of the duties of two or more classes into one class.

409.3.12 Division

The separation of a class into two or more classes.

409.3.13 Amendment

The formal revision of the class specifications for an existing class.

409.3.14 Retitling

Changing the name (title) of an existing class.

409.3.15 Renumbering

Changing the designated number of an existing class.

409.3.16 Abolishment

The elimination of a class from the Classification Plan.

Sec. 409.3 Definitions (cont.)**409.3.17 Status**

Status in the City and County service is the right an employee has to perform certain duties in a specific class. Status is granted to a class and not to a specific position in a class.

409.3.18 Temporary Out-of-Class Assignment

The assignment of an employee who has permanent civil service status in a class to perform normal day-to-day responsibility and duties of another class on a temporary basis, and without a change in class.

409.3.19 Protest

A request to the MTA Director of Transportation/Designee for the reconsideration of a classification decision.

409.3.20 Appeal

A request to the Civil Service Commission to reconsider the decision of the MTA Director of Transportation/Designee.

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Position Classification and Related Rules

Article III: Classification

Applicability: Rule 409 shall apply to all Service-Critical Classes of the Municipal Transportation Agency (MTA).

Sec. 409.4 **Classification of Positions**

Each position in the classified service shall be classified by the MTA Director of Transportation/Designee and allocated to the appropriate class in accordance with the level, scope and occupational concept of the assigned duties.

Sec. 409.5 **Class Series**

All classes directly related within a job family involving the same kind of work, but differing as to scope of responsibility, shall be assembled into the same series.

Sec. 409.6 **Class Specification**

409.6.1 The class specification shall be the official description of the class.

409.6.2 The class specification shall be descriptive of the class and shall not be considered as a restriction on the assignment of duties not specifically listed. The class specifications are intended to indicate the kind of positions that should be allocated to a class but shall not be construed as describing the exact duties and responsibilities of each individual position allocated to the class. The MTA Director of Transportation/Designee has the authority to assign an employee to perform work provided that it is consistent with the type of duties and level of responsibility of the employee's class, although not specifically described in the class specification.

Sec. 409.7 **Official Copy**

The MTA Director of Transportation/Designee shall maintain an accurate and completed copy of the Classification Plan to be designated as the "Official Copy." A copy of the report will be forwarded to the City's Human Resources Director. All changes in allocation or reallocation of positions to classes or amendment of classifications shall be recorded in the "Official Copy" of the Classification Plan. The "Official Copy" of the Classification Plan shall be open for public inspection.

Sec. 409.8 Administration of the Classification Plan

- 409.8.1** The MTA Director of Transportation/Designee shall analyze positions and/or classifications whenever the MTA Director of Transportation/Designee deems it necessary.
- 409.8.2** Upon request of the MTA Director of Transportation/Designee, the MTA departments, bureaus or operating divisions shall furnish detailed information relative to the duties and responsibilities or work assignments of positions under the appointing officer's jurisdiction. Each MTA department, bureau or operating division shall notify MTA Director of Transportation/Designee of significant changes in duties, responsibilities, or work assignments.
- 409.8.3** The MTA Director of Transportation/Designee shall annually submit a classification report to the Civil Service Commission in compliance with Charter Section 8A.104.

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Position Classification and Related Rules

Article IV: Status

Applicability: Rule 409 shall apply to all Service-Critical Classes of the Municipal Transportation Agency (MTA).

Sec. 409.9 **General Principles**

Status in the City and County service is the right of an employee to perform certain duties in a specific class. This right stems from the examination in which the employee qualified and/or the appointment received, and the duties performed as indicated on official records. The class specification or duties statement in existence at the time for the examination and/or appointment is a basic reference document in determining status in a class. An employee has status in a class, but not to a particular position within such class. The MTA Director of Transportation/Designee has very broad discretion in reassigning an employee from one position to another position in the same class.

In cases where status is involved, the MTA Director of Transportation/Designee shall be responsible for the determination of “status” of an employee and/or an eligible, subject to appeal to the Civil Service Commission.

