

Classification Appeal - Department Review Process

Frequently Asked Questions

All salaried employees have the right to appeal the deputy head's decision regarding the classification of their position.

An employee who has received written notice of a classification decision and disagrees with the classification of his/her position may choose to appeal that classification decision.

It is important to note that the HR Consultant (HRC) is available to meet with the employee/supervisor/manager to provide a comprehensive explanation of the classification decision, including the evaluation process, interpretation and application of the Point Rating Evaluation Plan (PREP) and/or Management Job Evaluation Plan (MJEP) - the guide charts, factors and benchmarks.

The HRC will provide information concerning the classification appeal processes, timelines and implications and may act as a technical resource to the employee when preparing for the appeal.

The classification appeal is a two-step process. The first step is the Department Review. An employee may, within five working days of receiving written notice of the classification decision for their position, request the Human Resource Director undertake a department review of their job classification. The request should include the class being requested and the factor(s) they feel have been undervalued.

If the employee is not satisfied with the decision from the Department Review, the employee may within 15 days of receiving the written notice appeal to the formal Classification Appeal Board which is the second step of the appeal process.

1. What is the Department Review?

The Department Review is an informal process that provides an opportunity for the employee to provide their rationale as to why they do not agree with the classification decision, along with clarification of their duties and related issues.

The focus of the review is to clarify the job accountabilities, understand the issues, the factor(s) that the appellant felt was undervalued.

The Department Review can be a paper review, which is a review of the job description, organization chart, audit notes and benchmarks, or the Department Review may require both written and/or oral presentations from the employee and Human Resources. All parties are encouraged to ask questions for clarification or to bring up issues they feel are relevant to the classification of the position being reviewed.

2. Who does the Department Review?

Each department determines how they will structure the review. A review may be conducted by a Human Resource staff member and/or Senior Management from Divisions, other than the position under appeal, to provide a recommendation to the HR Director for a final decision.

If Human Resources are not a member of the committee, they may act as a resource to provide information on the classification system. If there is a perceived conflict of interest to have it reviewed by individuals from the same department, the department can draw reviewers from another department.

3. How will I be notified as to when a Department Review is scheduled?

Human Resources will acknowledge receipt of your request for an appeal and provide information on the internal department review process and timelines.

4. Will I have enough time, after I receive notice of the scheduled meeting, to prepare a submission for the meeting?

Unless the department process is to undertake a paper review of the documentation on file, it is recommended that employees commence preparing a brief for presentation and/or complete the department's internal appeal forms. Typically, meetings are scheduled with approximately two weeks' notice which should provide sufficient time for both parties to prepare their presentations.

5. Does every employee who appeals the classification of his or her position go alone to the Department Review?

Yes, where an in person presentation is required, unless it is a group appeal. In these situations, one or two spokespersons are designated and the other appellants may attend as observers, subject to operational requirements.

6. Can I bring a Union representative and/or my manager to the Departmental Review?

No, as this is an informal review that allows an employee the opportunity to present their rationale as to why they do not agree with the classification decision. Employees proceeding to a Classification Appeal Board are encouraged to contact their Union for assistance.

7. Can a meeting be rescheduled?

Yes, if sudden and unforeseen circumstances arise. The employee is asked to call Human Resources, as soon as possible, to explore options for rescheduling.

8. What is the format of a Departmental Review?

The general tone of a meeting is more informal than a Classification Appeal Board hearing. All parties to a meeting are encouraged to ask questions for clarification or to bring up issues they feel are relevant to the classification of the position being reviewed.

An example of a review process when oral presentations are required:

Committee Chair will provide introductory remarks and clarify the process. Typically the representative from Human Resources will provide an overview of the position being appealed, and the rationale supporting their recommended classification. Then the appellant will be invited to make their presentation, supporting their view using the factor and benchmarks. As a guideline, it is suggested that each presentation should not exceed 30 minutes.

Committee members may ask questions of both the HR representative and the employee to clarify their understanding of issues raised and significant areas of disagreement – either during or after a presentation.

The employee and the HR representative are then given an opportunity to raise any additional issues or comments, and advised that a recommendation will be forwarded to the Executive Director, Human Resources. The Executive Director, Human Resources will, on behalf of the Deputy Minister, forward the results of the review to both parties.

9. If a presentation is required, what information does the employee need to include?

The presentation should provide examples of responsibilities and rationale to support the requested rating/factors that differ from the classification decision.

The employee will need to address:

- If requesting classification into a different Stream, then provide rationale as to how the scope of work of the position aligns with the new stream.
- Classification of the position using the factors in the guide chart, and specifically focusing on sub factors where there are differences of opinion as to the appropriate evaluation.
- Rationale as to how the employee's position aligns with the benchmarks in the class requested.
- It is less necessary to provide detail as to the nature of programs delivered/administered within a division, as might be required at a Classification Appeal Board. That however, is left to the discretion of the appellant.

Copies of the written presentation should be provided to all in attendance.

10. Are there things that I cannot appeal such as the evaluation of a Benchmark?

Yes

- You cannot appeal the job evaluation plan itself. This includes:
 - The guide charts
 - The evaluation of established benchmarks
 - The stream definitions
- Pay-related issues may not be appealed. These include:
 - The assignment of pay to a class
 - Your individual pay
- Additional matters which may not be appealed are:
 - Qualifications assigned to the classification
 - Volume of work
- The classification of a position for which you are not the incumbent

11. Why does the committee only make a recommendation and not a decision for the appropriate classification?

A classification decision can only be rendered by individuals with delegated authority. Under the Public Service Act, authority to classify a position is delegated by the Public Service Commissioner to the Deputy Minister and subsequently to the Human Resources Executive Director who renders the decision on behalf of the Deputy Minister.

12. What might the Review recommend?

The review will recommend the appropriate class (Stream and level within), based on the information reviewed/provided.

13. How long does it take to receive the results of the Review?

The results of the review are to be communicated, in writing within 20 working days of receiving the request for an appeal. Any delays should be discussed, in advance, with the employee.

14. What if I disagree with the results of the Review?

The employee can continue to Step Two, the Classification Appeal Board, by submitting the classification appeal form, CAB I, within 15 days of receiving the written decision of the Department Review.

The following links may assist you through the classification appeal process:

Classification Appeals:

<http://www.chr.alberta.ca/Practitioners/DocList292.cfm>

PREP Tools:

<http://www.chr.alberta.ca/Practitioners/DocList951.cfm>

MJEP Tools:

<http://www.chr.alberta.ca/Practitioners/DocList952.cfm>

Benchmark Listings:

<http://www.chr.alberta.ca/Practitioners/?file=class/prep/benchmarklistings/titlepage&cf=4>

You are also encouraged to contact your department Human Resources for answers to your specific questions about the classification system and the appeal process.

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