



JOB EVALUATION TERMS OF REFERENCE

Between

The Corporation of the City of North Bay

And

The Canadian Union of Public Employees

And its

Local 122

December 2016

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ARTICLE 1 – PURPOSE

- 1.1 To carry out a confidential Joint Gender-Neutral Job Evaluation Plan in accordance with the general objectives and principles set out in this agreement pertaining to a Joint Gender-Neutral Job Evaluation Plan between CUPE Local 122 and The Corporation of the City of North Bay.
- 1.2 To jointly implement a single gender-neutral job evaluation plan to achieve Equal Pay for Work of Equal Value for all jobs within CUPE Local 122. The plan will include these four main factors:
 - Skill
 - Effort
 - Responsibility
 - Working conditions
- 1.3 The Job Evaluation Plan will deal specifically with new Job Descriptions or existing ones where there have been substantial changes to duties that would warrant re-evaluation.
- 1.4 These Terms of Reference shall not form part of the collective agreement between the parties.

ARTICLE 2 – THE JOINT JOB EVALUATION COMMITTEE (J.J.E.C)

- 2.1 The JJEC shall have equal representation and participation from the parties, consisting of no more than four (4) representatives for the Corporation and no more than four (4) representatives for Local 122.
- 2.2 The Employer and Local 122 shall each designate one of its representatives to act as co-chairperson. The co-chairpersons are responsible for:
 - a) The chairing of Committee meetings;
 - b) The scheduling of regular Committee meeting which includes notification of appropriate supervisors for Committee members' attendance;
 - c) Establishing the priority of matters to be acted upon by the Committee.
- 2.3 Committee members shall be excused from rating their own job, the position of a direct subordinate, or any position where the rating of that job may place them in a conflict of interest situation.
- 2.4 The parties will meet as required each year for the purposes of reviewing outstanding requests for job evaluation.

- 2.5 The employer will provide administrative support services to the Committee. The person performing these functions shall not be a member of the Committee. These services shall be under the direction of the co-chairs and shall include:
- a) The distribution of all Committee correspondence to the Committee co-chairpersons;
 - b) The preparation and distribution of meeting agendas and associated job descriptions forty-eight (48) hours prior to the meeting;
 - c) The preparation and distribution of Committee documents;
 - d) Communication of results to management and union.
- 2.6 Attendance at Meeting:
- The Employer shall release, without loss of pay, benefits or seniority, the four (4) representatives named by the union to attend sessions of the Joint Job Evaluation Committee.
- 2.7 Decisions of the Committee are based on consensus.
- 2.8 The Committee shall meet as necessary at a mutually agreed upon time and place. Each member shall receive the agenda and associated job description(s).
- 2.9 The Terms of Reference will be reviewed by the Committee on an annual basis.

ARTICLE 3 – MANDATE OF THE J.J.E.C.

- 3.1 The JJEC shall implement and maintain the CUPE Gender-Neutral Job Evaluation Plan by:
- a) Evaluating all the jobs using the Job Evaluation Plan, attached herein as Appendix A;
 - b) Maintaining the integrity of the plan;
 - c) Recommending to the parties changes to the Job Evaluation Plan, its procedures or methods, as may be deemed necessary from time to time;
 - d) Recording the results and rationale on the rating sheet as Appendix B;
 - e) Setting out factor level ratings for each of the factors of the job content.

ARTICLE 4 – JOB EVALUATION PROCEDURE

4.1 The following general procedure shall be used to rate jobs:

Only NEW jobs created in the Corporation will require a complete Job Analysis Questionnaire to be completed after the incumbent has been in place for six (6) months. The completed questionnaire shall be submitted to the JJEC along with the copy of the current job description. Evaluation requests pertaining to all other jobs must be submitted via the Request for Re-Evaluation form. Such requests must clearly establish the areas of significant change in order to be considered.

4.2 Jobs are evaluated based on the job description in accordance with the Job Evaluation Plan. The Committee shall also use information obtained from the completed questionnaire, interviews with the incumbent(s) and/or supervisor(s) and, if required, visits to the workplace.

4.3 In the application of the Job Evaluation Plan, the following general rules shall apply:

- a) It is the content of the job, and not the performance of the incumbent(s) that is being rated;
- b) Jobs are evaluated without regard to existing wage rates;
- c) Jobs are placed at the appropriate degree level in each subfactor by comparing the specific requirements of the job to the subfactor definition and the description of each degree level;
- d) The job analysis and rating of each job shall be relative to and consistent with the job descriptions and ratings of all other jobs rated under the Plan;
- e) No interpolation of subfactor degrees (i.e. mid-points) is permitted;
- f) The factors and subfactors must have an impact on all jobs being rated;
- g) Rating decisions include a sore-thumbing process to ensure integrity and consistency in Committee decisions;
- h) Should the job be evaluated at a higher rating, this rating will be back-dated to the date of the request for re-evaluation or the date the incumbent commences in the new position. However, should the job be evaluated at a lower rating, this rating will be effective as of the date of the Committee decision.

