

IN THE MATTER OF A
CLASSIFICATION GRIEVANCE

BETWEEN:

OPSEU LOCAL 561

-and-

SENECA COLLEGE

**Regarding the Classification of
Audio Visual Technician
OPSEU Grievance #Craven #2009-0561-0002
Gibson #2009-0561-0003
Olearo #2009-0561-0004
Wu (Ioannou) #2009-0561-0005
London #2009-0561-0006**

BEFORE : Kathleen G. O'Neil, Single Arbitrator

For the Union: Janice Hagan, President, OPSEU Local 561
Tracy MacMaster, OPSEU Local 561
Michael Craven, Ewan Gibson, Michael London, Ken Wu and
Mark Olearo, Grievors

For the College: Daniel J. Michaluk, Manager, Human Resources
Tanis Fink, Chief Librarian
Carolyn Lam, Manager, Newnham Library
Joy Muller, Manager, Seneca Library – Seneca @ York Campus
Laurie Torno, Job Evaluation Specialist
Gladys Saenz, Manager, Compensation and HRIS
Kavita Chhiba, Director Human Resources

A Hearing was held in Markham, Ontario on April 22 and May 10, 2010

A W A R D

This decision deals with five classification grievances claiming that the position entitled Audio Visual Technician, currently held by Messrs. Michael Craven, Ewan Gibson, Michael London, Ken Wu and Mark Olearo, is incorrectly classified at Payband I and asking that it be reclassified upward to pay band J. The employer maintains that the job is properly classified.

These grievances arise under the new classification system, which is the result of a thorough overhaul of the support staff job evaluation plan by the provincial parties. The new CAAT Support Staff Job Evaluation Manual (referred to below simply as “the Manual”), is a negotiated document which came into effect March 1, 2007.

The Manual details a job evaluation system aimed at providing an objective basis for the placement of a very large variety of jobs across the college system on the common salary grid in the collective agreement. To this end, the Manual provides a multi-factorial method of point-rating the job duties, which are formally set out in the Position Description Form (referred to below as the PDF). It is important to underline that it is the basic requirements of the job that are evaluated in this system, and not the performance, qualifications or worth of incumbents, even if they perform at a level or possess skills that surpass the requirements of the job. My role as an arbitrator in dealing with this grievance, is limited by Article 18.4.5.1 of the collective agreement to determining whether the PDF accurately reflects the assigned job content and to determining whether the job is properly evaluated pursuant to the Manual. The exercise is somewhat technical, and the outcome does not depend on the value of any incumbent’s work to the College community in terms of personal effort or in the sense of how much his or her contribution to the College’s work is appreciated by colleagues and those who rely on the incumbent’s work. College counsel noted in his remarks at the hearing that the incumbents are excellent and highly valued employees.

The parties offered very detailed briefs and thorough presentations at the hearing, all of which I have carefully considered, even if not explicitly mentioned below, in the interests of keeping the decision to a tolerable length.

Overview of the Position

The five incumbents have very similar job descriptions, albeit with some significant differences. Generally, the incumbents are responsible for dealing with hardware and software required for classroom presentations, special events or projects by professors, students and staff. They distribute the College's available equipment, including equipment in electronic classrooms, and also provide set-up and troubleshooting support for faculty and staff. They do minor equipment repairs and adjustments, and are responsible for securing and maintaining all audiovisual equipment. Other duties relate to audio and video production, working with professors, students and staff to record, shoot and/or edit video productions. They also manipulate electronic media for students and professors, including converting, transferring, digitizing, scanning, copying and burning various media into formats appropriate for the intended use.

The incumbents report to the library Manager at their respective campuses. There is also an Audio Visual Coordinator, and other staff such as AV assistants and staff from the Circulation Desk of the Library with whom they work closely. The work locations of the five grievors are as follows:

Michael Craven – Newnham campus
Ewan Gibson and Mark Olearo – Seneca at York campus
Ken Wu – King Campus
Michael London – Markham campus

Messrs. Olearo, Wu and London have additional responsibilities, which will be referred to as necessary below, which lead the College to rate them somewhat higher than Messrs. Craven and Gibson on certain factors. Nonetheless, all the point ratings currently fall within Payband I, rather than the desired Payband J.

The Ambit of the Dispute

The two factors Independence of Action and Service Delivery are in dispute for all the grievors, while Messrs. Michael Craven and Ewan Gibson also contest the College's rating of their position for the factor Guiding and Advising Others.

The union has proposed changes to the PDF's, which they see as necessary to accurately describe the full range of the incumbents' duties. In general, the College's position was that the PDF does not need to be changed, and an arbitrator should only make decisions about the PDF to the extent necessary to the rating. Further, it is the College's position that ordering language

changes is beyond the jurisdiction of an arbitrator. The dispute over the PDF's will be dealt with in the context of the discussion of each factor.

Guiding / Advising Others

This factor deals with the assigned responsibility of the position to guide or advise others to complete their own tasks or develop their skills. The dispute is between Level 3, attributed by the College, and Level 4, sought by the union. The factor definitions for these levels are as follows:

3. Advise others to enable them to perform their day-to-day activities.
4. Guide/advise others with ongoing involvement in their progress.

The PDF for this factor is organized to provide examples of duties according to levels which correspond closely to the factor rating levels. The Union proposed that language be added to Mr. Craven and Mr. Gibson's PDF's linked to the following wording which reflects the fourth level:

The incumbent is an active participant and has ongoing involvement in the progress of others with whom he/she has the responsibility to demonstrate correct processes/procedures or provide direction.

The proposed language engages the essence of the dispute as to the rating as well, and so the two will be discussed together.

The proposed additional language, nearly identical in each of Mr. Craven and Mr. Gibson's PDF's, would indicate that the incumbents assist teachers and/or students in developing skills related to operating video cameras, digital cameras, digital audio recorders and the many features of electronic classrooms. The union argues that these examples of complex A.V. equipment require more than a demonstration or the offering of knowledgeable advice. They underline that professors especially require a high comfort level in their operation of presentation technology, to be able to use the equipment in a live classroom environment, and that this comfort can only come from practice, over weeks or even semesters, with the supervision or assistance, when required, of a trained A.V. technician. The information often cannot all be delivered or absorbed in one session, so it is necessary to be involved in an ongoing way.

In the union's view, in order to guide a teacher in the development of skill and comfort with a video camera or the features of an electronic classroom, the technician must first assess the current comfort and skill level of the professor seeking assistance, to gauge where to start, when to move onto more complex features, and how much continuing help to provide. Many professors phone frequently and well into the semester because they have trouble remembering all the steps under pressure, when something does not work correctly, and their students are waiting for class

to continue. The union maintains that the technicians also assist students in a similar fashion in the use of video cameras, the equipment in the electronic classrooms, digital audio recorders, and in recording other formats for later use. The union notes that the technicians have been the subject of letters of thanks for their ongoing coaching involvement, to the knowledge of their managers, and the managerial response was pride, not a suggestion that coaching was not an assigned responsibility.

