

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. Special cases must be adopted by the members of your Bargaining Unit 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.
6. 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 Team’s final proposals.
7. 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 2008 COLLECTIVE BARGAINING
LOCAL DEMAND SETTING



SPECIAL CASE SUBMISSION

PLEASE PRINT

LOCAL _____

JOB CLASSIFICATION _____

BARGAINING UNIT: Unified Correctional

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 bargaining unit 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 negotiating team for a final decision.
 - b) Within two working days after the local demand setting meeting, locals shall forward their demands, including special case wage adjustment demands, to their OPSEU regional office. Demands will only be considered official if they are adopted by the local, signed by two officers of the local, and accompanied by the minutes of the demand setting meeting. Minutes must be signed by two officers of the local and state that quorum had been met, to be official.
 - c) This form must be received at your Regional Office by **June 9, 2008** or your demands will not be included in the Local Demands and Issue Resource Book, to be given to the Bargaining teams.

Local President _____ Local Officer _____
Local Office Held _____ Local Office Held _____
(if not Local President)
Signature _____ Signature _____
Address _____ Address _____

PCode: _____ PCode: _____
Telephone Res: (____) _____ Telephone Res: (____) _____
Bus: (____) _____ Bus: (____) _____

