

Pay Equity Act

The government posts its results

Start of the 2015 pay equity audit

Starting on December 21, 2015 and until February 19, 2016, the government is posting the results of its work on the maintenance of pay equity in our institutions, something it is obliged to do under the Pay Equity Act. The pay equity audit, as it is called, is aimed at determining whether discriminatory differences in compensation have developed since the last audit in 2010.

The Act stipulates that the government must assess the maintenance of pay equity from time to time. The evaluation must be done every five years - no later than December 21, 2015 in this case - with a view to determining whether adjustments in rates of pay are necessary at the end of this period. The law also says that the employer must post the results in places that are visible and easily accessible for employees.

The steps in the process

The government is not legally required to carry out the pay equity audit jointly, and it has chosen to do it on its own. Consequently, at this point we don't have all the data we need for a comprehensive opinion of the results. The FSSS technical committee has asked the Conseil du trésor for additional information. With it, we will be able to properly defend employees' rights by making our observations on the content of the postings. Keep in mind as well that unions affiliated with the FSSS-CSN will also make observations about this process.

As well, individual employees may ask the Conseil du trésor for information, up until February 19. If you wish to submit a request, you are invited to get in touch with your union, which has a complete FSSS guide on this.

The government then has 30 days from February 19 to proceed with a new posting that may or may not include changes stemming from the comments we make. Following this second posting, we will have 60 days to file complaints with the Pay Equity Commission. That is when we'll assess whether we need to file complaints and how we will go about it.

Grounds for adjustments

Some of the organizational changes that can lead to adjustments because they affect the comparisons between job classes include:

- the creation, abolition or merger of predominantly female and male job classes;
- a significant change in the duties or requirements for a job class that can affect the value of the job;
- a change in the gender predominance of a job class;
- a change in the compensation of job classes.

Thus, the rate of pay for a predominantly female class of jobs may increase even if there haven't been any significant changes, since pay equity is based on a comparative evaluation of female and male job classes. For example, only the disappearance of male job classes can modify the comparative rate of pay, and this will re-create new wage gaps.

Follow-up on complaints tied to the 2010 pay equity audit

The FSSS is still in discussions with the Conseil du trésor on some job classes, following complaints filed by the federation in the framework of the 2010 pay equity audit. The FSSS is still working to obtain a satisfactory settlement of these complaints.

To better understand the government's posting

The December 21 posting proposes compensation adjustments for 37 job titles in the sectors of health and social services and education. These include 26 job titles represented by the FSSS. After a summary analysis of the government's posting, what we understand right now - and what we will validate with the government in the coming weeks - suggests that the adjustments for these jobs are based on two distinct factors:

Upgrading of salary rankings

The following job classes have been re-evaluated because, according to the Conseil du trésor, there have been substantial modifications since the last pay equity audit. They were given more points in this evaluation than in 2010, which has resulted in a higher ranking. This puts physiotherapists in rank 23, along with occupational therapists.¹

Job number	Job title	Job class	% adjustment
1233	Physiotherapist	16	0.48% (Rank 22 to 23)
1234	Clinical lecturer (physiotherapy)	17	0.54% (Rank 23 to 24)

¹ The job titles in the physiotherapy family are among the job titles still being discussed as a result of the 2011 pay equity audit complaints.

Movement of the pay curve

For the other FSSS job classes found on the government's posting, the adjustments are the result of the comparison with the pay curve for all the predominantly male job classes. This curve shifts slightly when certain job classes are abolished, merged, created or re-evaluated, which explains the minor adjustments.

Rank	Job number	Job title	Job class	Adjustment
2	6335	Housekeeping attendant (light work)	170	0.11%
3	6312	Cafeteria cashier	562	0.11%
3	3259	Message centre attendant	572	0.16%
3	6325	Presser	575	0.11%
3	6386	Food service attendant	1515	0.11%
3	3244	Service aide	1517	0.11%
4	6299	Cook's helper	497	0.11%
4	6327	Seamstress / Tailor	527	0.11%
4	5318	Administrative officer Class 4, secretariat sector	6016	0.11%
4	5319	Administrative officer Class 4, administration sector	6017	0.11%
5	3201	Health care technical assistant	155	0.05%
5	3251	Reception attendant	161	0.05%
5	3205	Laboratory or radiology technical assistant	534	0,05%
23	1913	Care counsellor nurse	1525	0.02%
23	1570	Case reviewer	1532	0.02%
23	1539	Genetics counsellor	1544	0.02%
23	1573	Clinical sexologist	6008	0.02%
23	1230	Occupational therapist	20	0.02%
24	1912	Nurse clinician assistant head nurse, nurse clinician assistant to the immediate superior	191	0.04%
24	1916	Nurse, surgical first assistant	1523	0.04%
24	1546	Psychologist / human behaviour therapist	1	0.04%
24	1917	Clinical nurse specialist	6009	0,04%
26	1915	Specialty nurse practitioner	1524	0.10%
28	1291	Medical biology clinical specialist	1534	0.13%

Payment of amounts due

The law stipulates that adjustments in pay must be paid as of the date of the new posting - March 20, 2016 in this case. We don't know when the government will actually pay these amounts, but until then they bear interest at the legal rate as of March 20. They will be paid without any deferral, regardless of whether they are contested. These adjustments only affect predominantly female job classes.