

SGEU/PSC Joint Steering Committee Decisions Regarding Application of the Classification Plan

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JOINT STEERING COMMITTEE DECISIONS REGARDING APPLICATION OF THE PLAN

Jointly agreed-to decisions made by the Joint Union-Management Steering Committee during the development of the plan or by the Joint Union-Management Maintenance Committee, that provide direction affecting the manner in which the classification plan is to be interpreted and applied, will be made available to the Saskatchewan Government and General Employees’ Union (SGEU), Human Resource Business Partners Teams (HRBPTs), classification consultants, and to the Joint Evaluation Committee, from time-to-time.

A. CONSOLIDATED FACTOR INTERPRETATIONS

FACTOR 2B	
ISSUE	DECISION
Should there be a difference between jobs that have to follow-up on their decisions and those that do not?	No. The factor is meant to measure urgency when the individual decision is made, whether it is the original decision, or the follow-up decision.
Why would a classification consultant question the dollar amounts of transactions when reviewing Factor 2B?	Information is requested on the range of dollar amounts to confirm, or validate information provided as examples of work, particularly where frequency of consequence is being measured. However, this is validation only and is not to be used as the basis for the decision. The chart at the back of Factor 2, combined with examples of actual work in the comparative descriptions, are sufficient to evaluate the level of corrective decisions.

FACTOR 3A	
ISSUE	DECISION
Is there a difference in evaluation in Human Relations skill if the supervisor is on-site? (Level 2 vs 3)	If a supervisor is not on-site it is more likely that the employee is expected to resolve Human Relation Skill issues. If the supervisor is available, the panel should question the extent of responsibility to resolve the specific issues. Care must be taken to determine if the issue is related to Human Relation Skill, or whether it is problem resolution unrelated to Human Relation Skill. It is not automatic that if the supervisor is on-site, the expectation and authority is one of referral.

FACTOR 3B	
ISSUE	DECISION
Why is teamwork not a separate factor?	<p>Teamwork is a matter of management style and employees are concerned that people who work in teams may be negatively impacted if future management style changes, or that employees who do not now work in teams, will receive less credit, when in fact, individual responsibility is of equal or greater worth.</p> <p>Similarly, there is a lot of committee work and occasional meetings to obtain input. It is very difficult to ascertain the level of authority in these situations.</p> <p>A separate discussion relating to evaluation of team roles is included in the Classification Manual under Section 8, Concepts Not Directly Measured.</p>

FACTOR 4	
ISSUE	DECISION
Why are only “direct reports” measured in supervision?	To provide incentive to flatten hierarchy. This provision has the effect of having intermediate supervisors at higher rating levels if too much hierarchical structure is created.
<p>Why are we measuring FTEs?</p> <p>Why are we not counting the number of people instead, in Factor 4?</p>	<p>If FTEs are not measured, then a person supervising a summer student for two months would be evaluated at the same level as someone with supervision of two full-time employees. This was seen as inequitable.</p> <p>Measuring numbers of people is also inequitable, as it would result in higher ratings for supervisors with more turnover and would encourage part-time and casual employment as a means of obtaining higher classification levels.</p> <p>If two people job share, that would count as two people, whereas one full-time person performing the same job would only count as one person.</p> <p>If you count the job share as two persons supervised, you would also have to count a resignation and new appointment as two persons. This would produce ongoing fluctuation in job evaluation.</p>
Why are FTEs not counted in shared supervision?	There is difficulty determining the FTEs assigned to specific supervisors. Aspects of supervision may be spread amongst several supervisors for the same employees, such as in institutions involving 24 hour operations, where different supervisors may have several different employees on different shifts.