The College's submission is that the proposed language describes something which is not an assigned responsibility of the position. It is the College's position that the duty assigned to the technicians is not a coaching or skill development assignment in the sense that is understood in the evaluation system. Rather the assigned responsibility is to support faculty in delivering classes and students in getting their assignments done. In the College's view, no change is required to the current language of the PDF, which has the appropriate focus on advising and demonstrating to students and faculty so they can carry out their teaching and learning functions.

The College stresses that the Notes to Raters specifically mentions expert advice as fitting well at Level 3. This is a reference to the following section of the Notes to Raters:

1. To clarify the differences between levels 3, 4 and 5:

Level 3 - this may be a position with a particular area of expertise (e.g. accounting), which uses that expertise to assist others in completing their tasks. Involvement is generally of an advisory nature and the position is not responsible for how those advised subsequently complete their tasks.

Level 4 - this may be a position that, while not responsible for formal supervision, is assigned to assist less experienced staff and is expected to actively contribute to their ongoing skill development.

Level 5 - while not a formal "supervisor", the position has the assigned responsibility for allocating tasks and using its expertise to assist others and ensure that the tasks are completed satisfactorily.

The terms "Guide", "advise" and "Ongoing involvement" are defined as follows in the Manual:

Advise - has the authority to recommend, or provide knowledgeable direction regarding a decision or course of action.

Guide - demonstrates correct processes/procedures for the purpose of assisting others with skill development and/or task completion.

Ongoing Involvement – is intended to reflect a requirement to be involved for the duration of the process or skill development, in which the position is an active participant.

The College argues that Level 4 is suited to positions with a specific and assigned responsibility for skill development, something that the College has not assigned to Messrs. Gibson and Craven. The College notes that there is no responsibility to open a file or track progress for the people the technicians serve. Management intends the job to be 90% quick troubleshooting, and notes that there is a separate department responsible for faculty skill development. Further, in the College's view, there has been substantial investment in standardizing equipment in classrooms, and promoting ease of use, so that the learning curve should be becoming less difficult for faculty. There is no expectation that the A.V. technicians be accountable for faculty learning, and that is consequently not measured. In employer counsel's submission, skill development may be incidental to the support provided by the A.V. technicians, but it is not the purpose of the service, nor their responsibility to ensure. The focus is on assisting faculty and students to get things done, which is squarely a Level 3 function, in the employer's submission. The senior technicians have been assigned a Level 4 for Guiding and Advising because of responsibilities for tasks in relation to other staff, which are not assigned to Messrs. Craven and Gibson.

By contrast, the Union maintains that on a regular and recurring basis, the incumbents must be involved in processes and skill development to an extent that reflects the Manual's description of Level 4 including ongoing involvement in the progress of those they serve. In reference to the fact that four out of six of the Audio Visual technicians (Messrs. Olearo, London, Wu, and the AV Coordinator Mr. Bob Murphy) have been given a Level 4 rating for the Guiding/Advising factor, the union notes that Mr. Murphy works with the same students and professors as Michael Craven and Mark Olearo works with the same students and professors as Ewan Gibson. Although the Union does not dispute the fact that Bob Murphy and Michael Craven have slightly different jobs, and that the College intends to have Mr. Murphy in a senior role, or that Mr. Olearo has a great deal more experience than Mr. Gibson, they maintain that there is very little difference in the regular and recurring tasks in respect of this factor. For example, when Messrs. Craven and Murphy are working at the same time, either might be called upon to assist a professor in a classroom or at the A.V. counter. Messrs. Craven and Gibson estimate that they do 50% of this work. Further, both Mr. Craven and Mr. Gibson work alone, or with the assistance of part-time employees, for significant parts of their day. For Mr. Craven, this includes set up, assistance and trouble shooting for all night school classes, where professors tend to be less experienced with Seneca's A.V. equipment. In addition, he works alone Saturdays, again exclusively with part-time professors. This means that Mr. Craven works 19 hours on his own, or with part-time help, which is more than half of his time at work. For Mr. Gibson, the estimate is 15 hours a week. Therefore, it is clear, in the union's submission, that they cannot rely on others to perform all of the more complicated tasks associated with Guiding / Advising Others. If a professor needs to learn how to

use the features of the electronic classroom, for example, when Messrs. Olearo or Murphy are not on duty, Messrs. Gibson and Craven do the same work as they would in that regard.

Further, the union notes that in the former system all the A.V. technicians were in the same Payband, and beyond acknowledging that certain incumbents have more experience than others, the union finds the attempt to make distinctions among the technicians artificial and unrealistic. For the bulk of the functions, such as troubleshooting and delivery of hardware and software, the union's position is that the incumbents are interchangeable.

The union provided statistics which are convincing that the demonstrations in electronic classrooms and equipment demonstrations are regular and recurring features of the job. The issue is at what level. In regards to Mr. Craven, the union underlines that he is also responsible for all Audio and Video productions done at the Newnham Campus, and argues that the guiding and advising reflects a Level 4 responsibility, as he has ongoing participation providing technical advice at every stage throughout the entire production process, from the initial planning to the final edit. The statistics presented by the union indicate he spent an average of eight hours per month or two hours per week shooting and editing video productions. In addition, although there are no statistics to give specific hours, the union asserts that Mr. Craven is directly involved in training and mentoring new part-time and student assistants. Because most of these employees are students, there tends to be a higher turn over in staff who need to learn the scheduling and distribution processes of the College, as well as trouble-shooting techniques for when technicians are unavailable. In addition, Mr. Gibson works with a number of students with physical or learning disabilities, who must learn to use digital audio recorders in order to take notes in class. All of these activities together support a regular and recurring rating at Level 4 for this factor, in the union's submission.

Further, the Union disputes the College's assertion that the grievors should be rated at Level 3 because they are not required to take responsibility for how the professors and students "subsequently complete their tasks" as indicated in the Notes to Raters for level 3. The union's position is that Level 4 does not require an employee to "take responsibility" but only to "actively contribute to [a client's] ongoing skill development", as mentioned in the Notes to Raters. The union also argues that having the technicians involved in an ongoing way contributes to the goal shared by the College and the Library of encouraging professors to enhance their teaching with Technology and makes it less likely they will damage equipment, or require trouble shooting, leaving the technicians more time to dedicate to other tasks. The union notes that much of the equipment in use in the electronic classrooms is quite complex, such as clickers, and submits that

getting full use out of the college's investment in this technology requires the ongoing contribution of the technicians.

