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Canada

Directive on Classification Grievances

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Directive on Classification Grievances

1. Effective date

1.1 This directive takes effect on July 1st 2015.

1.2 This directive replaces the following:

- *Policy on Classification Grievances* (June 23, 1994), Chapter 4 of the Classification Section of the Personnel Management volume of the *Treasury Board Manual*
- *Classification Grievance Procedure* (revised June 1, 1994)

2. Application

2.1 This directive applies to the core public administration as defined in section 11 of the [Financial Administration Act](#), unless excluded through specific acts, regulations or orders-in-council.

2.2 This directive applies to all positions, including those within the Executive (EX) Group.

2.3 This directive does not apply to members of the Royal Canadian Mounted Police.

2.4 The provisions in sections 8.1 and 8.2 relating to the role of the Treasury Board Secretariat in monitoring compliance and directing measures to be taken in response to non-compliance do not apply with respect to the Office of the Information Commissioner of Canada and the Office of the Privacy Commissioner of Canada, the Office of the Chief Electoral Officer, the Office of the Commissioner of Lobbying, the Office of the Commissioner of Official Languages and the Office of the Public Sector Integrity Commissioner. The deputy heads of these organizations are solely responsible for monitoring and ensuring compliance with this policy within their organizations, as well as for responding to cases of non-compliance in accordance with any Treasury Board instruments providing principles and guidance on the management of compliance.

3. Context

3.1 This directive is issued pursuant to sections 7 and 11.1 of the [Financial Administration Act](#).

3.2 A classification grievance process is an essential component of effective people management. This directive supports the *Policy on Classification* with respect to classification grievances, including those for EX positions. It identifies mandatory requirements; outlines roles and responsibilities; and details the procedure for presenting, processing and resolving classification grievances.

3.3 The Treasury Board, in authorizing deputy heads to classify positions within their organizations, also authorizes them to issue classification grievance decisions in accordance with the requirements of the *Policy on Classification* and this directive.

3.4 Deputy heads may sub-delegate to a senior official in their organizations the authority to issue classification grievance decisions in accordance with the requirements described in [Appendix A](#).

3.5 Additional mandatory requirements are outlined in the following documents:

- [Directive on Executive \(EX\) Group Organization and Classification](#)
- [Guide to Allocating Positions Using the 1999 Occupational Group Definitions](#)
- [Job Evaluation Standards](#) (Classification Standards)
- [Occupational Group Definitions](#)
- [Policy on Classification](#)
- [Public Service Labour Relations Act](#)
- [Public Service Labour Relations Regulations](#)
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4. Definitions

Definitions to be used in the interpretation of this directive can be found in [Appendix A of the Policy on Classification](#).

5. Directive statement

5.1 Objective

5.1.1 This directive supports the establishment of a consistent and equitable recourse process for employees who wish to grieve the classification of the work assigned by the responsible manager and described in the job description of the position they occupy.

5.2 Expected results

5.2.1 Classification grievances are efficiently and effectively dealt with in accordance with this directive and the procedural requirements described in [Appendix B](#).

5.2.2 Prescribed time frames are respected.

5.2.3 Decisions are fully documented.

6. Requirements

Requirements specific to the sub-delegation of the authority to issue classification grievance decisions are described in [Appendix A](#). Procedural requirements for classification grievances are described in [Appendix B](#).

6.1 Managers and supervisors are responsible for:

6.1.1 Ensuring that employees are formally notified in writing of classification decisions that affect the position they occupy; and

6.1.2 Responding to the questions of Classification Grievance Committee members.

6.2 Departmental leads for classification grievances are responsible for:

6.2.1 Assigning Classification Grievance Committee chairpersons to classification grievance cases that will proceed to a hearing, except where the classification decision was authorized by the deputy head;

6.2.2 Ensuring that classification grievance files are sent to the Office of the Chief Human Resources Officer in cases where the deputy head has authorized the classification decision;

6.2.3 Ensuring that grievors are notified in writing of the final and binding classification grievance decision issued by the deputy head or his or her delegate within the prescribed time limit or agreed extension, except where the grievance decision is issued by the Chief Human Resources Officer or his or her delegate;

6.2.4 Ensuring that final and binding classification grievance decisions are recorded in the human resources information management system; and

6.2.5 Ensuring the completeness and the accuracy of the classification documentation and information contained in the classification grievance files and of the required departmental input into the Treasury Board of Canada Secretariat's Classification Grievance Tracking System.