Sec. 409.10 **Effects of Classification Changes on the Status of Incumbents**

409.10.1 **Class Consolidation**

When the duties of two or more classes are combined into one new, existing or amended class, and if any of the classes involved are abolished; an employee who has permanent civil service status within the abolished class is granted status to the new, existing or amended class, subject to the limitations of this Rule.

409.10.2 **Division of One Class into Two or More Classes**

When a class is divided into two or more classes, an employee who has permanent civil service status within the class which is divided is granted status to the new class or classes which reflect(s) the primary responsibility of the employee. The determination of which class or classes reflect(s) an employee’s primary responsibilities is made by the MTA Director of Transportation/Designee.

Sec. 409.10 Effects of Classification Changes on the Status of Incumbents (cont.)**409.10.3 Upward Reclassification**

When a position occupied by an employee with permanent civil service status is upwardly reclassified, the employee is given status in the new, existing or amended class subject to the limitations provided in this Rule.

409.10.4 Lateral Reclassification

When a position occupied by an employee with permanent civil service status is laterally reclassified, the employee is given status in the new, existing or amended class.

409.10.5 Downward Reclassification

1) Subject to the limitations under Sec. 409.11 of this Rule, when a position occupied by an employee with permanent civil service status is downwardly reclassified, the employee may:

- a) accept the downward reclassification; or
- b) reassign to a vacant position in the same class and department; or
- c) request transfer to a vacant position within the same class citywide;
or
- d) reinstate to a vacancy within the department or citywide class held by the employee prior to the downward reclassification; or
- e) accept the position as downwardly reclassified with reinstatement rights to the next available citywide vacancy in the class held by the employee prior to the downward reclassification; or
- f) exercise civil service layoff rights.

Sec. 409.10 Effects of Classification Changes on the Status of Incumbents (cont.)**409.10.5 Downward Reclassification (cont.)**

2) If under a downward reclassification of a position, the employee elects to accept the downward reclassification with reinstatement rights, the employee must accept the first available position. If no position becomes available within one (1) year from the effective date of the action, all status to the previous classification is forfeited; however, an extension may be granted as follows:

a) The MTA Director of Transportation/Designee may grant an extension for classifications exclusive to the Municipal Transportation Agency; or

b) The City's Human Resources Director may grant an extension for citywide classifications.

409.10.6 Renumbered or Retitled Classes

When classes are renumbered or retitled, or when the class description has been changed to more accurately describe the duties actually being performed, all employees with permanent status in the former class shall have continued permanent status in the renumbered or retitled class. Eligibles on a list in the former class shall continue as eligibles on the renumbered or retitled class.

409.10.7 Implementation of Status

1) All permanent employees in positions in the former class who have been reallocated to a new class, are granted status in positions in the new class as of the effective date of the amendment to the Annual Salary Ordinance establishing such positions in the new class.

2) The remaining employees in the same former class and in the same department are granted rights to assignment to positions in the new classes as vacancies occur according to seniority standing in the department.

3) Permanent employees occupying positions in the same former class in other departments are granted the right to transfer to positions in the new class or classes as vacancies occur. Such requests for transfer shall be governed by the provisions of these Rules governing appointment by transfer.

Sec. 409.10 **Effects of Classification Changes on the Status of Incumbents (cont.)****409.10.7** **Implementation of Status (cont.)**

- 4) When status has been granted, all permanent employees in positions in the former class that has been reclassified to another class are granted status in positions.
- 5) An employee who is granted status must exercise those rights to the second class as soon as a position becomes available, within one (1) year from the effective date of the amendment to the Annual Salary Ordinance unless an extension is granted by either the MTA Director of Transportation/Designee or City's Human Resources Director as applicable. If status is not exercised within the time limit or if the employee refuses an offer of a status appointment, then, status is forfeited.
- 6) An employee who does not exercise status as provided above may continue in the original position until such time as the reclassified position is filled and the original incumbent is replaced by another employee who has status in the class or by an eligible from a civil service list.
- 7) When all permanent incumbents in the class and department have exercised or forfeited status, eligibles on lists for the original class as well as employees in the same original class in another department may be offered status appointments in the second class either by certification from the eligible list or under transfer provisions of the Transfer Rule.