A review of the range of rating levels for this factor, together with the mandatory definitions, shows that the real issue when choosing between Levels 3 and 4, is not about whether there is skill development involved. Even at Level 2, the factor level uses the verb "Guide", which is defined to mean "demonstrates correct processes/procedures for the purpose of assisting others with skill development and/or task completion." So, even at a lower level than that attributed by the College, assisting with skill development is a recognized part of the job. At Level 3, the Manual adds the duty to advise, in the sense of providing knowledgeable direction in order to enable others to perform their day-to-day activities. At Level 4, the element that is added is assigned ongoing involvement with the progress of others. The Notes to Raters indicates that it may apply to positions assigned to assist less experienced staff, and that is the type of task that differentiates the PDF's of the A.V. Technicians who are rated at Level 4 for the factor Guiding and Advising, and those of Messrs. Gibson and Craven, who are rated at Level 3. I accept the union's submission that it is not necessary to have that type of responsibility to warrant a Level 4, as the Notes to Raters uses the word "may" , which leaves open other possibilities. As well, I accept the uncontradicted evidence that the incumbents are involved as many times as requested in troubleshooting and demonstrating how to use the various kinds of audio-visual technology in place at the College, and I have no doubt that they directly contribute to the skill development of many of those they assist.

Nonetheless, I am not persuaded that this amounts to being required/assigned to be involved for the duration of the process or progress of the faculty or student's skill development, as specified in the applicable definition of ongoing involvement. Rather, their services are accessed on an *ad hoc* basis, as requested or suggested, rather than being required, for example, to stick with a faculty member until they learn how to use a piece of technology, regardless of their level of interest. If they are not called upon, they have no obligation, other than being required to be an active participant throughout the duration of the skill development. If a faculty member does not acquire the skill of operating the classroom technology for example, the technicians are not held accountable, and are free to find a work-around, such as arranging for a student in the professor's class to operate the technology instead, as has happened on at least one occasion with a professor who was not technologically adept. If a professor is using outdated technology such as an overhead projector, they may give advice about how to use more current equipment, such as a document camera, but there was no suggestion that they were responsible for how that professor worked after the advice. This situation is well described by the Note to Raters concerning Level 3, where the position is assigned to give advice and guidance, but is not

responsible for how those advised subsequently complete their tasks. I am not persuaded that Level 4 is a better fit, since their assigned responsibility does not extend to the duration of the student or faculty's skill development.

With that said however, it is appropriate to acknowledge, that these very talented and engaged technicians are obviously dedicated to the skill development of faculty and students, and may be involved sufficiently frequently with some individuals for the involvement to be properly considered ongoing. However, for the purposes of this evaluation scheme, aimed at evaluating the assigned duties, rather than the individuals, I am persuaded that the weightier consideration is the fact that, on the evidence, their assignment is *ad hoc* assistance so that the faculty can teach and the students can do their assignments, rather than a sustained focus on the progress of those assisted.

As to the union's assertion that Mr. Craven had responsibility for mentoring and training new part-time students and assistants, I note that such a duty appears neither in the PDF, nor in the proposed additions to it. Nor was it suggested that he is accountable for the duration of their progress. Thus, I do not find this evidence affects the rating.

In the result, I do not find the PDF to be an inaccurate description of the assigned tasks, or the College's rating for the factor Guiding/Advising to be incorrect. Therefore, it is not necessary to add the union's proposed language to the PDF's, and the College's rating for Guiding and Advising is confirmed.

Independence of Action

This factor measures the level of independence or autonomy in the position. The Manual provides that the following elements should be considered:

- the types of decisions that the position makes
- what aspects of the tasks are decided by the position on its own or what is decided by, or in consultation with, someone else, such as the supervisor
- the rules, procedures, past practice and guidelines that are available to provide guidance and direction

The College has attributed Level 3, with an occasional Level 4 for Messrs. Wu, London and Olearo, while the union seeks Level 4, regular and recurring for all five incumbents. The competing levels are described as follows in the Manual:

3. Position duties are completed according to general processes. Decisions are made following general guidelines to determine how tasks should be completed.

4. Position duties are completed according to specific goals or objectives. Decisions are made using industry practices and/or departmental policies.

The following are applicable excerpts from the Notes to Raters:

To clarify the differences between levels 2 and 3:

Level 2 - duties are completed based upon pre-determined steps. Guidelines are available to assist, when needed. The position only has the autonomy to decide the order or sequence that tasks or duties should be performed.

Level 3 - specific results or objectives that must be accomplished are pre-determined by others. The position has the ability to select the process(es) to achieve the end result, usually with the assistance of general guidelines. The position has the autonomy to make decisions within these parameters.

4. To clarify the differences between levels 4 and 5:

Level 4 - the only parameters or constraints that are in place to guide the position's decision-making are "industry practices" for the occupation and/or departmental policies. The position has the autonomy to act within these boundaries and would only need to consult with the supervisor (or others) on issues that were outside these parameters.

Level 5 - the only parameters or constraints that are in place to guide the position's decision making are College policies. The position has the autonomy to act within these boundaries and would only need to consult with the supervisor (or others) on issues that were outside these parameters.

Mandatory definitions include:

Guideline - a statement of policy or principle by which to determine a course of action.

Process - a series of activities, changes or functions to achieve a result.

Industry Practice - technical or theoretical method and/or process generally agreed upon and used by practitioners to maintain standards and quality across a range of organizations and settings.

Policies - broad guidelines for directing action to ensure proper and acceptable operations in working toward the mission.

The PDF

In the section of the PDF's reserved for examples of Independence of Action, the union seeks the addition of the following words, which the College opposes:

1. Incumbent works independently to maintain equipment in electronic classrooms.

2. Incumbent is given specific goal to provide A.V. services to campus faculty and students.

At the hearing, the College agreed to add the following wording to the PDF's.

3. There are industry practices involved in shooting video and audio tape, setting up P.A. systems based on source, editing video, soldering wire, hanging projectors (securing equipment).

and further agreed that the following wording could be deleted:

For photography work and for the shooting of videotapes each assignment is very unique and there are no procedures to follow.

However, the College did not concede that these changes should result in a changed rating for the factor. Further, the College did not agree with the following proposed deletion from Messrs. Craven and Gibson's PDF's:

Daily operational problems regarding Audio-Visual Services are decided in consultation with the Audio-Visual Coordinator and/or Manager.

However, for the PDF's for Messrs. Olearo, London and Wu the College is agreeable to the following wording:

Operational problems relating to budget and personnel issues are decided in consultation with the manger.

As for the other suggested changes, the College maintains that the proposed additions to the PDF's are not necessary, and likely not material to the rating dispute.

The union argues that equipment repairs are clearly done according to industry practices that change over time and the incumbents must stay abreast of these changes and that past practices alone are not good enough because equipment and standards evolve rapidly. The union underlines that one of the reasons that they did not seek more points under the factor "Experience" in these grievances is because A.V. technology evolves so quickly that it is difficult to say that a new graduate, with at least a couple of years of experience, would not be as able to provide A.V. services as a technician with five or ten years experience. Citing the example that experience in threading 16mm film projectors is not very helpful to professors in 2010, the union submits that technicians are not able to rely on past practices, general guidelines, supervisory direction or service requests in order to determine how tasks should be completed. They need to research, discuss and experiment with emerging industry practices in order to keep professors and the College on the leading edge in classroom technology.