6.3 Classification Grievance Committee chairpersons are responsible for:

6.3.1 Ensuring that the classification grievance hearing is conducted in accordance with the procedure outlined in Appendix B of this directive; and

6.3.2 Ensuring that the Classification Grievance Committee report is drafted within the prescribed time limit or agreed extension.

6.4 Classification Grievance Committees are responsible for:

6.4.1 Establishing the appropriate classification of the grieved position based on the work assigned by the responsible manager, as described in the job description, the organizational context and the information received in the context of the grievance hearing; and

6.4.2 Submitting to the deputy head or delegate a Classification Grievance Committee report and a recommendation on the classification of the grieved position, which is equitable and consistent with Treasury Board classification policy instruments, including the relevant job evaluation standard.

6.5 Delegates for classification grievances are responsible for:

6.5.1 Notifying the deputy head of the following types of classification grievance results before making a decision:

1. Results that:
 - May have a significant impact on the occupational group allocation or classification level of other positions within the organization;
 - May have an impact on similar positions in other organizations;
 - May substantially affect program management or union–management relations; and
2. Results in which a minority recommendation is being accepted.

6.5.2 Obtaining the deputy head's approval before making a decision when either the unanimous recommendation or the minority and majority recommendations of the Classification Grievance Committee are rejected.

6.6 The Office of the Chief Human Resources Officer is responsible for:

6.6.1 Participating as an evaluating member of Classification Grievance Committees or chairing Classification Grievance Committees in accordance with [subsection 3.3 of the procedure outlined in Appendix B](#);

6.6.2 Ensuring that grievors are notified in writing of the final and binding classification grievance decision issued by the Chief Human Resources Officer or delegate within the prescribed time limit or agreed extension;

6.6.3 Ensuring adherence to the requirements of the policy and directive governing the resolution of classification grievances within the context of the classification grievance hearing process; and

6.6.4 Ensuring the integrity of the evaluation process during the Classification Grievance Committee's deliberations.

7. Monitoring and reporting requirements

7.1 Within organizations

7.1.1 Heads of classification are responsible for monitoring compliance with this directive within their organizations.

7.2 By organizations

Departmental leads for classification grievances are responsible for:

7.2.1 Ensuring that the Office of the Chief Human Resources Officer is notified of all classification grievances submitted within the deputy head's organization. Notification involves inputting the required departmental information into the Treasury Board of Canada Secretariat's Classification Grievance Tracking System in a timely manner, and providing the Office of the Chief Human Resources Officer with the pertinent information and documentation identified in [Appendix B](#) of this directive.

7.3 Government-wide

The Office of the Chief Human Resources Officer is responsible for:

7.3.1 Conducting, when required, system-wide or organization-specific reviews of information pertaining to classification grievances in order to monitor compliance with the expected results of this directive; and

7.3.2 Reviewing this directive at the five-year anniversary of its implementation.

8. Consequences

8.1 In cases of non-compliance with the *Policy on Classification* and related instruments, the Chief Human Resources Officer may direct deputy heads to take appropriate corrective actions to address issues or may impose any other measures deemed appropriate.

8.2 These measures may include recommendations by the Chief Human Resources Officer to the Treasury Board to add conditions to, modify or revoke the classification authority of deputy heads. A range of consequences of non-compliance can be found in the *Directive on Classification Oversight*.