<p>What is the basis for different levels based on the number of FTEs?</p>	<p>There are numerous work units of three persons. We wanted to separate the full year- round responsibility, or an equivalent amount of supervision from circumstances with less than that. Hence, the distinction between up to 1 and 1 - 3. There was recognition that full supervision of larger numbers of employees who are part-time may be as difficult as supervision of full-time employees. Four persons working 90% is 3.6 FTEs. For this reason, as well, we drew the line at 3 FTEs and extended the level to 10 FTEs. It is our view that this properly balances the difficulty of supervising full-time with larger numbers of part-time, through the FTE process. FTEs are also pro-rated for equity reasons.</p>
<p>Why is diversity of function not measured in Factor 4? It seems more difficult to supervise employees who are doing different duties.</p>	<p>Diversity of function is measured under knowledge and measuring this under supervision would be a double-credit for supervisors.</p>
<p>Why is there not extra credit for supervising employees in different geographic locations?</p>	<p>Geographic separation is travel, or telephone time. It is neither added skill, nor added responsibility.</p>
<p>How is supervision of contracted employees measured?</p>	<p>1) If it is determined that all the requirements are met, care must still be taken to determine if the situation is occasional, shared, or full supervision. In this regard, the Steering Committee provides the following additional direction:</p> <ul style="list-style-type: none"> • <u>Shared</u>: The employee is always responsible to the same incumbent supervisor for a portion of their work on <u>an ongoing basis</u>. • <u>Occasional</u>: The supervisor does not have ongoing supervisory responsibility for the same employee group, rather, supervisory duties are assigned on occasional shifts, the employees being supervised report to different people on other shifts and the same employees are not always supervised. <p>A contract that specifies a fee for a specified period of time is not to be considered as "permanently assigned and ongoing authority". Additionally, the consultant/appeal panel must ask:</p> <ul style="list-style-type: none"> • Does the contract specify authority for payment of overtime and approving leave? • How would contracted individuals be involved in conflict with each other such that the supervisor needs to resolve these issues? • What examples can the "supervisor" provide that there is a need for "ongoing performance improvement" and what would the ramifications be in the event of poor performance?

2) The classification consultants/panel must be clear as to whether the position has been credited in Factor 3 for training, or teaching of these same staff.

We have been very careful in the design of the plan to not double-measure supervisory responsibility. If credit is given in Factor 3 as non-staff, the same people cannot be considered in Factor 4 as staff.

Not only is this a form of bias in evaluation, but to do so for contracts would require us to credit all supervisors with training under Factor 3, for the same thing as is measured under Factor 4. This would heavily bias the plan in favour of persons with supervisory duties.

3) In the event that all criteria are met, care must be taken in the counting of FTE's. In this regard, validation must be sought in terms of payroll, or financial records that verify days worked.

4) If duties involve risk to the employee and are measured as part of Factor 6, they cannot be measured as part of Factor 4. By way of example, therefore, the following forms of contracts are not measured under Factor 4:

- Service and maintenance agreements;
- Enforcement or administrative decisions relating to the use of government premises or land by other individuals or groups;
- Monitoring and enforcement of contract provisions relating to environmental, health, or safety regulations, etc.;
- Monitoring and ensuring quality and quantity standards in agreements where the contractor hires its own employees to perform the service and the direct supervision of the employees is the responsibility of the contractor; and,
- Supervision of work crews where the purpose is educational, or therapeutic.

In all of these latter cases, the employee is evaluated under decision-making, human relations skill, and risk and mental demand, based on the nature of the contract.

Note:

- If a position is evaluated for supervision of employees under Factor 4, it cannot be rated under Factor 2 for contract enforcement and administrative decisions, under Factor 3 for interpersonal, or educational skills required to work with those "employees", under Factor 6 for risk in working with these "employees", or under Factor 7 for

