


Article 56
Title 38 Hybrids

- Covers the promotion, advancement and reconsideration process for Title 38 Hybrid employees



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Article 56, Section 2D
Promotion and Reconsideration

- **“The Department will issue copies of their respective occupation qualification standards to hybrid employees at the time of initial appointment and at the time of a newly published standard. The local union will receive written copies of:**
 - 1. A current and/or revised published copy of a qualification standard**
 - 2. The Professional Standards Board organizational location**
 - 3. Copies of the Department’s full performance level for all respective hybrid occupations” ****

Article 56, Section 2D

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Article 56: Promotion Eligibility and Reconsideration Procedures



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**Article 56, Section 9
Vacancy Announcements**

- Competitive procedures for vacancies above the full performance level must be consistent with Article 23, Sections 8, 13, 15 and 16.
- *****"All employees who are qualified shall have equal access to training opportunities for grade controlling work above the full performance level."*****
- *****"Title 38 Hybrid temporary promotions in excess of 60 calendar days shall be made using competitive procedures."*****

Article 56, Section 9B

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Article 56, Section 10 Temporary Promotion, Detail and Reassignment

- Temporary promotions, details and reassignments for Title 38 Hybrid employees must be consistent with:
 - Article 12, Details and Temporary Promotions
 - Article 13, Reassignment, Shift Changes and Relocations



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**Article 56, Section 11
Requesting Boarding**


- *****"An employee may request boarding, and the Department will consider it, when the employee believes the duties of the position have changed significantly since any previous boarding. The employee will provide as much information as he/she is able to provide concerning those changes, to include but not limited to, the changed duties as compared to the employee's qualification standards as the employee understands them, and time spent in the assignment driven work above the full performance level, when the request for boarding is made."*****

Article 56, Section 11

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**Article 56, Section 13
PDs/Functional Statements**


- At initial assignment and on request, employees will receive a current PD/functional statement.
- Whenever possible, employees will be afforded the opportunity to help prepare their PD/functional statements.
- *****Copies of current PDs for bargaining unit positions will be provided to the local union upon request.***** Article 56, Section 13C



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**Article 56, Section 14
Erosion of Grade**


- What are your rights?



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**Article 56, Section 15
Special Salary Surveys**

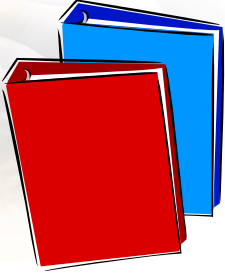
- *****The Union will be involved predecisionally before the Department initiates a survey to determine a special salary rate. The predecisional process will include all elements related to the survey.***** Article 56, Section 11



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Title 38 Performance and Advancement Articles

- Article 52, Title 38 Advancement
- Article 59, Proficiency
- Article 61, Title 38 Vacancy Announcements



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**Article 52
Title 38 Advancement**


- Compensation for advancements will be made within two pay periods from the effective date of the advancement.
- Advancement decisions will be communicated in writing within ten workdays of the action taken.
- Supervisors will monitor and review performance, and hold performance discussions as often as needed.

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**Article 59
Proficiency**


- 90 days prior notice of the due date for proficiency
- 60 days to provide information
- Evaluation at the next board after time-in-grade met
- Employees receive current and updated copies of criteria
- Explanation of specific deficiencies when not promoted
- Proficiencies will be timely

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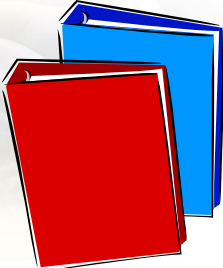
 **Article 61**
Title 38 Vacancy Announcements

- 14 calendar day minimum posting of vacancies
- Clearly defined and current qualifications for positions
- All employees will have a fair and equitable opportunity to compete for selection for posted vacancy
- Current employees will receive first consideration
- Union will be predecisionally involved and may submit recommendations for criteria to be used in developing bargaining unit position qualifications
- Union is provided copies of all position qualifications

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 **Title 38 Research and Compensation Articles**

- Article 53, Clinical Research
- Article 54, Title 38 Nurse Pay Survey
- Article 55, Physician and Dentist Pay



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 **Article 53**
Clinical Research


- Union notification upon impacted working conditions
- Participation in research is voluntary
- Monetary rewards / acknowledgement



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Article 54
Title 38 Nurse Pay Survey


- Evening Pay
- Weekend Pay
- Federal Holiday
- Overtime
- Compensatory Time
- On-Call Duty Pay



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Article 55
VHA Physician and Dentist Pay

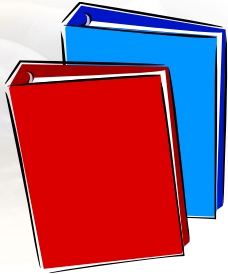
- Steps 1-15 advance one step every two years.
- Rates are published on labor-management website.
- For biennial review of pay ranges, VHA will facilitate a meeting with three designated representatives to solicit input on physician/dentist pay system.