9. References

9.1 Related policy Instruments and publications

- [Directive on Classification](#)
- [Directive on Classification Oversight](#)
- [Directive on Official Languages for People Management](#)
- [Directive on Terms and Conditions of Employment](#)
- [Policy on the Management of Executives](#)
- [Policy on Official Languages](#)
- [Values and Ethics Code for the Public Sector](#)

10. Enquiries

Please direct enquiries about this directive to your departmental corporate human resources office. For advice about the application of this directive, departmental corporate human resources representatives should contact:

Employer Representation in Recourse
Compensation and Labour Relations Sector
Office of the Chief Human Resources Officer
Treasury Board of Canada Secretariat

Appendix A: Sub-Delegation of the Authority to Issue Classification Grievance Decisions

The sub-delegation of the deputy head's authority to issue final and binding classification grievance decisions to a senior departmental official requires a formal, written instrument of delegation that:

- Is signed by the deputy head and identifies the name of the senior departmental official (or title of the position) to receive the sub-delegated authority; and
- Outlines any restrictions on the delegate's authority to make final and binding classification grievance decisions.

An example of a sub-delegation instrument follows. **Although its format may vary, it must contain the information as shown.**

Example of an instrument of sub-delegation for the deputy head's delegate for classification grievances

1. I hereby authorize (insert the name of the senior departmental official or the title of the position) to issue classification grievance decisions, effective (insert date), in accordance with subsection 6.1.1.2 of the *Policy on Classification*.

(Insert name of the senior departmental official or the title of the position) shall exercise this authority for all positions for which I have the authority to issue final and binding classification grievance decisions, **except where either the unanimous recommendation or the minority and majority recommendations of the grievance committee are rejected, in which case I must personally approve the decision.** (This clause may be made more restrictive, at the discretion of the deputy head.)

2. The following types of classification grievance results shall be brought to my attention before a decision is made:

1. Results that:

- May have a significant impact on the occupational group allocation or classification level of other positions within my organization;
- May have an impact on similar positions in other organizations;
- May substantially affect program management or union-management relations; and

2. Results in which a minority recommendation is being accepted.

Signature of deputy head Date

Appendix B: Classification Grievance Procedure

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1. General information

1.1 Who may file a classification grievance

1.1.1 The [Public Service Labour Relations Act](#) determines who has the right to grieve. This right is provided, but not limited, to those employed in the core public administration in a managerial or confidential capacity, and it excludes, among others:

- Persons employed on a casual basis;
- Persons employed on a term basis for a period of less than three months; and
- Persons required to work less than one third of the normal period for persons doing similar work.

1.2 Presenting a classification grievance

1.2.1 A classification grievance must be presented at the final level of the departmental grievance process and in accordance with the requirements of the *Public Service Labour Relations Act*.

1.3 Circumstances justifying the presentation of a classification grievance and time limits

1.3.1 A classification grievance must be presented by an employee no later than 35 calendar days after the day on which the employee receives notification or, when the employee has not received such notification, no later than 35 calendar days after the day on which he or she first becomes aware of an action or circumstance affecting the classification of the position he or she occupies.

1.3.2 Employees must present their grievance in writing to their immediate supervisor or local officer-in-charge, as defined by the organization, using the [grievance form](#) provided by the employer. The written grievance must include the substance of the grievance; the title, position number and classification of the position being grieved; the corrective action being requested; and the name of the grievor's representative. The grievance form must be signed and dated by the grievor.

1.4 Choice of representation

1.4.1 Representation of a grievor who is included in a bargaining unit must be in accordance with the *Public Service Labour Relations Act*. If the grievor occupies an unrepresented position or a confidential or managerial position, the grievor may be represented by any person of his or her choice, provided there is no conflict of interest.

1.5 Acknowledging receipt of the grievance

1.5.1 On receipt of a classification grievance, the immediate supervisor or the local officer-in-charge must sign and date the grievance form.

1.5.2 The immediate supervisor or the local officer-in-charge must return the signed and dated copy of the grievance form to the grievor and transmit the grievance to the deputy head or delegate for classification grievances.

