

WHAT IS A SPECIAL CASE?

To assist those contemplating a special case submission, the following guidelines should be considered before filling out a special case form.

1. A special case is primarily a claim that the identical or virtually identical job outside the Ontario government is receiving a higher salary. This is called a “market comparison”.
2. A secondary justification for a special case is that salary relationships previously established with groups outside the Ontario government and, to a lesser extent inside the OPS, have altered. This is known as an “historical relationship”.
3. From the employer’s perspective a major consideration is whether or not they can attract employees with the appropriate skills and keep them. This issue is commonly referred to as “hiring and retention”. Since normally the central union does not have access to this information, please make every effort to obtain this data locally and submit it with your special case claim.
4. Success depends on the extent to which each or all of points 1, 2 and 3 above are true and can be proven with documentary evidence which will convince the employer to agree to an adjustment in bargaining. It is not sufficient simply to state on the form that “your occupational group should get more money”. You must attach all available supporting documentation. The assigned Research Officer may be able to add to your information from central sources but the person making the claim has primary responsibility for supplying the necessary justification and indicating the exact source of the information so that it can be verified.
5. Added responsibilities do not produce a special case. When duties of greater responsibility are added or appear to have been added, you have a problem with your job description and classification. You may file a classification grievance under Article 22.12 of the Collective Agreement. You may also inform the union members of the Joint System Subcommittee (JSSC) about your classification concerns.)
6. Special cases must be adopted by the members of your Bargaining Category at your Local Demand Setting meeting, submitted on the appropriate form, to which all relevant documentary evidence should be attached, and be signed by two (2) local officers before they are sent to the Regional Office.
7. Special cases are not discussed at the Local Demand Review meeting. The team is ultimately responsible for deciding which cases meet the criteria and whether a particular case or any case(s) will become part of the Category’s final proposals.

8. A team may decide not to make a special case part of the final demands for one of several reasons:
 - a) It is lacking in merit;
 - b) There is insufficient supporting evidence;
 - c) It appears to be more properly a classification grievance; or
 - d) For strategic reasons, the team decides not to include any special cases in its demands.



ONTARIO PUBLIC SERVICE 2004 COLLECTIVE BARGAINING
LOCAL DEMAND SETTING

SPECIAL CASE SUBMISSION

PLEASE PRINT

LOCAL _____

JOB CLASSIFICATION _____

- CATEGORY Administrative Correctional Institutional & Health Care
- Office Administration Technical / Operational & Maintenance

NAMES(s) and ADDRESS(es) of member(s) initiating or involved in this special case proposal:

Name _____

Street _____

City _____

Postal Code _____

Telephone Res: (____) _____ (____) _____

Bus: (____) _____ (____) _____

INSTRUCTIONS

1. This form is to be filled out in full following acceptance of this special case, by the category involved, at your local demand setting meeting. The names required above are important should the team need to contact someone for more information on the request.
2. **TO BE VALID, THE FOLLOWING CONDITIONS MUST BE MET:**
 - a) Only submissions made through the local demand setting process and recorded on this form will be included in the package placed before the appropriate category negotiating team for a final decision.
 - b) This form must be signed by two (2) local officers (preferably including the Local President).
 - c) This form must be received by your Regional Office by **September 21, 2004**.

Local President _____	Local Officer _____
Local Office Held _____ (if not Local President)	Local Office Held _____
Signature _____	Signature _____
Address _____	Address _____
Postal Code: _____	Postal Code: _____
Telephone Res: (____) _____	Telephone Res: (____) _____
Bus: (____) _____	Bus: (____) _____

