

Montréal, February 9, 2016

Dear members,

With negotiations having drawn to a close, it is essential to report on pay equity and pay relativities. This is particularly important given that these issues were the focus of negotiations at the central bargaining table. Indeed, the Treasury Board wished to include the resolution of 2010 complaints, the ranking of mixed job classes (relativities) and the 2015 maintenance in its resolution on salary structure. It is therefore important to take a closer look at each of these issues.

2010 Maintenance Complaints

Following the Treasury Board's second posting in the 2010 pay equity maintenance operation, the FPPE and its unions filed complaints for 15 job classes.¹ For one of these—Psychologists—a resolution adopted following a 2008 complaint in the health sector led to a modification in the ranking and we withdrew our complaint, which had become obsolete. The goal of these complaints was to raise awareness of the significant changes in these job classes, in order to obtain a higher salary ranking. For certain job classes, we had also submitted a complaint aiming to contest the gender bias. Indeed, in a pay equity plan, only the predominantly female job classes are eligible for a correction. Only in June 2014 did the conciliation talks truly begin with the Pay Equity Commission and the Treasury Board. In a [letter](#) dated last April 9, I presented an assessment of the situation. Work has continued and progress has been made, but from labour's perspective, a satisfactory settlement has yet to be reached. Lastly, after having resolved the complaints concerning Category 1 (nurses), work resumed this week and we still hope to reach a satisfactory resolution for as many of our job classes as possible.

A number of members have asked, especially during the general assemblies, what they could do to pressure the Treasury Board and help us to get them to bend. We encouraged them to write to the Treasury Board President to express their dissatisfaction with the failure to address the complaint regarding their job class, while pointing out all of the changes that have occurred in their duties between 2005 and 2010. Some groups took action. If you wish to join them, I encourage you to contact your union, which will provide you with all relevant information.

Pay Relativities (Mixed Job Classes)

In a pay equity plan, male-dominated job classes are the "discriminating" ones and are used to plot the curve. Subsequently, female-dominated classes are adjusted in order to receive an equivalent salary. According to the law, no measures are stipulated for mixed job classes, i.e., those without a gender bias. Since 2005, there have been 31 job classes in the public and parapublic sectors that were not ranked. For the FPPE, five job classes were concerned:

¹ List of job classes: Guidance Counsellors, Education Consultants, Speech Therapists, Psychoeducators, Readaptation Officers, Librarians, Nutritionists and Nutrition Consultants, Counsellors in Academic Training, Academic and Vocational Information Counsellors, Translators, Communications Consultants, Counsellors in Reeducation, Speech Correction Officers, Preschool Education Consultants.

- Spiritual Care and Guidance, and Community Involvement Animator (SCGCIA);
- Education Consultant (EC);
- Student Life Animator;
- Spécialiste en moyen et technique d'enseignement (SMTE) (French school boards only)
- Architect.

In the 2010 negotiations, the trade union associations had requested that a committee be created to undertake the ranking of these mixed job classes. A letter of understanding to this effect was signed between the trade unions and the government in order to conduct assessments of such job classes using the same matrix comprising 17 sub-factors. Unfortunately, just as in the equity-related work, we encountered widely varying job assessments, resulting in different rankings. For example, for the same sub-factor, management regularly ends up with lower rankings than the union organizations.

As the Treasury Board wished to reach an agreement for ranking these job classes in the context of the negotiations, work accelerated and we reached an agreement for ranking 22 job classes, including 3 that are of concern to us, namely:

- Student Life Animator: Ranking 20;
- SMTE: Ranking 21;
- Architect: Ranking 22.

To our great disappointment, no agreement was reached for ranking the job classes of (i) Education Consultants or (ii) Spiritual Care and Guidance, and Community Involvement Animators, as labour rejected the ranking proposed by the Treasury Board, which for its part, refused to take our arguments into consideration. We found ourselves at an impasse, which is why, for these two job classes, discussions will continue within committees that will be created once the agreement is signed.

One of these committees will also be responsible for studying an important problem. Indeed, in an equity or equity maintenance plan, the job classes that were classified as male-dominated in the 2001 pay equity plan are not eligible for adjustment since they are considered to be "discriminating" rather than "discriminated." However, with time, there may be events that affect these job classes. If we are unable to take these into account, we run the risk of creating new inequalities. Should the law be amended? Should another forum be established to push for significant changes for male-dominated or even mixed job classes? Is contesting gender bias the only avenue left? As you can see, this issue is far from being resolved!