1.6 Time limit for responding to a grievance

1.6.1 Under subsection 72(2) of the [Public Service Labour Relations Regulations](#), the deadline for providing a written response to the grievor is no later than 80 calendar days after the day on which the immediate supervisor or the local officer-in-charge receives the grievance.

1.6.2 The organization and the grievor or the grievor's representative (as applicable) may agree to extend the deadline beyond the 80 calendar days' time limit. However, all extensions of time must be for a specified period. Extensions for an indefinite period are not permitted.

1.7 Re-examination of a classification decision

1.7.1 When an organization decides to re-examine a classification decision for a position against which a classification grievance has been presented, the classification grievance should be held in abeyance pending the outcome of the re-examination.

1.7.2 Once the re-examination process is concluded, the organization will formally inform the grievor of the results of the re-examination (confirmation of the existing classification decision or issuance of a new decision).

1.7.3 In either case, if the grievor wishes to continue with his or her initial classification grievance, the grievance process must proceed in accordance with the procedure outlined in this appendix.

1.8 Withdrawal of a grievance by the employee

1.8.1 At any time before the grievance decision is issued, a grievor may withdraw a grievance by giving signed written notice to the immediate supervisor or the local officer-in-charge.

1.8.2 The immediate supervisor or local officer-in-charge must forward the notice of withdrawal directly to the responsible human resources advisor, who will notify the Office of the Chief Human Resources Officer (OCHRO) in accordance with the departmental process.

1.8.3 Only the employee may withdraw his or her classification grievance. No person, including the employee's representative, may do so on behalf of the employee.

2. Initial examination of a classification grievance

2.1 All grievances must be examined upon receipt. When a classification grievance is rejected, the deputy head or delegate will issue the decision and respond to the grievor accordingly.

2.2 When grievances relating to both the content of the job description and the classification of the position occupied by the grievor are presented, the classification grievance, if timely, should be held in abeyance until the related labour relations grievance process is complete.

If, as a result of the labour relations grievance process:

1. The content of the job description changes, then a new classification decision must be issued by the organization, based on an evaluation of the new job description. The organization must notify the grievor of the new classification decision as required by this directive; or
2. The content of the job description remains the same, then the existing classification decision remains in effect and a new classification decision does not need to be issued.

In either scenario, the organization must confirm with the grievor whether he or she intends to pursue the original classification grievance against the most recent classification decision. If the grievor wishes to continue with the classification grievance, the grievance process must proceed in accordance with the procedure outlined in this appendix.

2.3 When grievances relating to both the classification and the effective date of the position occupied by the grievor are presented, the classification grievance process and the labour relations grievance process may proceed concurrently. For the classification grievance process, the effective date of the grieved classification decision will remain in effect unless a change in the effective date results from the labour relations grievance process.

3. Classification Grievance Committee

3.1 Mandate

The Classification Grievance Committee is responsible for establishing the appropriate classification of the grieved position based on the work assigned by the responsible manager and described in the job description, and the additional information provided by management and the grievor or the grievor's representative. The classification that is recommended to the deputy head or delegate must be equitable and consistent with the Treasury Board classification policy instruments, including the relevant job evaluation standard.

3.2 Scheduling

3.2.1 Upon receiving a grievance, the departmental lead will contact OCHRO to establish a hearing date.

3.2.2 Once the date has been established, the organization will formally contact the grievor and the grievor's representative at least 21 calendar days in advance, to inform them of the location (normally at the organization's headquarters) and the date and the time of the hearing. The date chosen may be changed only under exceptional circumstances and with the approval of OCHRO.

3.2.3 The employer will not assume any liability for expenses incurred by a grievor, unless specifically provided for in a collective agreement. An employee who wishes to be present at the grievance hearing is responsible for his or her expenses and must make arrangements for leave from his or her place of work.

