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Civilian Personnel

Classification Appeals—Local National Employees in Germany

For the Commander:

TERRY A. WOLFF
Major General, GS
Chief of Staff

Official:



DWAYNE J. VIERGUTZ
Chief, Army in Europe
Document Management

Summary. This regulation prescribes policy and procedures for local national (LN) employees appealing the classification of their position.

Applicability. This regulation—

- Applies to LN personnel who are employed by the U.S. Forces in Germany under the provisions of the *Tarifvertrag vom 16. Dezember 1966 für die Arbeitnehmer bei den Stationierungstreitkräften im Gebiet der Bundesrepublik Deutschland (TV AL II)* (Collective Tariff Agreement II), and serviced by the United States Army Civilian Human Resources Agency, Europe Region. The Commander, AAFES-Eur, may establish policy consistent with the objectives of this regulation.
- Applies to LN personnel who are paid from appropriated or nonappropriated funds.
- Does not apply to situations where LNs appeal the classification of positions that are based on a standardized USAREUR or DA position description (that is, the job description number usually starts with the letter E or A) or where the appealed position has previously been classified by the Civilian Personnel Division, Office of the Deputy Chief of Staff, G1, HQ USAREUR.

Supplementation. Organizations will not supplement this regulation without USAREUR G1 (AEAGA-CL) approval.

Forms. AE and higher level forms are available through the Army in Europe Library & Publishing System (AEPUBS) at <https://aepubs.army.mil/>.

Suggested Improvements. The proponent of this regulation is the USAREUR G1 (AEAGA-CL, DSN 379-6565). Users may send suggested improvements to this regulation to the USAREUR G1 (AEAGA-CL), Unit 29331, APO AE 09266-9331.

Distribution. C (AEPUBS).

CONTENTS

1. Purpose
2. Reference
3. Explanation of Abbreviations and Terms
4. Policy and Procedures

Glossary

1. PURPOSE

This regulation prescribes policy and procedures for local national (LN) employees appealing the classification of their position.

2. REFERENCE

Tarifvertrag vom 16. Dezember 1966 für die Arbeitnehmer bei den Stationierungstreitkräften im Gebiet der Bundesrepublik Deutschland (TV AL II) (Collective Tariff Agreement II).

3. EXPLANATION OF ABBREVIATIONS AND TERMS

The glossary defines abbreviations and terms.

4. POLICY AND PROCEDURES

An employee may appeal the classification of his or her position at any time, provided he or she has not initiated a labor-court litigation.

a. Employees who do not agree with the classification of their position should discuss their concerns with their supervisors and the responsible civilian personnel advisory center (CPAC) representative in an initial effort to resolve the classification issue. Since position classifications are based on the *TV AL II*, both employees and supervisors should review the pertinent parts and articles to determine whether or not the appeal may be justified.

b. If the employee is not satisfied with the results of the review, he or she may send a classification appeal in writing through supervisory channels, the servicing CPAC, and the United States Army Civilian Human Resources Agency, Europe Region (CHRA-E), classification proponent to the LN classification proponent at the Civilian Personnel Division, Office of the Deputy Chief of Staff, G1, HQ USAREUR (CPD). The appeal must include—

(1) A memorandum stating—

(a) The employee's full name, organization, duty telephone number, present job title, pay plan, and grade of the position to which officially assigned.

(b) The part or parts of the classification with which the employee disagrees (that is, title, pay plan, series, or grade).

(c) Why the assigned classification is inconsistent with the *TV AL II* or issued guidelines.

(d) The title or grade the employee considers correct and the reasons for the requested change. Merely claiming that the classification of an employee's position is inconsistent with that of another position is not a justifiable reason for a classification appeal.

(2) The following enclosures:

(a) Two copies of the initially classified position description, which the employee and the supervisor must certify as complete and accurate.

(b) The classification evaluation provided by the servicing CPAC classification specialist.

(c) A current organizational chart of the employing organization that clearly shows where the position is established in relation to other positions in the organization as well as a functional statement for the organizational unit in which the position is located. Both documents must be approved, signed, and dated by a management official above the immediate supervisory level of the position being appealed.

c. The servicing CPAC will determine whether or not the appeal meets the above requirements. If the requirements are not met, the CPAC will return the appeal to the appellant with a written explanation of the deficiencies. If the above requirements are met, the CPAC will forward the complete case file through the CHRA-E classification proponent to the CPD for a final decision.

d. CPD will review the appeal and normally make a decision within 30 days after receipt. This decision, of which the employee will be informed in writing, is the final USAREUR decision, which is not subject to internal appeal.

e. If, at any time before or during the appeal, the employee initiates a labor-court litigation, an internal appeal will not be accepted, or—in the case of an ongoing appeal—the appeal process will be stopped immediately.

GLOSSARY

SECTION I ABBREVIATIONS

AAFES-Eur	Army and Air Force Exchange Service, Europe
AE	Army in Europe
CHRA-E	United States Army Civilian Human Resources Agency, Europe Region
CPAC	civilian personnel advisory center
CPD	Civilian Personnel Division, Office of the Deputy Chief of Staff, G1, Headquarters, United States Army Europe
LN	local national
NATO	North Atlantic Treaty Organization
<i>TV AL II</i>	<i>Tarifvertrag vom 16. Dezember 1966 für die Arbeitnehmer bei den Stationierungstreitkräften im Gebiet der Bundesrepublik Deutschland (Collective Tariff Agreement II)</i>
U.S.	United States
USAREUR	United States Army Europe

SECTION II TERMS

employing organization

The specific part of the organization in which the position of the employee is located. The chief of the employing organization is responsible for the appointment and termination of the employee, the assignment of the duties and responsibilities, and determining the workhours.

local national employee

An employee who is employed pursuant to host nation-labor laws and the modifications based on Article 56 of the Supplementary Agreement to the NATO Status of Forces Agreement and the *Tarifvertrag vom 16. Dezember 1966 für die Arbeitnehmer bei den Stationierungstreitkräften im Gebiet der Bundesrepublik Deutschland (Collective Tariff Agreement II)*.