

**Summary of Changes in the
2023-2025 NDE-NAPE/AFSCME Bargaining Tentative Agreement
1/26/2023**

Article 1 – Preamble

- Revised effective dates of the agreement (§1.1, p. 1)

Article 2 – Management Rights

- No changes

Article 3 – NAPE/AFSCME

- Updated reference to the agency's primary office location (§3.3, p. 5)

Article 4 – Personnel File Information

- Reflected maintenance of electronic rather than paper personnel files (§4.2, p. 8)

Article 5 – Performance Appraisals

- Added requirement for supervisors to hold performance management sessions with employees outside of formal appraisal conferences (§5.1, p. 10)
- Removed requirement for 90-day appraisal for those on a six-month probationary period (§5.1A, p. 10)
- Removed requirement for 6-month appraisal for those on a twelve-month probationary period (§5.1B, p. 10)

Article 6 – Probationary Periods

- Deleted VR Senior Associate job family level to be consistent with the other classifications listed (§6.2A, p. 12)
- Added new job classifications (§6.2B, p. 12)

Article 7 – Scheduled Workweek and Hours

- Specified workweek of Monday through Sunday (§7.1, p.14)
- Specified regular workdays (§7.2A, p. 14)
- Deleted reference to monthly work schedule adjustments (§7.2B, p. 14)

Article 8 – Overtime

- Revised dates for compensatory time use and payment (§8.2B, p. 16)
- Removed requirement for prior approval of overtime by Deputy or Commissioner (§8.2D, p. 16)

Article 9 – Travel

- No changes

Article 10 – Job Classification Plan

- No changes

Article 11 – Vacancies, Reclassifications and Demotions

- Added that promotion from DDS Adjudicator III to DDS Hearings Officer would not be required to go through the Job Classification Review Process (§11.2A, p. 21)
- Revised reclassification and demotion rates from percentages to placement in the new classification on the same numbered step on the pay scale as the employee’s previous classification (§§11.2C & 11.3B, pp. 21 & 22)

Article 12 – Employee Education Opportunities

- No changes

Article 13 - Salary

- Adopted a new market-based pay structure effective July 3, 2023 and increase the pay structure by 3% effective July 1, 2024 (§13.4, p. 25)
- Effective July 3, 2023, salaries will be increased by 7%. Employees will then be placed on the 2023-2024 pay structure and their salaries rounded up to the nearest step. Effective July 1, 2024, salaries will be adjusted upward with the pay structure adjustment of 3%. Additionally, employees who receive a satisfactory or better cumulative appraisal rating, or who complete their original probation period in calendar year 2023, will advance one step (2% salary increase) on the 2024-2025 pay structure (§13.5, p. 25)
- Updated dates (§13.5A, p. 25)

Article 14 – Insurance and Benefits

- Updated dates of the agreement period (§14.1, p. 29)

Article 15 – Leave and Holidays

- Deleted redundant language (§15.2, p. 30)
- Expanded allowable use of sick leave to include uses in conjunction with approved leave under the Family Medical Leave Act (§15.2A3, p. 31)
- Deleted redundant language (§15.5, p. 34)
- Added “nieces/nephews” and “aunts/uncles” to definition of immediate family for use of bereavement leave (§15.6D, p. 36)
- Added Juneteenth holiday and “Indigenous Peoples’ Day” to the Columbus Day holiday listing (§15.20, p. 43)
- Added 60-calendar-day window for exempt employees to take deferred holiday leave when they worked on a holiday (§15.22, p. 43)
- Added language regarding leave accrual for part-time employees based on full-time equivalency and deleted redundant statements in §§15.2 and 15.4 (§15.23D, p. 44)

Article 16 – Layoff, Recall, and Resignation

- No changes

Article 17 – Grievance Procedure

- Updated agency office building location (§17.7A, p. 50)

Article 18 – Corrective and Disciplinary Actions

- No changes

Article 19 – Definitions

- Revised definition of Deputy Commissioner (§19.15, p. 63)

Appendices

- Added new classifications, Appendix A, p. 67
- Added pay structure for 2023-24, Appendix B, p. 69
- Added pay structure for 2024-25, Appendix C, p. 70