ARTICLE 5 – MAINTAINING THE JOB EVALUATION PLAN

5.1 Job Evaluation Procedure for New Jobs:

Whenever the employer wishes to establish a new job, the following procedures shall apply:

- a) Six (6) months after the incumbent has been in place in the job, the incumbent(s) and the supervisor shall complete a Job Analysis Questionnaire. The questionnaire shall be submitted along with the job description to the JJEC. The JJEC will evaluate the job as per the procedure set out in Article 4;
- b) Should the evaluation change for a job, the rating will be retroactive to the date of hire or date of transfer.

5.2 Job Evaluation Procedure for Changed Jobs:

Whenever the employer changes the duties and responsibilities of a job or the incumbent(s) feels that the duties and responsibilities of a job have been changed, or that the job description does not reflect the duties and responsibilities of the job a Request for Re-Evaluation Form will be submitted to the JJEC via the Human Resources Department. An old and new job description, highlighting the significant changes will be provided.

- a) Upon receipt of an approved Request for Re-Evaluation Form, the JJEC shall proceed in accordance with Article 4.

ARTICLE 6 – APPEAL PROCEDURE

6.1 Within thirty (30) working days of notification of the results, employees who disagree with the ranking that has been established for the job in which they are classified or Department Heads who disagree with a ranking that has been established for a job classification within their Department may lodge an appeal with the Joint Job Evaluation Committee requesting a review of the ranking of the job. The appeal shall state in writing the reason(s) why the incumbent(s) or Department Head(s) disagree with the ranking of the job based on the Request for Appeal Form.

- a) The JJEC as well as the Director, Human Resources and CUPE, National Representative shall consider the request for appeal and make a decision which shall be final and binding upon the parties and all employees affected.

ARTICLE 7 – SETTLEMENT OF DISAGREEMENTS WITHIN THE J.J.E.C.

7.1 In the event the JJEC is unable to reach agreement on any matter relating to the interpretation, application or administration of the Joint Job Evaluation Plan, the co-chairpersons of the Committee shall request, within ten (10) working days,

that each party designates the Director, Human Resources and CUPE National Representative to meet with the Committee and attempt to assist in reaching a decision.

- 7.2 Following the process under 7.1 either party may, by written notice to the other party, refer the dispute to a single arbitrator who shall be selected by agreement of the parties. If the parties are unable to agree, either party may request the Minister of Labour to appoint an arbitrator.
- 7.3 The arbitrator shall decide the matter upon which the JJEC has been unable to agree and his/her decision shall be final and binding on the JJEC, the employer, the union and all affected employees. The arbitrator shall be bound by these Terms of Reference and the Job Evaluation Plan and shall not have the power to modify or amend any of their provisions. The jurisdiction of the arbitrator shall be limited to the matter in dispute, as submitted by the parties.
- 7.4 The employer and the union shall be the parties to the arbitration hearing and shall have the right to present evidence and argument concerning the matter in dispute. The arbitrator shall have the powers of an arbitrator appointed pursuant to the collective agreement and, in addition, shall have the authority to require the parties to present additional information and to require other person(s) to present evidence, as deemed necessary by the arbitrator.
- 7.5 The arbitrator's fees and expenses shall be borne equally between the parties.
- 7.6 The time limits contained in this article may be extended by mutual agreement of the parties.

ARTICLE 8 – CONCLUSION AND IMPLEMENTATION

FOR THE EMPLOYER	FOR THE UNION
<i>[Signature]</i>	<i>[Signature]</i>
<i>[Signature]</i>	CM Lead
<i>[Signature]</i>	<i>[Signature]</i>
<i>[Signature]</i>	<i>[Signature]</i>
Date:	Date: <i>January 26, 2017</i>



Joint Job Evaluation Committee Request For Re-evaluation



Instructions:

This form is to be completed when the duties and responsibilities of a job have been changed or a job description does not reflect the duties and responsibilities of the job.

*(A job description highlighting the significant changes must be provided.)

Reason for request:

Please identify how the responsibilities, duties and knowledge required for the position has changed, warranting job re-evaluation.

Job description has been included.

(Please use reverse side for additional information.)

Note:

All requests for re-evaluation must be signed by all parties identified and provided to the Human Resources Department to have the requests submitted to the JJEC.

Incumbent (Please Print)

Signature

Date

Supervisor (Please Print)

Signature

Date

Managing Director (Please Print)

Signature

Date



Joint Job Evaluation Committee Request For Appeal



Position Title: _____ Department: _____

Appeal Initiated By: _____ Date Notified of Results: _____

Instructions:

Within thirty (30) working days of notification of results, employees or Department Heads, who disagree with a ranking that has been established for a job classification within their department, may lodge an appeal with the Joint Job Evaluation Committee (JJEC) to request a review of the job ranking.

Please note the JJEC, Director, the Human Resources Department and CUPE National Representative shall consider the request and make a decision which shall be final and binding. Appeal decisions may reflect a status quo, increase or decrease in the rating of the job.

Reason for request: Please explain rational/reason for disagreement below.

Job description has been included.

(Please use reverse side for additional information.)

Note:

All requests for appeal must be signed by the incumbent and supervisor and provided to the Human Resources Department to have appeal submitted to the JJEC.

Incumbent (Please Print) Signature Date

Supervisor (Please Print) Signature Date