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## Position Classification and Appeal

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Policy Number:	4114
Key Process Area:	Employee Engagement & Culture
Owner:	VP FA
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### POLICY STATEMENT

NBCC values leadership with integrity and demonstrates that by taking pride in its collective accountability. NBCC demonstrates its accountability to Managers and Employees by providing transparency with regard to processes, roles and responsibilities as well as an expectation that all parties undertake related position classification activities in accordance with this policy.

### PURPOSE

This policy outlines NBCC's commitment to transparency by providing guidance to Managers and Employees with regard to the specific processes for requesting, reviewing, and making recommendations regarding position classifications as well as any related mechanisms to appeal.

### SCOPE AND LIMITATIONS

This process applies to all employees of NBCC.

#### 1.0 DEFINITIONS

**Employee** - a person who meets the definition of Employee under the Public Service Labour Relations Act and as may be further described in collective agreements.

**Lead** - a person designated by the Director, Employee Engagement and Culture, (currently the Lead, Employee Classification & Development) to be responsible for the operationalization of this policy.

**New Position** - a position will be considered "new" when a Manager and Employee Engagement and Culture concur that the proposed role (i.e. function and/or combination of duties and responsibilities) is previously unclassified OR a significant percentage (i.e. majority) of an existing role has changed resulting in divergence from previously classified positions in terms of know-how, problem-solving and accountability.

**Position Classification** - Evaluation of job functions (e.g. duties and responsibilities) assigned to an Employee in order to consistently apply standard, objective, documented criteria by which job size and complexity shall be evaluated so as to compare and place individual jobs to one another within NBCC's job classification system.

**Vice President** – Senior Executive responsible for Employee Engagement and Culture and Labour Relations.

#### 2.0 IMPLEMENTATION

##### 2.1 Position Classification Process

###### 2.1.1 General

- a) Position Classification requests will only be considered if the duties and responsibilities for the position have not been initially documented as falling within an NBCC Position Classification OR if the documented duties and responsibilities for a pre-existing position have changed significantly.

### 2.1.2 Timelines

- a) A request for classification starts upon submitting a written request and updated job description to Employee Engagement and Culture (EE&C) at [humanresources@nbcc.ca](mailto:humanresources@nbcc.ca) in the form and format required by EE&C (and as may change from time to time). To be considered complete, significant changes to the position's duties and responsibilities must be identified and described if the request relates to a pre-existing position.
- b) The effective date of any Position Classification is the date that EE&C receives the completed written request, updated job description as well as the description of significant changes to the position's duties and responsibilities, as may be applicable. The effective date shall represent the start of the process and shall be applied to any calculation of retroactive pay should changes to compensation result.
- c) Position Classification requests shall only be considered if at least 24 months have elapsed from the date of the last Position Classification.
- d) Outcomes related to a Position Classification request shall be communicated to the Employee (if applicable) and Manager no later than 60 calendar days following the effective date.
- e) Position Classifications for which more than 60 calendar days have elapsed without communication from the Lead with regard to outcome OR for which a mutually agreeable extension has not been decided may be appealed pursuant to this policy (as outlined below).
- f) Appeals must be submitted no later than 15 calendar days after:
  - o the date that an outcome is communicated by the Lead;
  - o the 60 calendar-day period following the effective date; or,
  - o the extension date to which parties have mutually agreed, if applicable.
- g) Appeal Boards shall deliberate no later than 60 calendar days after receipt of a request for appeal following which written communication of decision with reason shall be forwarded to Employee and/or Manager within 15 calendar days.

A classification review may be requested by an employee or their supervisor who considers that the duties and responsibilities for the position have changed significantly. Such a request will only be considered if at least twelve (12) months have elapsed from the date of the last classification.

All new positions will be evaluated to properly place the position in the Plan of Establishment. A position will be considered "new" when management defines a completely new role, or when a substantial percentage of the job content of an existing role differs from previously classified positions.

The classification review process shall be concluded within 90 calendar days (unless extended by mutual agreement) from the employee's submission of an accurate approved Position

Description Questionnaire (PDQ) and a formal request for a review has been made to his/her supervisor or manager and Chair of the Classification Review Committee. The decision of the Classification Review Committee will be communicated in writing to the employee and supervisor by the Chair of the Committee.

The decision of the Classification Review Committee is effective on the date of the formal request for a classification review.

## **3.0 OTHER RELATED DOCUMENTS**

### **3.1 Employee and/or Manager**

- 3.1.1 Written requests for Position Classifications including required documentation must be submitted to Employee Engagement and Culture (EE&C) in the form and format required by EE&C (and as may change from time to time).
  - a) If related to a New Position, the relevant Manager may submit the written request and job description to Employee Engagement and Culture (EE&C).
  - b) If related to a pre-existing position, either Employee or Manager may submit the written request and job description to Employee Engagement and Culture (EE&C). In order for any request related to a pre-existing position to be considered complete, significant changes to the position's duties and responsibilities must be identified and described.
- 3.1.2 Employees submitting a request for Position Classification shall, at a date no later than the submission to EE&C, forward their submission to their Manager in order to obtain agreement as to the facts.
- 3.1.3 Managers shall immediately consult with the Lead upon receipt or initiation of a written request – and in any event prior to any conclusion of discussions with an Employee regarding same.
- 3.1.4 Managers shall respond on a timely basis to inquiries from an Employee or Lead seeking further information and/or status regarding any request for Position Classification.