Sec. 409.11 **Limitations Under this Rule**

- 409.11.1 The allocation or reallocation of a position shall not adversely affect the civil service rights of an occupant legally holding such a position under permanent appointment. If there is an adverse affect on the civil service rights of an occupant legally holding such a position under permanent appointment, such allocation or reallocation shall be effective when the position becomes vacant by reassignment or for other reason(s), except when earlier implementation is approved by mutual agreement with the appropriate recognized employee organization. Pending such reallocation, the incumbent shall continue in the position.
- 409.11.2 In administering this Rule, if the difference between the salary ranges of the former class and the new class is more than seven and one half (7½) percent, a significant difference in the scope of responsibility shall be deemed to exist, and status shall not be granted unless approved by the Civil Service Commission.

Sec. 409.11 **Limitations Under this Rule (cont.)**

- 409.11.3 An employee must meet the minimum qualifications for the position in order to be eligible for status.
- 409.11.4 The MTA Director of Transportation/Designee may assess the employee's ability to perform level of duties and the essential functions of the class.

Sec. 409.12 **Situations Not Specifically Addressed**

Situations not specifically addressed in this Article will be resolved by the MTA Director of Transportation/Designee subject to the prior approval of the Civil Service Commission.

Sec. 409.13 **Probationary Period**

- 409.13.1 Employees who are appointed by status in the same department/agency shall not be required to complete a new probationary period.
- 409.13.2 Employees who exercise status to transfer to a new citywide department shall be required to complete a probationary period.
- 409.13.3 Employees who have not yet completed the probationary period in the class subject to reclassification shall be required to complete the remainder of the probationary period in the new class.

Sec. 409.14 **Release from a Probationary Period**

Employees appointed by status and serving a probationary period are subject to the Civil Service Commission Rules on release from the probationary period.

Sec. 409.15 **Civil Service Seniority**

Civil service seniority for employees granted status under Civil Service Commission Rule 409 shall be carried forward and is calculated from the date of the citywide seniority as defined in these Rules in the former class prior to reclassification.

Rule 409

Position Classification and Related Rules

Article V: Temporary Out-of-Class Assignments

Applicability: Rule 409 shall apply to all Service-Critical Classes of the Municipal Transportation Agency (MTA).

Sec. 409.16 Temporary Out-of-Class Assignments - Policy and Definitions

409.16.1 In accordance with this Rule, an appointing officer may exercise Charter authority to assign an employee to perform any of the duties of the department/Agency to which appointed and to make any temporary out-of-class assignment to maintain the provision of any public service.

409.16.2 Temporary out-of-class assignment means the assignment of an employee without change in class to perform the normal day-to-day duties and responsibilities of another classification. Records of such temporary out-of-class assignment shall be placed in the employee's personnel file. An employee assigned to temporary out-of-class assignment may also request that the appointing officer/designee place the record in the employee's personnel file contemporaneous with the assignment. The record of temporary out-of-class assignments must be verified and approved by the appointing officer/designee prior to placement in the personnel file. The MTA Director of Transportation/Designee shall be responsible for administering and making effective the provisions of this Rule, and establishing such administrative controls and procedures as may be necessary. The decisions of the MTA Director of Transportation/Designee shall be subject to appeal to the Civil Service Commission.

1) Temporary out-of-class assignment is distinguished from "temporary appointment" in that the latter refers to an appointment to a differently classified position in accordance with civil service appointment provisions and in accordance with budgetary requirements.

2) Temporary out-of-class assignment is distinguished from a short term or regular assignment of a minor portion of work duties which are allocated to a different class, but which are generally related to the regular duties or level of responsibility of the employee's current class.

3) The MTA Director of Transportation/Designee shall be responsible for administering and making effective the provisions of this Rule, and establishing such administrative controls and procedures as may be necessary.

Sec. 409.16 Temporary Out-of-Class Assignments - Policy and Definitions (cont.)

409.16.2 (cont.)

4) Temporary out-of-class assignments shall not be made when an appointment based on the regularly established Rules and procedures of the Civil Service Commission may be made. Temporary out-of-class assignments may be approved while an appointment through the established procedures is pending.

5) When a temporary out-of-class assignment is in order within MTA, selection and retention shall be at the discretion of the MTA Director of Transportation/Designee.