The union also notes that Mr. Gibson's initial PDF required him, like Mr. Craven, to keep current with industry standards, and that this language should still be on the list of duties and responsibilities in his PDF. However, even without that language, the union asserts that it is impossible for Mr. Gibson to troubleshoot electronic classroom features or demonstrate those features to faculty without a constantly updated understanding of industry standards. A significant portion of this research is done on the internet, or through discussions with other technicians, including those in the College's Information Technology Services department. Given that the professors at Seneca's York University campus teach Audio Visual Techniques, radio and television broadcasting, corporate communications and other programs where students require practice with leading edge technology, it is even more essential that the technicians setting up and servicing their equipment needs are on top of the latest trends.

The technicians' supervisor is a librarian, whose specialty is not in the use of equipment, trouble shooting strategies or production techniques. Further, she has many other duties which often make her unavailable for consultation. Therefore it is inaccurate in the union's submission to say that the incumbents discuss daily operational problems with her, or that she is able to advise them regarding troubleshooting, setups or production, or to provide them with pre-determined processes from which to choose, in order to perform most of their duties. Neither are the professors or students able to provide such processes. The union maintains that the incumbents are the "experts" in A.V. services at the College because of their knowledge of the specific and ever-evolving practices and processes involved in the Audio-Visual industry. Further, the union underlines that there are many hours in each week when the technicians are scheduled alone, so that they must be able to act independently. Even when other technicians are available to consult with, they are all expected to trouble shoot equipment independently when out on calls. Further, the senior technicians are as likely to request the assistance of the "junior" technicians, as the other way around. As well, although the technicians all discuss problems in electronic classrooms and strategies for event set up and video production, the union asserts that this does not amount to receiving direction as to what to do. This is not consistent with what the union describes as the two-level order of technicians that has been artificially imposed on the PDF's.

Having carefully considered the requests for additions to the PDF, I have decided that it is not necessary to add the disputed examples. The goal of the PDF is to be a concise document describing the main duties of the position, so that when the matters are covered within the PDF elsewhere, I do not see the necessity for adding further wording to an already very detailed PDF. Other portions of the PDF, such as the Duties and Responsibilities and Analysis and Problem Solving sections make clear the role that the technicians play in maintaining equipment and providing A.V. services to the College. Further, although the College did not explain why it

deleted the explicit obligation to keep current from Mr. Gibson's PDF, there is a reference to the need in the second example under Planning Coordinating, which makes sufficiently clear that it is a requirement.

The union proposes the deletion of the wording concerning consulting the manager and/or the Audio-Visual Coordinator (in the case of Mr. Craven) or the Senior A.V. technician (in the case of Mr. Gibson) concerning operational problems. Although there was a reference in the evidence to more difficult problems that might require the calling in of the vendor, and any bargaining unit position will require some input from others as to decisions, it is clear from other portions of the PDF that the incumbents are expected to solve technical problems on their own, and that when they consult with supervisors, it is usually after the fact. Moreover, the current team of technicians is highly skilled, and it may be that problems needing a decision from someone else are few. It is a fair inference from all the evidence that the term "operational problems" meant something other than the daily run of solvable technical problems to the drafter of the PDF. However, the wording does not make clear the extent of the intended scope of the daily operational problems that are to be decided in consultation with someone senior, rather than reported after the fact, and it would therefore benefit from clarification or rephrasing, which I leave to the parties to attempt to accomplish in the first instance.

The Factor Rating

The union defends its claim for a Level 4 rating because of the predominance of decision-making on the basis of well developed and documented industry practices for Audio Visual equipment set up, maintenance and effective/creative use. The incumbents are aware of these industry practices from the foundation received in school and in work experience. The position requires a specific diploma in Audio Visual Techniques, or equivalent, and at least two years experience. As well, the incumbents are required to keep current with industry standards. The union underlines that a significant portion of keeping up is done on the internet, or through discussions with other technicians, including those in the College's Information Technology Services department, not by provision of the information by supervisors or procedures.

The union referred to many examples of significant industry practices that the technicians need to know, but that non-technicians do not generally know. These include balancing digital or video cameras for different lighting needs, setting up microphones depending on the size of the audience and the room, adjusting microphones and audio quality depending on the source of sound being recorded, being knowledgeable about the various formats for audio and video recording, their advantages and disadvantages, and the problems and things to consider when

transferring video or audio from one format to another, knowing how to properly clean and maintain a variety of equipment, and what kinds of problems cause different symptoms as being described by professors over the phone, knowing enough about A.V. equipment and adaptors to be able to creatively piece together a substitute when something cannot be fixed on the spot. For setup they have to know where to put speakers to prevent echoes and feedback, the optimum placement of a projector in light of its focal length. Further, there are schematic diagrams for troubleshooting wiring that only someone with industry specific knowledge would know how to follow.

The union concedes that tasks associated with scheduling and distributing A.V. hardware and software, and maintaining statistics, could easily be rated as a Level 3 function under this factor, as these duties can and are done by a number of non-technical staff including library technicians and part-time student assistants. However, the union maintains that the other functions of the technicians' positions, including the demonstration, trouble shooting, repair and maintenance of equipment, as well as all production activities, are done almost exclusively by the technicians. It is common ground that these functions are a regularly and recurring part of the job, but the union argues that they are better rated at Level 4. The union underlines that technicians are given specific goals and objectives, such as keeping equipment in good shape, or troubleshooting, which focus on the end result or goal of getting things working fast. For A.V. production such as editing, or creating power point displays, they are asked to provide the end result, rather than being given processes to achieve that result, in the union's submission.

The union argues that the statistics concerning incidents of various types of the technicians' duties do not represent the amount of time spent. There are more occurrences for the more routine jobs, but the troubleshooting and production duties take much longer for each occurrence. Further, the union maintains that over the past 10 years, classroom technology and teaching methods have changed a great deal so that there has been a steady shift from procedure related tasks, such as scheduling and delivering classroom equipment, to more complex, service related tasks such as trouble shooting advanced technologies and instructing professors and students in how to use them effectively. Audio Visual Technicians carry two-way radios so that other Library staff members can call them immediately when there is a problem. For instance, in the case of Mr. Craven, he is scheduled to be on the counter, performing the more routine and structured duties of the job for approximately 9 hours a week, which does not, in the union's view, represent a significant portion of his time at work.

By contrast, the College sees the distribution desk duties as level 2 functions, while the troubleshooting and higher level technical questions are Level 3, rather than 3 and 4 as the union argues. The College also points to the fact that maintenance represents 15% of the job, and that there is a specific period of time for maintenance of the e-classrooms between semesters or in an hour in the evening when the classroom is not in use. Part of maintenance of inventory is routine as well, such as checking a piece of equipment when it is returned. The College focuses on the fixed number of classrooms and spaces for events, and the fact that there are not an infinite number of applications, while the union focuses on the great variety of configurations and equipment depending on the needs of the people the technicians serve. The union maintains that the minor repairs are often not as simple as the employer indicates, and that there is often conflict between personal technology brought in by faculty or event participants and what is provided by the college. The technicians have to be very versatile to be able to solve the great variety of problems presented to them.

