

Issue: Higher Level Assignment - Upgrading²

Articles 19, 25 & 37

Documentation

Explanation

All grievance paperwork	All paperwork developed and utilized in grievance procedure
Job description and Qualification Standard for higher level duty assignment	Establishes duties and responsibilities of the higher level job
Job description of employee's current assignment	Tells us what the employee is supposed to be doing
Applicable regulations - ELM, Chapter 230	Existing regulation which establishes criteria for higher level pay and upgrading
Detailed written explanation by grievant of work being performed and for how long. Also witness and/or co-worker statements if applicable	Must be specific to exact duties and responsibilities. Break down by hours of specific work being performed. Also when employee began to perform this work
Written verification, normally by grievant, of management knowing what work was being done	Offsets potential argument by management on not knowing grievant was doing this work
Appropriate form (F-1723) or written communication, if done, on higher level assignment	Proves work is higher level. If no written proof, statement by grievant on being told to do the work
Work up by job description what work the grievant is doing and for how long on a normal day	Necessary proof to demonstrate violation. Also gives exact hours of higher level for remedy purposes
Applicable case law. Remember difference between precedent and persuasive value	Strengthens case through Step 4s, national arbs or pre-arbs, regular arbs or pre-arbs. Cites must be on point

²The same documentation would be required if you were only seeking higher level pay and not the upgrading of the duty assignment.