	<p>mental demand in working with these "employees". To do so is double- measuring (bias).</p> <ul style="list-style-type: none"> ➤ Care must be taken to determine whether the assignments are of a permanent, or temporary nature. If temporary (e.g., fire suppression), they should not form part of the permanent classification level of the job.
Request was that the Steering Committee reconsider the Factor 4 Notes to Raters so that shop supervisors can receive credit under Factor 4 for directly supervising inmates in a production setting, or that additional credit be provided for this responsibility under Factor 3.	There will be no change to the interpretation of the Factors. Credit cannot be given under Factor 4 for supervising inmates. To change the interpretation for the shop supervisors would require that the new interpretation be applied for all jobs in the public service. This responsibility for inmates in a production environment is credited under Factor 3, Human Relations Skill. There may be aspects of the responsibility that could receive credit under Factor 1, Problem Solving. The shop supervisors have had an opportunity to pursue higher ratings, within the agreed interpretation of the Factors, at their appeal.
Measurement of term and part-time staff as FTEs.	<p>The number of FTEs is calculated based on the work pattern of the staff (i.e., percentage of time worked). If the assignment of term staff to supervise is a temporary situation, a temporary reclass would be warranted, not permanent.</p> <p>If the department advises that the assignment is permanent and the additional staff is the sole reason for the permanent reclass, ensure the department (manager and employee) is aware that if the staff complement is reduced in the future, the job will be reviewed for downgrade.</p>

FACTOR 5A	
ISSUE	DECISION
Why does the A side of Factor 5, Job Knowledge, measure "weeks" instead of "years".	The factor measures weeks in order to have more clear differences in levels and to ensure consistency. It is actual course time that counts, not the total amount of time it took a particular individual to complete the course.

FACTOR 6	
ISSUE	DECISION
If you are measuring frequency of hours across the top of the Factor, why is there also a measure of hours in the representative examples on the "A" side of Factor 6?	The hours in the representative examples on the "A" side of Factor 6 (e.g., repetitive tasks up to 4 hours at Level 1, etc.), define the level of risk (1, 2, 3, or 4) for this type of activity.

FACTORS 6 AND 7	
ISSUE	DECISION
Is there a double measure between Factors 6 and 7 (e.g., interacting with rude/impolite people?)	There is no double measure between Factors 6 and 7. Factor 6 measures the physiological effects of conditions that cause harm, or discomfort. For example, when someone expresses anger toward you, your heart rate and blood pressure might go up, you might feel nauseated, etc. Factor 7 measures the mental effort to remain calm, focus on the issue, listen, clarify, restate, summarize and consolidate responses, (i.e., to prevent Factor 6 conditions from occurring).

B. PROCESS ISSUES

ISSUE	DECISION
<p>What do we do with jobs one point below the grade break? Do we have a policy to review them?</p>	<p>There is no legitimate reason to review jobs that are one, five, or 50 points below the grade break. One could equally argue a job one, five, or 50 points above a grade break should also be reviewed. This is a function of accurate ratings producing a point value close to grade break.</p>
<p>How much change is necessary to warrant a reclassification review where the manager and employees are stating that the responsibilities are new and the Public Service Commission (PSC) is stating that the responsibilities were in the job assignment form that was previously rated?</p>	<p>"Substantial change", as stated in the collective agreement, requires a change in primary responsibilities, not just a rewrite of the previous job description with different words. The new in-scope job description form is designed to specifically identify on the first page the changes that have occurred.</p>
<p>How much change in responsibility warrants a reclassification review?</p>	<p>If there is no change in responsibility and people are simply rewording their job description, a review is not warranted. Generally speaking, the primary responsibilities must change.</p> <p>Resubmissions on Factors 6, 7 and 8 will constitute reallocation, not a reclassification, unless there is also a change of responsibilities.</p>
<p>What happens to an appeal if the original incumbent moves to another job and a new person is hired?</p>	<p>If the new person was hired before October 1, 1998, they can carry forward with the original appeal, but cannot add new factors. PSC will look at information on other factors, but no new appeal right will be afforded.</p> <p>Movement to another job would involve a resignation unless it is a definite leave of absence or secondment. If a resignation occurs within 120 calendar days of the effective date, the reclass request is withdrawn and is not assumed by the subsequent incumbent. At this point, if the department wishes to proceed with a reclass, it will be considered as a departmentally submitted request, and no appeal right exists.</p>