As to video production, the College also says there are not a significant number of such projects, and that the role of management is significant, for instance in deciding on aspects of consistency of product for a project profiling Seneca faculty for TVO. The union replies that management was involved, but not in giving technical assistance as to the shooting or editing of videos, for which the technicians must operate independently, using industry standards to make decisions.

The College also highlighted the fact that the equipment comes with manuals, and troubleshooting guides. The technicians familiarize themselves with these things before they distribute new equipment to others or do demonstrations. The College notes that the incumbents are on call, with customary guidelines as to time spent. They are required to follow procedures, such as to prioritize things interfering with teaching and not to go to the classroom unless it is necessary.

The College maintains that the real issue is the interpretation of the terms of the Manual. The College recognizes that industry practices and goals are involved, but maintains this is not sufficient for a level 4 rating. In the College's view, level 4 describes a situation where direction is limited to objectives, rather than customary steps or guidelines. The acknowledged technical skill of the incumbents does not create level 4 autonomy, in the college's submission. Moreover, the factor of independence of action is not where the Manual recognizes this skill level; other factors, such as Education and Experience do that in the College's submission. The college maintains that the job would have to be more open-ended than the kind of routine, quick demonstration and troubleshooting done by the incumbents on site, to warrant a rating over level 3.

The union points out that even brain surgeons follow specific procedures, but notes that there are constant changes, requiring frequent updating to how the incumbents work. The processes they use are not always written down and change regularly. In the union's view, trouble shooting is a specific goal; teachers or staff give the end goal, not the steps to follow, as the user usually has no idea of the steps involved, and they are not all the same. Industry practices determine how the incumbents decide how to get the job done. Further, the incumbents write procedures such as the clicker manual rather than following those that others write, as well as maintaining a database about all the things that go wrong and known fixes. The union refers to the detailed experience with a wide range of AV equipment required on all the incumbents' PDF's to illustrate that they must come to the job with the preparedness that comes from industry standards. The regular requirement in the incumbents' job to address any technical problem immediately is too general a direction for anyone who does not operate according to industry standards, in the union's view.

Further, the union makes the point that the college has invested in high-end cameras and professional editing equipment. Video production is taken seriously to give it broadcast quality so that industry standards determine the process throughout. Special events involve industry practices as well in that the incumbents have to be able to look at the type of event to determine what is required, including back-up, configuration of microphones and computer ports as well as special needs. The union notes that there is a very large variety of different kinds of equipment involved, and that participants in special events may bring equipment the college does not have yet.

The union maintains that other than courtesy, the only constraint on the technicians is the art of the technologically possible, which flows from industry standards. The Union stresses that there are many variables involved, so that the technicians have to use their technical expertise to make it work in the moment, that it is not a matter of taking pre-arranged solutions "off the shelf." Many smaller components of the job add up to a regular and recurring reliance on industry standards in the technicians' decision making, in the union's submission.

The College's argument is based on the word *only* in the Notes to Raters, submitting that the union has failed to establish that industry practices are the only constraint on the incumbents. The College maintains there are general guidelines to guide their work, such as "the technology should be leading edge", or that troubleshooting starts with first looking at what might be broken, which corresponds to level 3. The college notes that troubleshooting is a task shared by many bargaining unit jobs, cautioning against finding that any job that involves troubleshooting is so open-ended that it warrants a level 4 rating.

The College submits that the union's evidence concerning "industry practices " such as those involved in making videos, also corresponds to Level 3 as it illustrates the steps involved, rather than an open-ended process. The employer stresses its view that production and room set-up are very small parts of the job. While acknowledging that the incumbents apply their technical expertise, the College asserts the job is not at a level 4 responsibility because they apply it within a routine context, rather than according to more general, open-ended constraints.

The union replies that because there is a normal strategy of steps to solve an unbounded problem should not mean the rating cannot be level 4. The whole idea of industry practices is a series of steps, in the union's submission, that can be used singularly or in combination to solve a problem. In reply to the employer's assertion that video production is a minor party of the job, the union underlines that the statistics show that there are more than a hundred videos produced by the technicians annually. Each can each take three to four hours just to edit, and the whole process can take more than 50 hours.

In resolving this dispute, it is essential to underline that this factor relates to autonomy, the scope and kinds of decisions made, rather than the extent of technical expertise required of the job. It is also important to note that the task is not to measure the level of autonomy of which very experienced and talented incumbents such as the grievors may be capable, but rather the level of independence described in the PDF, regardless of who holds the jobs at any given time. Moreover, one is not measuring the step-based processes which make the technology itself work.

The Manual's provisions are set out above. A close analysis of their terms shows that there is a fair amount of overlap between the two competing levels. For example, the factor definition at Level 4 refers to duties' being completed according to specific goals or objectives, presumably assigned by the employer, while the Notes to Raters for Level 3 indicates that specific results or objectives that must be accomplished are predetermined by others. It can also be seen that the Level 3 factor description refers to duties' being completed by general processes, processes being defined as a series of activities, to achieve a result. At the same time, the Notes to Raters for Level 3 indicate that there is the ability to select the processes, with the assistance of general guidelines, guidelines being defined to mean a statement or principle by which to determine a course of action.

For Level 4, the distinguishing factor is that decisions are made using industry practices and/or departmental polices. This looks significantly different from Level 3 at first, but when the definition for industry practices is considered, one can see that it includes technical processes,

which, in the context of a technical job, is rather difficult to distinguish from Level 3's general processes, defined as a series of activities to achieve a result. Further, the College acknowledges that industry practices are involved in much of the technicians' work.

In the end, the dispute comes down to whether the technicians are *only* constrained by industry practices and/or departmental policies as stated in the Notes to Raters. From the evidence and the PDF, I am persuaded that the answer is no. This is because there are procedures, also defined as above, that are very specific about the distribution and use of College A.V. equipment, which underlines the less open-ended part of the technicians' jobs. Even for the more fluid troubleshooting, there are manuals, schematics and "how-to's" that are more procedural, and less broad in scope than the idea communicated by the Level 4 note to raters of industry guidelines, designed to ensure quality across organizations, and departmental policies, defined to mean broad guidelines related to mission, as the only constraints on autonomy and decision making. Further, it is clear that beyond the scope of the decisions about how to solve particular technical problems as they come up, the job description does not afford the incumbents wide autonomy. Although the technical literacy derived from knowledge of industry practices that the incumbents clearly possess is essential to their being able to carry out their duties quickly and calmly, without a professor or supervisor telling them how to solve a problem, their scope of decision making is directly constrained by the requests, many of them quite routine, made by the clients they serve. In saying this, I note that I accept that some of the requirements of the technicians' jobs can be described, as the union argued, as specific goals, such as "maintain the equipment", or "troubleshoot", and thus could be considered as "specific goals or objectives", an element of Level 4. However, these objectives are predetermined by others, and thus also fit within Level 3, such that this is not sufficient to warrant a rating at Level 4.