3.3 Composition of the Classification Grievance Committee

3.3.1 A Classification Grievance Committee has three members; whenever possible, both genders are to be represented. The members of the committee include the following:

1. A chairperson, who is an accredited classification advisor;
2. An OCHRO grievance officer, except as specified in subsection 3.3.4; and
3. An individual from within or outside the organization—preferably a manager who has knowledge of both the job evaluation standard(s) being used and of the work being evaluated.

3.3.2 The committee members must meet the following criteria:

1. They did not participate in the classification decision of the position being grieved;
2. They are not supervising the position in question, nor are they in any situation of real or perceived conflict of interest;
3. They are unrepresented or occupy a managerial or confidential position; and
4. They are knowledgeable about job evaluation techniques and experienced in the use of job evaluation standards.

3.3.3 An OCHRO grievance officer will chair the Classification Grievance Committee when the classification decision of the position being grieved has been authorized by the deputy head.

3.3.4 The presence of an OCHRO grievance officer is not required when:

1. A classification grievance is submitted against the same position for which a classification grievance decision had previously been issued and the new job description and the organizational context are identical to the submission for the previous grievance decision; or
2. A classification grievance is submitted against a unique position for which the risk of a decision having a negative impact on internal and external relativity is low. This requirement does not apply in the case of a grievance submitted against an Executive Group position.

3.3.5 When a classification grievance has been submitted against the same position for which a previous grievance decision had been issued, but the new job description is not identical to the one submitted for the previous grievance decision, the grievance must be presented before a new Classification Grievance Committee that includes an OCHRO grievance officer. If the committee is of the view that:

1. No significant change has occurred since the previous grievance decision, a recommendation to support this conclusion will be made to the deputy head or delegate, who will issue a new final and binding decision, with the effective date of the previous grievance decision; or
2. One or more significant changes have occurred since the previous grievance decision, the committee will review the case and make a recommendation to the deputy head or delegate, who will issue a new final and binding decision, with the effective date of the new duties.

3.3.6 Under subsection 3.3.4 (b), organizations must obtain OCHRO's approval to proceed without an OCHRO grievance officer, and requests will be assessed on a case-by-case basis. When approval to proceed without an OCHRO grievance officer is granted, the chairperson must be an accredited classification advisor of the host organization and at least one of the committee members must be an employee from another organization.

3.3.7 Although the presence of an OCHRO grievance officer is not required in cases noted in subsection 3.3.4, a Classification Grievance Committee must be convened, and the grievance procedure outlined in this appendix must be adhered to. OCHRO must also receive the documentation and information identified in subsection 3.4, including the complete report and the letter to the grievor informing him or her of the grievance decision. In all cases, the grievor and the grievor's representative must be invited to make a presentation to the committee.

3.4 Documentation and information required

3.4.1 The following documentation must be sent to each committee member and to the grievor's representative (or to the grievor if the grievor is not represented) at least 21 calendar days before the hearing date:

- Signed grievance presentation form;
- Notice of the classification decision for the position being grieved;
- Rationale for the classification decision of the position being grieved;
- Job description forming the basis of the classification decision being grieved, signed by the responsible supervisor and indicating the effective date;
- Organization chart in effect, signed and dated by the responsible manager; the chart depicts the organizational location of the grieved position and its relationship to the other positions in the same unit or division;
- Supervisor's job description;
- Job descriptions for any immediate subordinate positions, upon request;
- Job validation review report, if available;
- Any other pertinent information that may help resolve the grievance (for example, a departmental study or precedents); and
- Written presentation(s) submitted before the hearing.

3.4.2 For classification grievances concerning positions where the deputy head has authorized the classification decision, the documentation specified in subsection 3.4.1 must be sent to OCHRO.

3.4.3 The following information must also be provided to OCHRO:

- Date on which the employee was notified or became aware of the action giving rise to the grievance;
- Bargaining unit affiliation of the grievor and whether the grievor occupies an unrepresented position or a managerial or confidential position; and
- Names and job titles of the Classification Grievance Committee members.

3.4.4 When standardized job descriptions are implemented and multiple grievances are presented against the same classification decision, organizations must provide OCHRO with a list of the grievances covering the related decision, but need to submit only one copy of the applicable job description and other documentation relevant to the decision being grieved.

