

Arbitration Award Summary

18-P-GNWT-02247 Job Evaluation Process

Case Outline:

This grievance falls under the Collective Agreement expiring March 31, 2012.

The matter refers to Article 36.01 in which an appeal process is outlined should an employee wish to have their job reevaluated. Two issues are in dispute: will written submissions an employee provides to their supervisor to trigger the reevaluation be reviewed by the Job Evaluation board and how is the period of retroactive pay, should it be awarded, be calculated.

Employer's Argument:

The job evaluation process should evaluate the written job description only. The written job description is the basis of any points rating. Documentation submitted by an employee does not form part of the appeal. Should any retroactive pay increases be awarded, this would be implemented at the decision of the appeal board but no further than 60 days prior to the decision of the appeal board.

Union's Argument:

The union feels that should the appeal board uphold a higher job evaluation, pay should be retroactive to when the employee began performing duties at the higher level. This is determined to be when submitting, in writing, to their supervisor a request for a review. The union feels this written material would also form part of the appeal.

Arbitrator's Decision:

In a lengthy decision, it would be easier to note what not is at issue. Both parties agree the Hay Plan is the agreed upon method of evaluating a job or group of jobs; the process of launching an appeal has been outlined, the job evaluation board is fair and equitable, plus their decision is to be respected and creates benchmarks for similar jobs to be evaluated against.

The arbitrator outlined that it has long been held and agreed by both parties the appeal board is a neutral party with expertise in job evaluation and to be held separate from the grievance process in many ways. Both parties recognize that rewriting a job description is a different process and the assigning of point values through the Hay Plan is key to placing a job or group of jobs within the proper pay scale.

The key issue to determine is retroactivity of any possible pay. The filing of an appeal is to be recognized as the date an employee registered with their supervisor the notice of appeal and that written documentation could form part of the appeal. As such, 60 days prior to this date would cover any retroactive pay, should it be awarded.