I have carefully considered the union's submissions to the effect that even a very independent professional such as a brain surgeon must follow very specific procedures in parts of their work. I do not disagree with that submission, and I fully recognize that most jobs have some specific procedural aspects even if their scope of autonomy and independence are very broad. Moreover, in the context of a job evaluation system that only deals with bargaining unit jobs, the idea of only being constrained by industry practices and/or departmental policies has to be taken to describe something compatible with the structural constraints of a bargaining unit employment relationship. With that said, however, it is necessary to take guidance from the overall structure of this factor, which demonstrates an inverse relationship between the amount of independence and the specificity of the direction from others or from established routines. In other words, the more independence or scope of decision making afforded the position, the less specific are the instructions or the established framework in which the incumbent works.

Looking at the Notes to Raters for Level 3, I find it to be a good fit, as the technicians' application of their expertise is regularly applied in selecting the process to achieve the end result requested by others. From the evidence before me, I am convinced that the technicians' scope of decision making is directly process-related. Overall, the Notes to Raters at Level 4 describes a more open-ended situation than that of the technicians' situation where there are guidelines of the College's making about what to work on when, what type of work to give priority to, and what format to use for productions for external audiences, for example.

I note that the task of choosing between the levels is also complicated by the attribution of points for occasional Level 4 duties to Messrs Olearo, London and Wu. The differences in their PDF's for this factor, compared to Messrs. Craven and Gibson, refer to Mr. Olearo's being the Senior A.V. technician and being responsible for provision of all A.V. Services at York campus, as Mr. London is at Markham, and Mr. Wu at the King campus. Given the fact that the three senior technicians spend a great deal of their time doing the same work as Messrs. Craven and Gibson, and are also subject to constraints other than industry practices or the broad policy referred to in the Manual's definition of the word "policy", the evidence did not persuade me that the occasional rating at Level 4 is inaccurate so that it should be raised to regular and recurring for these three incumbents.

I also note that, although the union disputes the "two tier" PDF's for the technicians, they did not dispute that there were duties relating to the somewhat different jobs of the senior technicians, including the overall provision of A.V. services at each of the campuses, or argue that the extra duties were so inseparable from the daily work that the senior technicians should be rated as regular and recurring Level 4 on the basis of those duties alone. In any event, my task is to deal with the disputed factors only, and the duties assigned to the senior technicians, which were not assigned to Messrs. Craven and Gibson, were not in dispute and do not determine the resolution of any of the issues before me. Nonetheless, the fact that the senior technicians started off with a higher point basis does affect the eventual Payband rating, given the view I take of the next factor.

In the result, while readily acknowledging that the line drawn by the Manual between Levels 3 and 4 for Independence of Action is not the clearest, I do not find the College's rating of this factor to be incorrect or improper. The College's rating for the factor Independence of Action is therefore confirmed.

Service Delivery

This factor looks at the service relationship that is an assigned requirement of the position. It considers the required manner in which the position delivers service to customers and not the incumbent's interpersonal relationship with those customers. The level of service looks at more than the normal anticipation of what customers want and supplying it efficiently. It considers how the request for service is received, for example directly from the customer; through the Supervisor or workgroup or project leader; or by applying guidelines and processes. It then looks at the degree to which the position is required to design and fulfil the service requirement.

The PDF

The union wishes to add examples to the PDF to support their view of the range of job duties in terms of service delivery. The first three apply to all the incumbents, the last two to Mr. Gibson's PDF. The wording proposed is as follows:

Information on the Service

How is it received?	How is it carried out?	Customer	Frequency D,W, M, I
Setting AV equipment up for a special event – received from client.	Enquiry to determine client's needs nature of event, location, space, goals, audience, number of presenters, recording output needs	Teachers, students, library, outside clients	M
Faculty or students request help using equipment	Incumbent gets to know various teachers and students' comfort level with new technology	Faculty, students	W
Producing videos (Promotional, educational)	Incumbent determines audience, content, subject, lighting, mood	Faculty, students, admin, library	M (Craven) I (Gibson)
Assists special needs students with the continuing use of recording equipment and software	Incumbent determines student's comfort and comprehension of hardware and software. Incumbent adopts an approach suitable to their learning style.	Faculty, staff students	W
Develop training/ presentation material for faculty	- Video - Power point - Clicker presentations - Camtasia	Faculty	I

Although the examples were not strongly disputed, the College takes the position that they are not necessary. In reviewing the PDF as a whole, I find that, although there is more detail in the union's proposed wording, the essential duties represented in the proposals are already sufficiently covered in the PDF, and in any event, would not affect the outcome of the rating for this factor, given my view of the matter, detailed below.

The Factor Rating

The College has rated this factor at Level 2, with occasional duties at Level 3, while the union argues for Level 3, regular and recurring. The two levels involved are described as follows in the Manual:

2. Provide service according to specific requests and established methods.
3. Tailor service based on developing a full understanding of the customer's needs.

The Notes to Raters provides the following clarification of the differences between Levels 2, 3 and 4, the latter included for comparison's sake:

Level 2 - service is provided by determining which option would best suit the needs of the customer. The incumbent must know all of the options available and be able to explain them to the customer. The incumbent selects or recommends the best option based on the customer's need. There is no, or limited, ability for the incumbent to change the options. For example, positions working in the Financial Aid area would need to fully understand the various student loan programs that are available and based on a student's unique situation select or recommend the program that would best address the student's financial situation. The incumbent does not have the ability to change the funding programs, which are established by an external agency.

Level 3 refers to the need to "tailor service". This means that in order for the position to provide the right type of service, he/she must ask questions to develop an understanding of the customer's situation. The customer's request must be understood thoroughly. Based on this understanding, the position is then able to customize the way the service is delivered or substantially modify what is delivered so that it suits the customer's particular circumstances.

Level 4 means that the position designs services for others by obtaining a full understanding of their current and future needs. This information is considered in a wider context, which is necessary in order for the position to be able to structure service(s) that meet both the current stated needs and emerging needs. The position may envision service(s) before the customer is aware of the need.

In speaking of tailoring, the Manual's definition governs, as follows:

To modify or adapt with special attention in order to customize it to a specific requirement.

The union referred to the assigned responsibilities for production and editing of video and audio materials, demonstration of equipment, troubleshooting, set-up and assisting faculty and students with audio-visual equipment as areas which meet the definition of tailoring used by the Manual. Each of these areas requires a discussion or some other method of developing a full understanding of the needs of the person being served, in the union's estimation. Then, the technicians adjust what they provide to the needs and confidence level of the client. It was submitted that, for example, after two or three calls to trouble shoot a problem in a classroom, the technicians get to know a faculty member and are better able to assess the professor's abilities and can better limit or expand a demonstration of equipment to meet that professor's needs. The union argued that this was an integral part of the obligation in the PDF to "provide expert advice on the use of presentation equipment, software, image files to be used with electronic classroom equipment".