3.5 Role of the chairperson

3.5.1 The chairperson is responsible for ensuring that the Classification Grievance Committee members and the grievor, in particular, are reminded of the committee's role and of the grievance procedure. The grievor and the grievor's representative must be made aware that all aspects of the classification of the grieved position will be reviewed by the committee and that the decision will be final and binding and could result in the upgrading, confirmation or downgrading of the grievor's position. The chairperson must explain the roles of the committee members and outline the procedure that the committee will follow:

- The grievor or the grievor's representative presents arguments;
- Management responds to questions, if deemed necessary by the Classification Grievance Committee;
- The committee deliberates;
- The chairperson of the committee ensures that a report is prepared and that it includes a recommendation; and
- The deputy head or delegate issues the final and binding decision.

3.5.2 The chairperson must have a clear understanding of the grievance, including details of the position being grieved and the organizational context, in order to provide precise, first-hand explanations and information to the committee members. The chairperson is responsible for overseeing the conduct of the meeting.

3.6 Hearing

3.6.1 The classification grievance process is not intended to be adversarial. It provides an opportunity for the presentation and provision of information to the Classification Grievance Committee.

3.6.2 Presentation by the grievor and the grievor's representative

The grievor and the grievor's representative must be given the opportunity to make a presentation, in person (for example, by teleconference) or in writing, to the Classification Grievance Committee before a recommendation is made regarding the classification of the grieved position. Once the presentation is completed, they must withdraw from the meeting.

3.6.3 Management information

A management representative familiar with the work of the grieved position must be available to respond to questions the committee members may have about the position.

The management representative is not permitted to:

- Argue in favour of, or against, the existing classification decision;
- Attempt to influence the committee members;
- Participate in the committee's deliberations; or
- Be present when the grievor and the grievor's representative make a presentation to the committee.

3.6.4 Additional information

The committee may call upon other persons to provide additional information and to conduct a job validation review, as necessary.

Because classification grievances are heard at the final level of the grievance process and the decision is final and binding, it is critical that the decision be based on an accurate job description describing the work assigned by management. To facilitate the committee's work and avoid delay, it is encouraged, when a classification grievance is presented, that a job validation review be conducted with the employee and in consultation with the employee's manager before the hearing. A copy of the job validation report must be provided to the grievor and the grievor's representative.

3.6.5 Disclosure of new or contradictory information

When information that the grievor could not reasonably have known is provided to the committee by a management representative, or others, and the committee determines that the information is relevant to its deliberations, including information that contradicts the information provided by the grievor or the grievor's representative, the committee must disclose the information to the grievor or the grievor's representative and provide him or her with the opportunity to respond.

3.7 Committee deliberations

3.7.1 The committee deliberations occur *in camera*. The members will examine the information presented and discuss and evaluate the position in question against the appropriate job evaluation standard. Members will review all aspects of the classification decision being grieved (the group and sub-group allocation, the job evaluation standard, the level and the ratings, if applicable), even though in some instances not all aspects are being challenged. Members will attempt to reach a consensus when evaluating the position. If a consensus is not reached, minority and majority reports will be prepared. The possible financial implications of the reclassification of one or more grieved positions may not be considered by the committee during its deliberations.

3.7.2 The committee may recommend that the current classification decision be confirmed, that there be a change in the evaluation, or that the position be reclassified to a higher or lower level within the same or a different occupational group.

3.7.3 The proceedings in general and the committee's recommendation in particular may not be disclosed to, discussed with, or influenced by outside parties.

3.8 Classification Grievance Committee report and recommendation

3.8.1 The Classification Grievance Committee report summarizes the recommendation of the committee, responds to the arguments and relativity put forward by the grievor and the grievor's representative, and provides the analysis used by the committee to arrive at its recommendation. The report must include the following information:

1. Identifying information

This section should provide the grievance case number; the grievor's name; the grieved position's number, title and classification; the organization's name; and the geographical location.