Maintenance of 2015 Equity

The *Pay Equity Act* stipulates that the Treasury Board evaluate the maintenance of pay equity every five years. This assessment aims to determine whether events have occurred to justify salary corrections for predominantly female job classes. The Treasury Board must ensure that equity is maintained. Events that may give rise to corrections include the following:

- Creating, abolishing or merging female- and male-dominated job classes and job categories;
- Updating or reviewing classification plans;
- Amending requirements concerning professional orders;
- Amending training requirements;
- Applying general salary hike parameters, including that of March 31, 2015 (adjustment of curve).

The Treasury Board, together with the relevant ministries, therefore determined the significant changes that have taken place since January 2011. Subsequently, it produced a list of the female-dominated job categories that will benefit from pay adjustments pursuant to its assessment. This list was posted in accordance with the law on December 21. The Treasury Board concluded that within the "School Boards" sector, the following job classes shall undergo a salary correction:

- Psychologist: 0.04%;
- Occupational Therapist: 0.02%;
- Clinical Sex Therapist: 0.02% (probable error by the Treasury Board since this job class does not appear in the school board professionals classification plan).

These minimal corrections stem solely from a new calculation of the salary gap estimation curve and not from a recognition of significant changes. Indeed, according to the Treasury Board's analysis, there have been no significant changes, with the exception of the new Master's degree requirement for Physical Therapists.

Of course, the FPPE does not concur with this assessment. The CSQ and its federations have taken the initiative to conduct their own assessments of the changes and of new job classes. The FPPE therefore combed through the 89 questionnaires completed by some of you, and identified the events that, in our opinion, might justify a pay correction under this 2015 maintenance operation for certain job classes:

- Bills 21, 56 and 133;
- Measure 30810-2;
- More regular supervision;

Rigorous effort will be made to evaluate the possibilities of using these changes to have one or more sub-factors modified, naturally with the goal of gaining better recognition for our professions.

From now through February 19, the FPPE will be asking questions with regard to this first posting, as stipulated by the law. As employees, you are also entitled to ask questions of the Treasury Board. You will find attached the posting and a letter template that we encourage you to send no later than February 19 to maintien.para-2015@oricom.ca or to the address given in the posting. If you do so, we would like to have a copy of the questions sent. You can also send your questions to your union between now and February 15, and we will take charge of them.

On March 20, the Treasury Board will make a second posting and we will see whether or not it has taken our questions and concerns into consideration and whether it has made further adjustments. At this time we may also receive general or specific answers, though nothing is stipulated in the law in this regard.

Lastly, no later than May 19 and based on the answers received by the Treasury Board and the rigorous assessment of each element, the FPPE will prepare complaints for the job classes that, according to our analysis, should have been corrected. These complaints will be signed by the unions that are the accredited associations, but the ensuing tasks of formulating arguments and of representation will be overseen by the FPPE with the help of its advisors and the CSQ.

We will notify you of the job classes for which we will be submitting a complaint as soon as we have evaluated the various aspects, but in no way shall this preclude employees from filing a complaint on their own. You will receive all the information in this regard in April, which will give you enough time to take action, should you choose to.

In the appendix, you will find a PowerPoint presentation that offers a rather good summary of the 2015 pay equity maintenance.

Integration into the New Pay Structure

Following the intersectoral agreement in April 2019, all individuals will be integrated in accordance with their ranking, and, if you have not done so already, I encourage you to take a look at [the Excel spreadsheet](#) to view the pay structure applied to your job class based on your 2019 ranking. You may also consult the CSQ's online tool at <http://www.lacsg.org/dossiers/economie/nouvelle-structure-salariale>. This site also provides other useful information.

Of course, any change in ranking that we obtain—whether by resolving 2010 or 2015 complaints or within the committees for relativity—will have a positive impact on integrating individuals who will be in the job classes for which the Treasury Board will have upheld our claims. However, I should remind you that even if the ranking of certain job classes is lower in 2019 than the current salary, the clause of the collective bargaining agreement for off-rate off-scale employees (6-2.02, Francophone, Cree and Kativik agreement; 6-9.03 Anglophone agreement) will apply, and no member will be subject to pay cuts or freezes.

In conclusion, rest assured that the FPPE is giving this issue all the attention and resources it deserves and that every effort will be made to reach a satisfactory settlement, no matter how long that might take. I also invite you to keep an eye on union messages in order to stay current on the evolution of these various dossiers.

Sincerely,



Johanne Pomerleau,
President, FPPE