The College sees the function as more routine, noting that the high volume of service provided through the position requires standard services and standard service methods. Minor "tailoring" for which the incumbents are responsible has been well-rewarded by the Level 3 occasional rating in the employer's submission. They argue that the Manual's description of Level 2 service, "Service is provided by determining which option would best suit the needs of the customer according to specifications", describes the situation well. There must still be a conversation so that specifications or needs can be identified, but in the College's view, the key responsibility is knowing all of the options available and explaining them to the customer, with a potential recommendation of the best option. Further, the College asserts that the process by which the incumbents deliver service is very defined, especially for the greatest position responsibility, circulating equipment, as is the method used for troubleshooting.

In the College's view, the fact that different problems get fixed differently, especially in the context of a high volume service, does not mean the incumbents have any significant responsibility for tailoring solutions, "customizing the way service is delivered" or "substantially modifying what is delivered." The College maintains there is simply no time for the in-depth engagement associated with "tailoring", given the volume associated with A.V. services.

The College asserts that the award of a Level 3 occasional rating was because Audio-Visual Technicians were responsible for giving input into the design of e-classrooms at the time the PDF's were written, and that this is no longer a responsibility because all e-classrooms have been deployed.

The current rating acknowledges that some of the incumbents' duties require tailoring, and thus engage Level 3 at least on an occasional basis. In these circumstances, the nub of the dispute is about whether the position duties are adequately valued with the occasional rating, or whether regular and recurring is the better fit, the more accurate way to describe this feature of the jobs. In their arguments, the parties focussed on the quantitative aspect of the term "occasional", which is a salient feature of the Manual's provisions concerning its meaning. But it is not the only aspect, as reflected in the following excerpt in the portion entitled "How to Use the Manual":

"Regular & recurring" may not be readily identified as a quantitative amount of time. If a specific task occurs daily or weekly, it is easily identifiable as "regular & recurring". However, a specific task that occurs once or twice a year, every year, and takes up about 25% of the work year should also be recognized as "regular & recurring". *Any task or responsibility that is an integral part of the position's work and is expected or consistently relied on should be considered "regular & recurring".* (Emphasis added.)

The term "occasional" can be considered in a few different time frames. It can be defined as once or twice a month or three or four times per year. It is important to remember that this term is to be considered when identifying significant skills or responsibilities associated with activities that occur for a short period of time, on a few occasions or sporadically throughout the year.

The combination of the quantitative and non-quantitative aspects of the terms makes this portion of the Manual difficult to apply, as many duties could be well described as both "integral and consistently relied on" (and thus regular and recurring) and "significant skills or responsibilities associated with activities that occur...sporadically throughout the year" (and thus occasional). Nonetheless, I take the intended direction of these paragraphs to turn on the sense of the combined concepts of being integral and consistently relied on, i.e. not severable from the regular and recurring expectations of the job. In my view, the tailoring aspects of the incumbents' jobs fall into this aspect of regular and recurring. The material before me and the discussion at the hearing persuades me that the need to tailor is a regular, integral part of the job, and has survived the deployment of the e-classrooms. Overall, my view is that there is considerably more modifying, adapting and customizing involved in the technicians' work than in Level 2, where the example of inability to change the funding programs from the Notes to Raters describes a much more limited amount of ability to change what is offered. From modification of software to deal with open-source materials, to creating work-arounds during trouble shooting and event set-up, and making creative as well as technical decisions while producing, editing and advising students and faculty members on production, there is regular scope for tailoring according to the customer's particular circumstances, which corresponds well to the Note to Raters for Level 3.

The College argued that finding a technical solution was not tailoring and suggested that tailoring required designing. I note that “design” is a term salient in the Level 4 factor descriptions, beyond what the union is asking for. It is my considered view that finding a technical solution may or may not require customizing, but the incumbents are relied on at all times to customize in the sense of modifying or adapting to the specific requirements of the customer’s circumstances when needed. The evidence persuades me that, although there are not an infinite number of options, the technicians deal directly with the clients, and are required to ascertain their needs before acting on their requirements, and are expected to adapt the service to the situation. The PDF’s require the incumbents to give expert advice and provide examples such as meeting with library staff to determine needs for a power point presentation to promote the library to students and meeting with faculty to understand requirements for equipment demonstrations, interviewing students and faculties about problems to be solved or projects to be accomplished. These all fit quite well with the need to ask questions to thoroughly understand the request and needs highlighted in the Level 3 Note to Raters

The aspect of the facts that persuades me that regular and recurring is a better fit than occasional is that tailoring could be required at any time in any of the troubleshooting, production or demonstrating portions of the job. Although it is no doubt true that a large majority of the incidents of these tasks do not require tailoring, the College consistently relies on the incumbents’ ability to tailor when it is necessary.

Therefore, the rating for Service Delivery should be raised to Level 3, regular and recurring for each of the incumbents.

To summarize, for the reasons set out above, the grievance is allowed in part.

The College’s rating for the factors Guiding and Advising and Independence of Action is confirmed while the rating for the factor Service Delivery should be raised to Level 3, regular and recurring.

This brings the point rating from 582 to 598 for Mr. Craven, from 591 to 607 for Mr. Gibson, both of which remain within Payband I, and from 634 to 650 for Messrs. Olearo, London and Wu, which moves them into Payband J. The arbitration data sheets are attached. Compensation for the difference in paybands I and J is due to Messrs. Olearo, London and Wu. I note that Mr. Wu took over this grievance from his predecessor, Chris Ioannou. The parties have come to an

agreement as to how the retroactivity should be paid to each of Messrs. Wu and Ioannou, and that compensation will be retroactive to March 1, 2007 for each of the positions.

I will remain seized to deal with any problems in implementation of the above decision, including any dispute concerning retroactive pay, which the parties are unable to resolve themselves.

Dated at Toronto this 30th day of June, 2010.

"Kathleen G. O'Neil"

Kathleen G. O'Neil, Arbitrator

Arbitration Data Sheet – Support Staff Classification

College: Seneca Incumbent: Michael Craven Supervisor:

Current Payband: I Payband Requested by Grievor: J

- ii. Regarding the attached Position Description Form:
- The parties agree on the contents
 - The union disagrees with the contents and the specific details are attached

iii. The attached Written Submission is from: The Union The College

Factor	Management				Union				Arbitrator			
	Regular / Recurring		Occasional		Regular / Recurring		Occasional		Regular / Recurring		Occasional	
	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points
A. Education	3	35			3	35			3	35		
B. Education	1	3			1	3			1	3		
C. Experience	3	39			3	39			3	39		
D. Analysis and Problem Solving	3	78			3	78			3	78		
E. Planning/Coordinating	3	56			3	56			3	56		
F. Guiding/Advising Others	3	29			4	41			3	29		
G. Independence of Action	3	78			4	110			3	78		
H. Service Delivery	2	29	3	6	3	51			3	51		
I. Communication	3	78			3	78			3	78		
J. Physical Effort	3	47			3	47			3	47		
K. Audio/Visual Effort	3	35			3	35			3	35		
L. Working Environment	3	69			3	69			3	69		
Subtotals	(a)	576	(b)	6	(a)	642	(b)	0	(a)	598	(b)	0
Total Points (a) + (b)	582				642				598			
Resulting Payband	I				J				I			