ISSUE	DECISION
<p>How can we keep the appeal process running smoothly when appellants refuse to schedule dates for appeals, citing such reasons as sending additional information in to be reviewed and waiting for written rationale from the classification consultant?</p>	<p>The process will be as follows:</p> <ul style="list-style-type: none"> • Appellants provide information in the pre- appeal process. • They receive the rating from the consultant. • The appellants can provide more information. • If they are still not happy with the result, it goes forward to appeal. <p>The purpose of the appeal process is to provide an opportunity for the appellant to provide rationale to an independent panel as to why they feel their job should be rated higher in any factor. The appellant is not required to provide this rationale in writing to the PSC in advance of the appeal hearing. Similarly, there is no requirement for the PSC consultant to provide written rationale with respect to the basis of the rating in advance of the appeal hearing.</p> <p>However, the classification consultant will usually provide a brief, verbal rationale, or, on occasion, a brief, written rationale, even though there is no requirement to do so prior to the hearing.</p> <p>If appellants are unwilling to schedule a hearing date, the appeal coordinator will schedule a date and confirm by email stating that an appeal date has been set, giving two weeks time, and the appeal will be heard.</p>
<p>Does the Joint Audit Committee (JAC) have the right to reverse its own decision?</p>	<p>Based again on the principle of ensuring that all the jobs are properly allocated to the plan, the answer is YES, they are obligated to if they discover their decision was based on inaccurate information.</p> <p>However, due process should be followed in that validation of information should occur with both managers and the employees affected before the JAC makes their decision.</p> <p>Any additional information provided by managers must be shared with employees before a decision is rendered.</p>

ISSUE	DECISION
<p>For the purpose of review of classification in the SGEU Class Plan, Classification Joint Council (CJC) shall consist of four members equally split between union and management.</p> <p>Why can CJC members not act as advocates at a formal hearing?</p>	<p>The role of an advocate is to argue an employee's job to a higher rating on appealed factors. Advocates arguments do not have to preserve the integrity, meaning, or intent of the class plan. Thus a panel member, who has also acted as an advocate, will be faced with having to render a decision in direct opposition to a previous advocacy position, alternately will be presenting an advocacy argument in direct opposition to his/her own previous decision as a CJC member. If an advocate is aware, while sitting as a panel member on a separate case, that a particular decision will help the employee he or she is also the advocate for, then the incentive to make fair, equitable CJC decisions within the integrity of the plan is seriously compromised.</p> <p>Furthermore, in some cases, these arguments, or decisions will be in front of, or to, the same CJC panel members, thus causing these CJC members to question whether the other CJC member is being forthright in deliberations.</p> <p>Such a conflict can only serve to undermine the integrity of the plan, as well as equity and fairness and can lead to non-consensus.</p>

ISSUE	DECISION
<p>To what extent can CJC and Bias Committee members assist appellants?</p>	<p>Appellants have the option of requesting assistance from another union member, a supervisor, a manager, or a steward in preparing and presenting pre-hearing and appeal information.</p> <p>Members of CJC or Bias Committee may, if requested, provide general guidance and assistance to appellants in preparing their appeal. This can include discussions with employees to clarify factors and may involve discussions at pre-hearing meetings with Classification Consultants.</p> <p>If a CJC or Bias Committee member chooses to represent appellants at a formal appeal before a panel, the committee member is perceived to have a bias and shall not be eligible to sit as an appeal panel member from that date forward.</p> <p>Concern relates to the credibility of the plan and the responsibility of the CJC, or Bias Committee member to represent all union members equitably.</p> <p>Anyone requested by an appellant to assist in preparing an appeal has the right to decline.</p>
<p>How will we measure what the wage gap is?</p>	<p>The wage gap will be determined through comparison of the average of maximum hourly rate of pay of men vs. the average of the maximum hourly rate of women. This definition is consistent with our definition of equal pay for work of equal value.</p>