### **3.2 Lead**

- 3.2.1 Acknowledges receipt of the request in writing and records the effective date for the purposes of the 60 days target completion (and, if successful, implementation).
  - a) If submitted by the Employee, forwards the request to the relevant Manager to facilitate consultation and agreement as to the facts.
  - b) Managers shall review any Employee-initiated written request and consider their understanding of the job description and significant changes as may be identified and described.
  - c) Manager and Employee shall, through facilitation of the Lead and to extent possible and mutually agreeable, make changes and/or edits necessary to accurately reflect the duties and responsibilities (and related changes from current job description).

- d) It is recognized that the Manager and Employee may or may not reach agreement with regarding to the facts supporting a written request.
- 3.2.2 Conducts preliminary review and research regarding similar positions both internally and externally.
- 3.2.3 In the sole judgement of the Lead,
  - a) If benchmark jobs exist, the Lead classifies the role within NBCC's job classification system.
- 3.2.4 If benchmark jobs do not exist, the Lead gathers such information as may be required by interviewing the Employee and Manager independently. Based upon that information, the Lead classifies the role within NBCC's job classification system. Consults with the Director, Labour Relations regarding any Position Classification affecting movement into, out of or within any of NBCC's collective bargaining (union) agreements. As may be applicable, recommendation(s) will only proceed once union(s) consulted by Director, Labour Relations.
- 3.2.5 Recommends outcome regarding the Position Classification to the Director, EE&C for review and approval. Outcomes may include: no change in Position Classification or change in Position Classification with details.
- 3.2.6 Provides written notification to Employee (if applicable) and/or Manager providing clear rationale for the recommended outcome.
- 3.2.7 If recommended outcome is a change in Position Classification, drafts a memorandum/briefing note and an updated employment letter for approval by the Director, EE&C.

### **3.3 Director, Employee Engagement & Culture**

- 3.3.1 Reviews and approves all memoranda/briefing notes recommending outcomes related to Position Classifications.

### **3.4 Lead**

- 3.4.1 Forwards employment letter to Employee (if applicable) and Manager.
- 3.4.2 Initiates implementation with talent acquisition and/or payroll functions of EE&C.

## **4.0 POSTION CLASSIFICATION APPEAL PROCESS**

- 4.1.1 Employees and Managers each have the right to appeal the recommended outcome of a request for Position Classification as communicated by the Lead.
- 4.1.2 Employees and Managers each have the right to appeal a request for Position Classification if 60 calendar days have elapsed from the effective date without communication of outcome or mutually agreement as to extension.
- 4.1.3 Written requests for appeal must be submitted to Employee Engagement and Culture (EE&C) in the form and format required by EE&C (and as may change from time to time).
- 4.1.4 Requests for appeal shall be reviewed and evaluated by an Appeal Board comprising:
  - a) Chairperson, who shall be the Director, EE&C;

- b) A member of Senior Executive Team not to include the member to whom the Employee and Manager ultimately report; and,
  - c) A Director and/or Manager not to include the Director or Manager to who the Employee and Manager report.
- 4.1.5 While not members of the Appeal Board, the Lead, Employee (if applicable) and Manager shall be available during the deliberations of the Appeal Board in order to respond to clarifying questions of the Appeal Board (as required).
- 4.1.6 The Appeal Board shall only be presented with and shall only consider the information contained in the request for appeal, the related request for Position Classification and/or any information previously collected by the Lead in support of the recommended outcome. For clarity, new information should not be presented or considered at the Appeal Board.
- 4.1.7 The Appeal Board may decide the outcome of a Position Classification review in the following ways:
  - a) Confirmation of outcome recommended by the Lead;
  - b) Approval of an outcome requested by the Employee and/or Manager, if different from the Lead's recommendation and if supported; or,
  - c) Request for further clarification, to be coordinated by the Lead.
- 4.1.8 The Appeal Board shall only deviate from the outcome recommended by the Lead if it deems the outcome to be incorrect for the following reasons:
  - a) For a pre-existing position, that the duties and responsibilities of the updated job description do not represent significant change from the prior job description (in which case, the current Position Classification is maintained).
  - b) For a pre-existing or New Position, that the duties and responsibilities of the (updated) job description is significantly different from the job benchmarked/NBCC job classification recommended by the Lead. In this case, the Appeal Board may decide that:
    - The duties and responsibilities of the updated job description is substantially consistent with the outcome originally requested by the Employee and/or Manager in which case the outcome requested is adopted.
    - The duties and responsibilities of the updated job description is not substantially consistent with the outcome originally requested by the Employee and/or Manager in which case, the Lead shall be instructed to conduct further investigation and return to the Appeal Board with a revised recommendation.

- 4.1.9 The decision of the Appeal Board shall be decided by majority vote.
- 4.1.10 The decision of the Appeal Board shall be final and binding upon all parties.
- 4.1.11 Director, EE&C shall provide the Appeal Board's written decision with reason to the Employee and Manager no later than 15 calendar days following the date of presentations and deliberations of the Appeal Board.

## **5.0 OTHER RELATED DOCUMENTS**

Job Description Template