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Title 38 Standards Boards
Articles

- Article 57, Physical Standards Boards
- Article 58, Professional Standards Boards
- Article 60, Title 38 Representation at Boards or Hearings



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Title 38 Professional Standards Boards


Article 58 – Professional Standards Board (PSB)

- The union may recommend candidates for the PSB, which the Department will give serious consideration to appointing.
- Employees will normally be reviewed by the board annually.

Article 60 – Title 38 Representation

- The union is allowed to represent any bargaining unit employee before a Title 38 Disciplinary Board or probationary employee before a PSB in a termination proceeding.
- Employees choice to have union representation.


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Article 57 Physical Standards Boards


- *****This Article applies only to Title 38 employees and is provided for informational purposes only. The Physical Standards Board (PSB) process, and/or the examination and evaluation process for Title 38 employees, is governed by 38 USC and VA Handbook 5019.*****
- "In the event that the Department believes that a Title 38 employee is physically or mentally incapable of performing their duties, ****the Department will give a specific reason to the employee in writing****. The employee shall be entitled to meet with the recommending medical official and to provide any oral and written evidence ****from his/her own physician/counselor**** before a recommendation is made. In any such meeting, the employee is entitled to union representation ****and shall be provided notification of such entitlement****." Article 57, Section 1

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Article 57, Section 4 Procedures

- Employees are entitled to:
 - Union representation
 - Being apprised of their rights
 - Interim adjustments
- Medical examination may result in:
 - Reassignment
 - Removal



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Article 57, Sections 5 & 6

- Section 5 Appeals Procedure
 - If removed, employee may follow appeals procedures found in VA HDBK 5019, Part III.
- Section 6 Counseling
 - Department will counsel qualifying employees on disability retirement.
 - Department may initiate application for employees unable to file on their own.
 - If applicable, Department will offer capable employees a vacant lower-graded position.

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Article 57, Section 7 Confidentiality

- *****"All records pertaining to the employee's examination and any subsequent personal information included with an application for disability retirement are confidential and may be disclosed only to those with an administrative need to know or specifically authorized by the employee. There will be a written statement to the employee of any disclosure."***** Article 57, Section 7




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Group Activity

Article Search




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 **Knowledge Check Activity**


- Which article states that a decision will be communicated in writing within ten working days of the action taken?
 - Article 52, Title 38 Advancement
 - Article 54, Title 38 Nurse Pay
 - Article 59, Proficiency
- Also name the section and/or paragraph.

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 **Knowledge Check Activity**

- Which article states that as a Title 38 Hybrid employee, you may have a functional statement instead of a position description?
 - Article 52, Title 38 Advancement
 - Article 56, Title 38 Hybrids
 - Article 59, Proficiency
- Also name the section.

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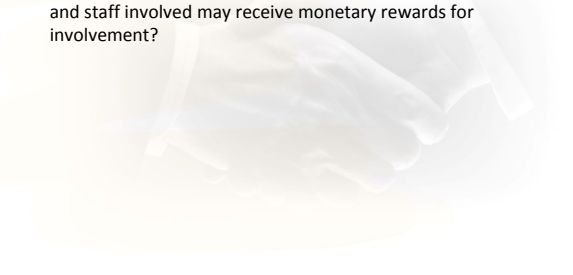
 **Knowledge Check Activity**

- In which article does it say that employees will be notified when they are selected for a Medical Examination, and that part of that notification will be the consequences of failing to cooperate?
 - Article 56, Title 38 Hybrids
 - Article 57, Physical Standards Boards
 - Article 59, Proficiency
- Also name the section.

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Knowledge Check Activity

- Which article states that participation in research is voluntary and staff involved may receive monetary rewards for involvement?



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Questions



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What's Next?

VCS Employees



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