2. Committee members

This section should list the names and organizations of the committee's chairperson and members.

3. Date and location of grievance hearing

4. Nature of complaint

This section should provide a summary of the classification action or decision giving rise to the grievance and the specific corrective action requested by the grievor.

5. Representation by, or on behalf of, the grievor

This section should provide the name of the grievor's representative, if applicable. It should summarize the salient points made in support of the grievance, including relativity put forward and the rationale for the classification proposed by the grievor.

6. Management information

This section should provide the name and title of the management representative and the representative's hierarchical relationship to the position being grieved. It should summarize the information provided by this representative, including responses to the questions asked by the committee. Any submitted documentation should also be noted. As required by subsection 3.6.5 of this appendix, the committee must provide the grievor with the right to respond to information that the grievor could not reasonably have known or that contradicts the information presented by the grievor or the grievor's representative and that is relevant to the committee's deliberations.

7. Committee deliberations

This section is the heart of the report and must clearly indicate how the committee arrived at its recommendation. It should analyze the work assigned to the grievor in relation to the job evaluation standard(s), the arguments (in particular, the proposed ratings, benchmark positions and relativity) made by, or on behalf of, the grievor and the information presented by management; and should provide an explanation of the committee's evaluation. It should state why the committee evaluated the position in the specific occupational group and subgroup and applied a specific standard; how it arrived at a specific level; and what, if any, other occupational groups and job evaluation standards were considered, and the reasons why they were considered inappropriate. For ratings that have not been contested and for which, after review, the committee concurs with the existing departmental evaluation, the report does not need to include a justification if the departmental rationale is part of the grievance case documentation.

8. Committee recommendation

This section should state the committee's recommendation regarding the occupational group, the relevant standard and the level of the position. It should also indicate the authorized effective date.

9. Signatures

All committee members and the deputy head or delegate must sign and date the report.

3.8.2 A Classification Grievance Committee report is not complete and must not be submitted to the deputy head or delegate for approval until it has been signed by all committee members. Signed minority reports must also be submitted to the deputy head or delegate.

4. Classification grievance decision

4.1 Decision by the deputy head or delegate

4.1.1 On reviewing the Classification Grievance Committee report and recommendation, the deputy head or delegate may:

1. Approve the committee's recommendation if the report is unanimous;
2. Reject the committee's recommendation(s). If the delegate rejects the unanimous recommendation or the minority and majority recommendations of the committee, the decision must be personally approved by the deputy head. In such circumstances, the deputy head must report to OCHRO, and include in his or her response to the grievor, the reasons for non-acceptance, tied directly to the justification used by the committee in arriving at its recommendation; or
3. Approve the recommendation provided in either a majority report or in a minority report. If the recommendation of a minority report is accepted by the delegate, the delegate must notify the deputy head before issuing a decision.

4.2 Status of a grievance decision

4.2.1 The decision resulting from the classification grievance is final and binding.

4.2.2 Unless a significant change occurs that is likely to affect the evaluation or the nature of the position, a classification review must maintain the group, sub-group (if applicable), level or ratings of the classification grievance decision.

4.2.3 A final and binding decision does not preclude an employee from submitting a new grievance following notification of the review of the employee's position when *no significant change* was recognized. In such cases, the grievance must be accepted and treated in accordance with this procedure.

4.2.4 Each case must be dealt with on its own merits.

5. Response to the grievor

5.1 The grievor must be advised in writing of the grievance decision issued by the deputy head or delegate. The response to the grievor must be signed by the deputy head or delegate and must state the classification and the effective date of the decision. It must also state that the decision is final and binding.

5.2 A copy of the Classification Grievance Committee report and the response to the grievance must be provided to the grievor and to the grievor's representative. No response may be sent until the report has been signed by all committee members and by the deputy head or delegate.

5.3 Copies of the grievance report and the letter notifying the grievor of the results of the grievance must also be sent to the responsible manager and to OCHRO.