Signature:

Kathleen Whelan
Arbitrator's Signature

Apr. 22, May 10/10
Date of Hearing

June 30/10
Date of Award

Arbitration Data Sheet – Support Staff Classification

College: _____ Incumbent: Ewan Gibson Supervisor: _____

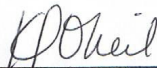
Current Payband: _____ Payband Requested by Grievor: _____

1. Regarding the attached Position Description Form:
 The parties agree on the contents
 The union disagrees with the contents and the specific details are attached

2. The attached Written Submission is from: The Union The College

Factor	Management				Union				Arbitrator			
	Regular / Recurring		Occasional		Regular / Recurring		Occasional		Regular / Recurring		Occasional	
	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points
1A. Education	3	35			3	35			3	35		
1B. Education	1	3			1	3			1	3		
2. Experience	3	39			3	39			3	39		
3. Analysis and Problem Solving	3	78			3	78			3	78		
4. Planning/Coordinating	3	56			3	56			3	56		
5. Guiding/Advising Others	3	29			4	41			3	29		
6. Independence of Action	3	78			4	110			3	78		
7. Service Delivery	2	29	3	6	3	51			3	51		
8. Communication	3	78	4	9	3	78	4	9	3	78	4	9
9. Physical Effort	3	47			3	47			3	47		
10. Audio/Visual Effort	3	35			3	35			3	35		
11. Working Environment	3	69			3	69			3	69		
Subtotals	(a)	576	(b)	15	(a)	642	(b)	9	(a)	598	(b)	9
Total Points (a) + (b)	591				651				607			
Resulting Payband	I				J				I			

Signature:



 Arbitrator's Signature

Apr. 22, May 10/10
 Date of Hearing

June 30/10
 Date of Award

Arbitration Data Sheet – Support Staff Classification

College: Seneca Incumbent: Mark Olearo Supervisor:

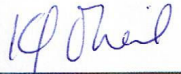
Current Payband: I Payband Requested by Grievor: J

1. Regarding the attached Position Description Form:
 The parties agree on the contents
 The union disagrees with the contents and the specific details are attached

2. The attached Written Submission is from: The Union The College

Factor	Management				Union				Arbitrator					
	Regular / Recurring		Occasional		Regular / Recurring		Occasional		Regular / Recurring		Occasional			
	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points		
1A. Education	3	35			3	35					3	35		
1B. Education	1	3			1	3					1	3		
2. Experience	4	54			5	54					4	54		
3. Analysis and Problem Solving	3	78			3	78					3	78		
4. Planning/Coordinating	3	56	4	7	3	56	4	7	3	56	4	7		
5. Guiding/Advising Others	4	41			4	41					4	41		
5. Independence of Action	3	78	4	9	4	110					3	78	4	9
7. Service Delivery	2	29	4	6	3	51					3	51		
8. Communication	3	78	4	9	3	78	4	9	3	78	4	9		
9. Physical Effort	3	47			3	47					3	47		
10. Audio/Visual Effort	3	35			3	35					3	35		
11. Working Environment	3	69			3	69					3	69		
Subtotals	(a)	603	(b)	31	(a)	657	(b)	16	(a)	625	(b)	25		
Total Points (a) + (b)	634				673				650					
Resulting Payband	I				J				J					

Signature:



 Arbitrator's Signature

Apr. 22, May 10/10
 Date of Hearing

June 30/10
 Date of Award

Arbitration Data Sheet – Support Staff Classification

Seneca College

Incumbent: Michael London

Supervisor:

Current Payband: I

Payband Requested by Grievor: J

1. Regarding the attached Position Description Form:

- The parties agree on the contents
 The union disagrees with the contents and the specific details are attached

2. The attached Written Submission is from:

- The Union The College

Factor	Management				Union				Arbitrator			
	Regular / Recurring		Occasional		Regular / Recurring		Occasional		Regular / Recurring		Occasional	
	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points
1A. Education	3	35			3	35			3	35		
1B. Education	1	3			1	3			1	3		
2. Experience	4	54			4	54			4	54		
3. Analysis and Problem Solving	3	78			3	78			3	78		
4. Planning/Coordinating	3	56	4	7	3	56	4	7	3	56	4	7
5. Guiding/Advising Others	4	41			4	41			4	41		
6. Independence of Action	3	78	4	9	4	110			3	78	4	9
7. Service Delivery	2	29	3	6	3	51			3	51		
8. Communication	3	78	4	9	3	78	4	9	3	78	4	9
9. Physical Effort	3	47			3	47			3	47		
10. Audio/Visual Effort	3	35			3	35			3	35		
11. Working Environment	3	69			3	69			3	69		
Subtotals	(a)	603	(b)	31	(a)	657	(b)	16	(a)	625	(b)	25
Total Points (a) + (b)	634				673				650			
Resulting Payband	I				J				J			

Signature:

Kathleen J. O'Neil
 Arbitrator's Signature

Apr. 22, May 10/10
 Date of Hearing

June 30/10
 Date of Award

Arbitration Data Sheet – Support Staff Classification

College: Seneca Incumbent: Ken Wu (Chris Ioannou) Supervisor:

Current Payband: I Payband Requested by Grievor: J

1. Regarding the attached Position Description Form:

- The parties agree on the contents
 The union disagrees with the contents and the specific details are attached

2. The attached Written Submission is from: The Union The College

Factor	Management				Union				Arbitrator			
	Regular / Recurring		Occasional		Regular / Recurring		Occasional		Regular / Recurring		Occasional	
	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points	Level	Points
1A. Education	3	35			3	35			3	35		
1B. Education	1	3			1	3			1	3		
2. Experience	4	54			4	54			4	54		
3. Analysis and Problem Solving	3	78			3	78			3	78		
4. Planning/Coordinating	3	56	4	7	3	56	4	7	3	56	4	7
5. Guiding/Advising Others	4	41			4	41			4	41		
6. Independence of Action	3	78	4	9	4	110			3	78	4	9
7. Service Delivery	2	29	3	6	3	51			3	51		
8. Communication	3	78	4	9	3	78	4	9	3	78	4	9
9. Physical Effort	3	47			3	47			3	47		
10. Audio/Visual Effort	3	35			3	35			3	35		
11. Working Environment	3	69			3	69			3	69		
Subtotals	(a)	603	(b)	31	(a)	657	(b)	16	(a)	625	(b)	25
Total Points (a) + (b)	634				673				650			
Resulting Payband	I				J				J			

Signature:


 Arbitrator's Signature

Apr. 22, May 10/10
 Date of Hearing

June 30/10
 Date of Award